

A Most Dangerous Science: Discipline and German Political Philosophy, 1600-1648

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Abstract

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This dissertation tracks the development of German political philosophy over the course of the first half of the seventeenth century, with an emphasis on the disciplinary, methodological, and pedagogical concerns of *Politica* writers. These figures produced large-scale technical textbooks on politics, which attempted to make sense of the chaotic civil sphere through the application of disciplinary structures. The main influences on their thought came from the sixteenth century: Aristotelianism, reason of state, natural law, and neostoicism were the competing traditions that they attempted to fit into comprehensive treatments of their subject.

Generally, these thinkers have been organized by historians into schools divided by their political and confessional commitments. I argue that, while these factors were important, their disciplinary and methodological choices also decisively shaped their vision of politics, and indeed their positions on the critical questions of their day. I do this by focusing on four specific writers, one from each of the four faculties of the early modern university: Bartholomäus Keckermann from the arts faculty, Henning Arnisaeus from Medicine, Christoph Besold from Law, and Adam Contzen from Theology. I show how each *Politica* author's disciplinary background inflected their construction of politics as an academic discipline, and how this in turn shaped their opinions on the confessional and constitutional debates which were then fracturing the Holy Roman Empire.

While the dissertation does focus on the differences among these figures, it also tracks a trajectory which they all participated in. I argue that their attempts to discipline politics as a subject resulted in the centering of the state as a disciplinary and administrative institution. Their motivation was to prevent political upheaval through the application of technical expertise, which meant that they were able to find ever more aspects of human life which required treatment under the rubric of political philosophy, because almost anything could be conceived of as either a threat or a source of strength for the political order. This in turn suggested a vastly expanded conception of the regulatory and disciplinary powers of the state. I thus contend that, although the *Politica* writers are mostly forgotten today, they represent a critical phase in the intellectual development of the idea of the state.

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Introduction: Discipline and the Development of Political Philosophy in Germany, 1600-1635

*Now is he born, his parents base of stock,
 In Germany, within a town call'd Rhodes:
 Of riper years, to Wertenberg he went,
 Whereas his kinsmen chiefly brought him up.
 So soon he profits in divinity,
 The fruitful plot of scholarism grac'd,
 That shortly he was grac'd with doctor's name,
 Excelling all whose sweet delight disputes
 In heavenly matters of theology;
 Till swoln with cunning, of a self-conceit,
 His waxen wings did mount above his reach,
 And, melting, heavens conspir'd his overthrow;
 For, falling to a devilish exercise,
 And glutted now with learning's golden gifts,
 He surfeits upon cursed necromancy;
 Nothing so sweet as magic is to him,
 Which he prefers before his chiefest bliss:
 And this the man that in his study sits.*

Christopher Marlowe's *The Tragical History of the Life and Death of Doctor Faustus*, written in the late 16th century and first published in 1604, is not simply the story of a man who sold his soul to the devil. It is also an academic story, about a German professor who seeks worldly power through the acquisition and application of knowledge. His desire to bend the world to his will, however, proves to be chimerical, and he is punished with death and damnation for preferring human knowledge over divine things. The man who originally inspired the story, Johann Georg Faust, was an itinerant alchemist and magician, but in the German legend that provided Marlowe with his source material, he was transformed into a venerable professor, and in the English play he is depicted as being among the most prominent intellectuals in his country. Regardless of Marlowe's own religious beliefs, which have remained controversial since his own short lifetime, the play itself serves as a stern warning about the dangers of occult knowledge and intellectual pride.

As with all of Marlowe's plays, *Doctor Faustus* deals with political life as well. He exclaims, upon making his deal with Mephistophilis, "By him I'll be great emperor of the world."¹ While this desire turns out to be fanciful, he does have several encounters with the most powerful men in Europe. As a result of his ill-gotten powers, Faustus travels to

¹ Christopher Marlowe, *Doctor Faustus*, A-text (1604) 1.3.102.

Rome and torments Pope Adrian in his own court. Later, he gets an audience with Holy Roman Emperor Charles V, whom he vows by conjuring an image of Alexander the Great. In requesting to see the Greek conqueror, Charles reveals his private anxiety that his successors will not “attain to that degree of high renown and great authority,” and suggests that the sight of Alexander will assuage his fear of political decline.² When an attending knight expresses doubts about Faustus’ abilities, the doctor causes horns to sprout from his head. At the emperor’s request, Faustus restores the knight to his previous, hornless condition, but not before admonishing him to “hereafter speak well of scholars.”³ Faustus was a professor who wanted to be a prince; failing that, he wanted at least to receive respect and wield influence in the courtly world of power.

Marlowe was keenly aware of a central truth about intellectual practices in the period: that they were motivated by a desire to *discipline* the world. This was the case on two levels. Firstly, there existed a drive to organize the all human knowledge into academic disciplines, which were not only internally coherent and discrete, but could be easily understood in relationship to one another. This would ideally result in a single edifice of rationally organized learning, and explains why many have described the intellectual culture of the period as a second scholasticism, in that it recalled the medieval evocation of a single philosophical framework encompassing all forms of knowledge.⁴ As Ernst Cassirer wrote, in the seventeenth century the goal of philosophy was “systematic rigor and completeness,” and followed a trajectory that reached its zenith with the rational, comprehensive systems of Descartes, Hobbes, and Spinoza.⁵ In the earlier decades of the century this project was only in its incipient stages, but was clearly evident in various humanist traditions, including Ramism and the revival of Aristotle, two phenomena which will be discussed at length in this dissertation.

This development of asserting control over human knowledge through the application of methodological rigor was mirrored by the attempt of developing territorial states to assert control over human life. This phenomenon has been explored through a variety of interpretive lenses, and a number of terms have been applied to it: state formation, governmentality, and the “disciplinary revolution,” to name a few.⁶ These terms describe subtly different ideas about how, when, and why the process occurred, but most scholars agree that one of the most salient features of political modernization was the metastatic expansion of state power into virtually all spheres of human activity.⁷

² *ibid.*, 4.1.26-27.

³ *ibid.*, 4.1.86.

⁴ Daniel D. Novotny, “In Defense of Baroque Scholasticism,” *Studia Neoaristotelica*, Vol. 6 (2009) pp.209-233.

⁵ Ernst Cassirer, *The Philosophy of the Enlightenment* (Princeton, 2009). pg. 7.

⁶ Philip S. Gorski, *The Disciplinary Revolution: Calvinism and the Rise of the State in Early Modern Europe* (University of Chicago, 2003), Michel Foucault, *The birth of biopolitics.*

Lectures at the College de France, 1978-79 (New York: Picador, 2010), Charles Tilly, *Coercion, Capital and European States, A.D. 990-1992* (Hoboken: Wiley-Blackwell, 1992).

⁷ Reinhard Koselleck, *Critique and Crisis*. As Koselleck notes, it was only later on, in the 18th century, when the idea of civil society arose in opposition to the absolutist state. See also Jürgen Habermas, *The Structural Transformation of the Public Sphere*. Both scholars argue that the

The question then: what is the relationship between these two processes? On a deeper level, this confronts the question of what the relationship is between the development of political ideas and the trajectory of political (and institutional) history. The traditional approach — the history of political ideas — views political philosophers as the handmaidens of state formation. They furnished developing states with legitimating concepts, which both centered them as the primary objects of political reflection and burnishing their claims to be the preeminent — and perhaps only — legitimate political actors. The quintessential example of this is the concept of sovereignty, which dominated the period between Hobbes and Bodin.⁸ This period also saw the birthing pains of the modern state, as virtually all parts of Europe experienced varying degrees of rebellion and civil war, but which ended with a durable state system which would last until the French Revolution.⁹ In this sense, the relationship formed something of a virtuous circle: political chaos encouraged thinkers to reformulate the basis of authority, generating theories which were amenable to those actors who were engaged in state formation.¹⁰

There are several problems with this view, however. In the first place, the real productive relationship between political ideas and political activity must be left vague, because it is ambiguous. It may be true that we live in Hobbesian states today, but at the time his ideas were controversial, arguably unpopular.¹¹ Indeed, the most prominent subjects of the history of political ideas tended to be innovative or even radical, which put them in a tenuous position within the conservative political culture of the period — they did not yet have an enlightened “public” to champion, so the university and the court were the only institutional and social milieus in which they could ply their trade. They were more likely to put their lives at risk with their ideas than to win support from powerful figures.

Secondly, the traditional view fails to fully explain the relationship between the between the scholastic development of disciplines at universities and the rise of discipline as a social and political value — not that it particularly tries to. This dissertation identifies that connection by looking at less heralded texts in the history of political thought, textbooks written by German professors in the early decades of the 17th century. They have been referred to as examples of the *Politica* genre, particularly those that were explicitly commentaries on Aristotle’s foundational *Politics*. Some of the texts discussed in the dissertation have not been included in this grouping, but they invariably included the Latin word for politics in some declension in their titles, and share enough generic qualities that it is appropriate to apply the title more broadly. These texts were certainly written with the intention of contributing to the evolution of

social rise of the bourgeoisie was necessary for this latter development. Previously, the courtly centers of territorial states were the primary centers of social and political power.

⁸ Julian Franklin, *Jean Bodin and the Rise of Absolutist Theory* (Cambridge, 1973).

⁹ Theodore K. Rabb, *The Struggle for Stability in Early Modern Europe* (Oxford, 1976).

¹⁰ Julian H. Franklin, “Sovereignty and the mixed constitution: Bodin and his critics” in J.H. Burns, *The Cambridge History of Political Thought, 1450-1700* (Cambridge, 2008) pp. 298-328

¹¹ This was in part due to his views on religion, as was the case with Machiavelli. As with the Italian, it was necessary for a tradition to arise which took up the useful aspects of his theory while jettisoning — or even actively disputing — the more troubling and impious parts.

political concepts, and many historians, German and otherwise, have included them in narratives about the development of political thought in the period.¹² They were attempting to reconstitute politics on a firm philosophical and empirical ground in response to the crises facing Germany. At the same time, the conservative intellectual culture which informed the *Politica* writers discouraged any kind of innovation — in fact, it promoted a vision of politics where change itself was to be avoided at all costs.

This tension — between the practical need for reformulated political concepts and a general fear of innovation — is why the *Politica* texts are so useful in illustrating the role of discipline in the relationship between political thought and state formation. As I will show, discipline functioned on multiple levels in these texts. In the most basic sense, the term *disciplina* had a pedagogical meaning. Indeed, the texts themselves were educational documents, whose function was to train the political class. This group included both the aristocratic elite and the growing professionalized class of bureaucrats who staffed the growing state apparatuses on the territorial and imperial levels. The *Politica* treatises presented a synthetic construction of political knowledge, combining a humanistic-ethical philosophy with more technical, practical material on the science of governing. This was one of several tensions at work in their treatises, which help explain one of their most notable qualities: their stunning comprehensiveness.

A second level on which discipline functioned was as a control over the unruly subject matter which confronted the *Politica* writers. As I will show later in this introduction, German professors were confronted with a profusion of competing visions of how politics should be treated academically, not to mention an ever-growing body of empirical evidence. This provoked sustained methodological reflection which was reflected in their works. Method arose as a tool for the domestication of political philosophy as a body of knowledge, which would both direct political thinking toward suitable conclusions and present those conclusions in an accessible, useful way. Methodological rigor was therefore crucial to the *Politica* writers, who drew upon their varying disciplinary backgrounds in thinking about the proper approach to their subject.

On a final level, the concept of discipline inflected the way *Politica* writers envisioned the central object of political theory: the state. As they saw it, political life was oriented around the management of danger and risk. The goal was to constitute a political edifice that could prevent change and thereby endure the trials of history. The sources of disorder were manifold, including discord within the political class, natural disasters, war, and perhaps most importantly, different ideas about the constitution of the Holy Roman Empire and the true religion. The goal of political thought, both as a branch of philosophy and as a specialized body of technical knowledge, was to provide the political class with methods to *govern*, by exerting control over the people, places, and things within the territories of their states.¹³ This involved the inculcation of political virtue among the members of the elite — thus the classical humanist tradition was preserved in the treatises — as well as the scientific treatment of all of the various tasks facing an administrative government. Because the goal of the administrative state was to mitigate risk and control any potential sources of disorder, the gaze of the

¹² Horst Dreitzel, *Protestantischer Aristotelismus und absoluter Staat. Die „Politica“ des Henning Arnisaeus* (Wiesbaden: Franz Steiner, 1970).

¹³ James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale, 1998).

Politica writers fell upon an ever-broadening collection of issues. This concern added to the voluminous scope of the treatises, a tendency which increased over time. As I will also show, the way in which *Politica* writers conceived of the risks and dangers of politics, as well as their favored methods for mitigating them, were substantially informed by their disciplinary backgrounds.

The *Politica* treatises constitute one part of a body of literature that has been largely ignored, dismissed, and ridiculed. The academic political thought produced at German universities in the period before the Thirty Years' War has been characterized as the last gasp of an archaic intellectual tradition, only worth remembering because it so outraged later thinkers that they were inspired to implement the bold innovations of post-Westphalian political thought. This scholarly neglect is attributed to several causes, most notably the confessional commitments of the thinkers in question. Secondly, the texts are all firmly entrenched in a late-humanistic scholarly tradition which is characterized by a reluctance to assert anything without copious reference to authority. As it was the abandonment of these two tendencies that has so typically been defined as the advent of modernity in political thought, it is only natural that historians would treat German *Politica* texts as a point of departure rather than as a meaningful contribution to intellectual history.¹⁴

There is another attribute of this body of literature that is generally mentioned in passing, but which has probably contributed to a lack of scholarly enthusiasm. Simply put, the texts themselves tend to be breathtakingly boring. They favor an abstruse, torpid form of neo-Latin and are invariably thorough to a fault. They are furthermore generic and only with sustained attention can a researcher parse the differences among them. This has only added to the impression that they were the product of a sterile intellectual culture. It is perhaps for this reason that the existing monographs on the topic, almost exclusively in German, generally survey the literature as a whole for their collective development of key concepts like authority and self-defense.¹⁵ Indeed, the most significant study of German political thought in the 17th century produced in the past half-century is a two-volume effort to trace the concept of monarchy in the tradition of Skinner's Cambridge School and Kosseleck's *Begriffsgeschichte*.¹⁶

Nonetheless, the output of academic philosophers in this period represents the product of a massive amount of intellectual labor and is deserving of scholarly reevaluation.¹⁷ It is essential to recover the meaning of these texts in their original context if we wish to rescue their contribution to political thought from historical prejudice. Putting aside the judgment of later philosophers, we must ask what exactly *Politica* writers hoped to accomplish with their ponderous tomes. Firstly, we might

¹⁴ Ian Hunter, *The Secularisation of the Confessional State: The Political Thought of Christian Thomasius* (Cambridge, 2008).

¹⁵ Robert von Friedeburg, *Self-Defence and Religious Strife in Early Modern Europe: England and Germany, 1530–1680* (New York: Routledge, 2002).

¹⁶ Horst Dreitzel, *Monarchiebegriffe in der Fürstengesellschaft: Semantik und Theorie der Einherrschaft in Deutschland von der Reformation bis zum Vormärz* (Cologne: Böhlau, 1991).

¹⁷ Joseph S. Freedman, *Philosophy and the Arts in Central Europe, 1500–1700: Teaching and texts at schools and universities* (Aldershot: Ashgate, 1999).

suppose that the dullness of the treatises was intentional. Their plodding repetition and dense web of intertextual reference must have served some purpose in the minds of their authors, unless we only wish to view them as symptomatic of calcified intellectual practices. This latter option is untenable in view of the institutional context of this literature, which reveals that these apparently obscure thinkers were in fact intimately involved in the public life of the Holy Roman Empire and particularly its constituent territorial states.¹⁸

The explosion of political treatises produced by German scholars around the turn of the 17th century was a response to the crisis of the Empire. Scholars hoped to reconstruct politics on a theoretical level in order to buttress political and religious reform. This monumental task involved the aggregation of several traditions of political knowledge and reasoning, most notably Aristotelianism, but also natural law discourse on sovereignty, Lipsian neo-Stoicism, and the Italian reason of state tradition. What these disparate sources shared was their usefulness in carving out an autonomous realm for political thought. Scholars have argued that by reconstituting the field on its own terms German thinkers hoped to liberate political thought from the corrupting influence of theology and jurisprudence, thus reorienting the political realm toward the appropriate goals of stability and peace. At the same time, however, these influences put pressure on the act of political thinking by emphasizing that the demands of this form of reflection must be articulated independently of other disciplines.

Therefore, a second aspect of their task was to differentiate the discipline of politics from the traditional faculties of the early modern university. While the authors of the treatises were trained as doctors, jurists, philosophers, and theologians, they nonetheless all sought to establish the autonomy of political science from adjacent fields. This was substantially a process of purification — the confusion of doctrines that could occur if a subject were treated using a method improper to it was a source of danger and had to be rectified in order to mitigate the crises besetting the Empire.

Finally, the key to understanding these texts, and specifically what role their recursive and formulaic qualities played, is their goal of establishing control over a specialized body of knowledge. The authors of political treatises perceived without exception that political knowledge was not merely a salutary gift to the public sphere, but also that it could be dangerous. Here was another tension at work: because the dissemination of correct political doctrines could only benefit civil life, the presence of political and religious difference demanded explanation. In an act of political theodicy, scholars needed to explain not only why their ideas were correct, but also why incorrect ideas existed. The act of committing the entirety of political knowledge, as mediated through the application of rigorous method, to the printed page would mitigate this tension by reducing political difference to a question of method. It would imbue the political world with the academics' own values, which emphasized sobriety, comprehensive description, and dispassionate analysis. Writing itself would become a model for political behavior. In other words, these political treatises were boring because their authors would have liked politics to become less interesting.

¹⁸ Of the four writers centered in this dissertation, three participated significantly in public life in some fashion.

The word “discipline” (*disciplina*) appears with some regularity in the *Politica* texts, although not in the modern meaning, with its implications of social control. Generally, it was used to refer to the education of children, as it did in Theophilus Golius’ *Epitome Doctrinae Politicae*.¹⁹ Given the pedagogical role of the texts, however, the connection is not too indirect — discipline created good political subjects and actors. Elsewhere, the term was used in its academic sense, as when Keckermann opposed philosophical disciplines such as politics, economics, and ethics to “superior faculties” like jurisprudence.²⁰ Nonetheless, German academics endorsed the disciplinization of political thinking, as accomplished through their magisterial volumes, as the solution to the dangers inherent to political knowledge.

The development of political expertise was crucial to the emergence of the early modern state. As political authorities consolidated their control over their subjects and territories, they created a demand for professional staffs that would carry out the work of administration. These positions were originally taken up by jurists and clerics, but as the intellectual articulation of political thought progressed, political writers began to stake a claim as well. If the art of the state was self-contained, then it stood to reason that its practitioners’ expertise should be useful to rulers and stake-holders in the state. As Ash describes it, expertise is the ability to “control” a specialized body of knowledge, and can be separated from art or practice in that it has a theoretical basis. Also, expertise must be publicly legitimated in order to justify the name.²¹ German political treatises in the beginning of the seventeenth century may not have been page-turners, but they do appear to be an attempt to build such a body of knowledge that, if acknowledged as valid by political authorities, could cure the body politic of its ills. Johannes Althusius, one of the most prominent practitioners of the *Politica*, best articulated the idea that method could serve as a bridle on politics, while also allowing the discipline to expand:

I have also noted some things that are missing in the political scientists. For they have omitted certain necessary matters that I think were carelessly overlooked by them; or else they considered these matters to belong to another science. I miss in these writers an appropriate method and order. This is what I especially seek to provide, and for the sake of which I have undertaken this entire labor. For I cannot describe how very beneficial this plan for clear teaching is to students, and even to teachers. Those who are acquainted with these matters, and have learned from experience about them, testify that this method is the fountain and nursery of memory and intelligence, and the moulder of accurate judgment.²²

¹⁹ Theophilus Golius, *Epitome Doctrinae Politicae* (Strasburg, 1621) p. 390.

²⁰ Keckermann, *Systema Doctrinae Politicae*, 75.

²¹ Eric H. Ash, “Expertise and the Early Modern State” *Osiris* Vol. 25, No. 1 (2010), pp. 1-24. pp. 5-9.

²² Johannes Althusius, *Politica*, trans. Frederick S. Carney (Indianapolis: Liberty Fund, 1995) p. 4.

Accuracy of judgment and the acuity of memory (i.e. wisdom gained by experience) are the fruits of a proper political education. This kind of mutually beneficial relationship between experience and theoretical rigor may be summed up in the key virtue of early modern politics: prudence. Prudence represented the dynamic relationship between observation, theory, and practice. As Althusius says, political knowledge is only complete when it combines *doctrina* and *usus*. According to Oestreich, prudence was a new kind of morality in that it privileged the state: it gave the institution an autonomous realm in which to operate, while maintaining its ethical character.²³

Traditions of German Political Thought: Sources of the *Politica*

There were four main streams of thought which the *Politica* writers attempted to synthesize into a coherent, scientific philosophy of the state. These different traditions comprised the core of the intellectual resources available to the *Politica* writers, particularly in their goal of articulating a vision of politics as an autonomous sphere of human activity. Nevertheless, in addition to the various crises facing the Empire at the time, the presence of multiple vocabularies of politics put pressure on the act of political thought. These four strands of thought — Aristotelianism, reason of state, Neostoicism, and natural law — had their roots in the previous century, arising out of the intellectual transformations brought about by the Renaissance and Reformation. While the *Politica* writers may have seen themselves as participants in one or another of these traditions, as was the case with Arnisaeus and Political Aristotelianism, they generally found uses for all four, in keeping with their eclectic style. In addition to their usefulness in distinguishing politics from other disciplines, these traditions offered different solutions for mitigating the dangers of politics. At the same time, some of them had troubling implications for the *Politica* writers, who were conservative by constitution. In certain cases, they threatened to unmoor politics from its traditionally moral basis, and in others they suggested that establishing a truly just political system required radical change to the status quo. The *Politica* writers were thus ambivalent participants in each of these traditions, employing them enthusiastically when it suited their purposes while struggling, sometimes without much success, to modify them in order to defend the status quo.

The most significant tradition influencing the *Politica* authors was that of Aristotle, who enjoyed a revival in the period. The paramount position of Aristotelianism in Reformation-era German political writing can be traced to Luther's separation of spiritual and temporal authority. His theory of the two kingdoms was perhaps motivated by a desire to challenge the juridical authority of the Church, but it also had the effect of greatly enhancing the standing of temporal rulers. The worldly kingdom was based on a natural law that was written in men's hearts, and thus had authority over all human beings regardless of their religious status. Nonetheless, God was of course behind the natural law as well, and obedience to temporal authority was therefore as much a matter of piety as prudence.²⁴ In his treatise on temporal authority,

²³ Oestreich, 42.

²⁴ Francis Oakley, "Christian Obedience and Authority, 1520-1550," *The Cambridge History of Political Thought 168-172*

he referred to Romans 12 and I Peter 2 in order to argue that it was any Christian's duty to obey established authorities, as these two passages assert that all government is divinely ordained. Any imperfection in worldly politics can be blamed solely on the negligence of man, rather than God who instituted punishments out of a knowledge of man's sinfulness.²⁵ Worldly political authority was thus championed, but on an entirely different basis than that of the church. Already, the medieval dynamic of a contentious but theoretically unchallenged relationship between spiritual and temporal power was under attack.

Furthermore, Luther's strict separation of the two realms, and his insistence that any mixture of the two could only lead to chaos and impiety, stood in contrast with the Thomist synthesis of the Middle Ages, which held that the various forms of law and authority existed in a mutually beneficial hierarchical relationship. Instead, the relationship between spiritual and temporal authority was parallel, with each "exerting different modalities of authority," according to Francis Oakley.²⁶ This was the theoretical novelty which allowed Luther and his followers to effectively end the medieval understanding of the relationship between the two swords. Luther's rejection of Aquinas' philosophy did not entail a rejection of Aristotle as the basis for political thought, however. If anything, it ultimately elevated the philosopher's work as something that did not have to be accommodated to a theological system, but which could instead justify itself. While on the one hand Luther's theoretical move did much to restore rulers' charismatic role within a Church as a community of believers, rather than as a hierarchical institution, on the other hand it challenged political thinkers to work out the responsibilities and limits of this relatively new modality of authority.

Luther's colleague Melanchthon was the most important figure in the reestablishment of Aristotle's position at the center of political theory. A systematic thinker *par excellence*, he was uniquely attracted to the entirety of the Aristotelian corpus. The practical builder of Lutheranism as an established Church, he introduced Aristotelianism as the centerpiece of Protestant pedagogy. He did so because of an interest, widely shared in the sixteenth century, of delineating the boundaries among different forms of knowledge, while at the same time valorizing the pursuit of worldly sciences.²⁷ If Luther was the deeply intuitive thinker who severed the links between the spiritual authority of churches and the worldly activities of man, Melanchthon was the pragmatic systematizer who sought to articulate how an independent secular realm would function. He turned immediately to Aristotle in approaching this momentous task. A 1537 address to students at Wittenberg reveals his debt to Aristotle, as well as his concern for the purity of doctrine through a correct organization of knowledge. In it, he asserted that only "method" can prevent the confusion of doctrines, emphasizing that only the strict separation of fields of knowledge can bring about doctrinal purity. He

²⁵ Martin Luther, "Temporal Authority: To What Extent It Should Be Obeyed," in Timothy F. Lull, ed., *Martin Luther's Basic Theological Writings* (Minneapolis, MN: Fortress Press, 1989) pp. 659-60.

²⁶ Oakley, 172.

²⁷ Joachim Whaley, *Germany and the Holy Roman Empire. Volume 1: From Maximilian I to the Peace of Westphalia, 1493-1648* (Oxford, 2012) p. 458.

continued to say that Aristotle is the true father of method, thus establishing his central position in the Protestant pedagogical system.²⁸

By the beginning of the seventeenth century the *Politica* already existed as a genre of German political writing. While commentaries on the works of Aristotle already formed a centerpiece of European intellectual culture in the period, Germans wrote more treatises on the Politics than their contemporaries in other countries, most likely because of Melanchthon's influence.²⁹ Political Aristotelianism in general sought to bolster the authority of established government, particularly that of the developing territorial states within the Empire. In order to do so, they would emphasize that political authority was based on the natural law, thus continuing the Lutheran tradition of justifying secular power. In the end, Aristotelians explored and articulated the nature of political domination in order to defend a precarious status quo — not unlike the majority of Lutheran princes, who stood between Catholics and Calvinists in the Empire, and tended to prefer a moderate path.³⁰

In general, Aristotelianism valorized political authority by basing it upon the natural law, situating it within a comprehensive systematization of knowledge about the world. This in turn justified the study of politics as a discipline independent of others. It gave politics a clear area of competence by separating it from other fields of inquiry, while at the same time linking it closely to other forms of practical philosophy. All in all, it was the most comfortable basis for a reconstructed science of politics at the time, as the sheer number of treatises based on the *Politics* attests. At the same time, although the Aristotelian solution might satisfy the desire for a rational basis of political science, the challenge of applying it to real-world problems remained.

As we have seen, Luther's doctrines helped spread Aristotelianism by grounding political authority on the law of nature. The literature on the natural law tradition in this period is massive, and it is impossible to fully describe its contents in this brief survey.³¹ The natural law appears as a concept in all of the *Politica* texts, although none of them can be described as exclusively natural-law theories of the state. For the purposes of this study, I focus on the debate over sovereignty, which was waged on the terrain of natural law discourse. The concept proved to be central to the *Politica* project, although it was a double-edged sword. At the center of this narrative was the reception of Jean Bodin in Germany.

Bodin's influence on German political thought perhaps best exemplifies the conflicted nature of the resources Germans had use of in their task of developing

²⁸ Eric M. Parker, "Aristotle's Method as Promethean Fire: Melanchthon's Opinion" (2009) <https://epistole.wordpress.com/2009/06/24/aristotles-method-as-promethean-fire-melanchthons-opinion/>

²⁹ C.H. Lohr, "Renaissance Latin Aristotle Commentaries: Authors A-B." *Studies in the Renaissance*, Vol. 21 (1974), pp. 228-289.

³⁰ Peter H. Wilson, *The Thirty Years War: Europe's Tragedy*. (Harvard, 2009). pp. 31-36.

³¹ Otto Gierke, *Natural Law and the Theory of Society 1500 to 1800*, trans. Ernest Barker (New York: Beacon, 1957); Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge, 1996); Francis Oakley, *Natural Law, Laws of Nature, Natural Rights: Continuity and Discontinuity in the History of Ideas* (New York: Bloomsbury, 2005); Michael Stolleis, *Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy* (New York: Routledge, 2017).

political science. On the one hand, it opened up a whole new method of separating political authority from other disciplines through the articulation of the concept of sovereignty. On the other hand, it had a particularly problematic reception in Germany, which was in the midst of an extended debate over the relationship between territorial princes and Imperial institutions. Bodinian sovereignty offered a powerful tool to political scholars, but they were aware that in the wrong hands it could just as easily be a source of disorder. Bodin's influence was thus a liberating contribution to German thought, but it created at the same time the demand for a definitive answer to the question of where authority ultimately existed in the Empire. The result was a sustained debate on the location of sovereignty, which was complicated by the confused and precarious constitutional situation in Germany. This did have a positive result, in that it encouraged the articulation of the attributes of sovereignty and ultimately resulted in a vastly extended realm of inquiry for political scholars, but it was not because sovereignty theory liberated politics from ethics and religion; rather, this productive outcome was the result of sovereignty theory's danger.

Althusius, one of the *Politica* writers not included in this study, was a central figure in the Germanization of natural law sovereignty theory. Otto Gierke, who championed Althusius and rescued him from obscurity, suggested that he had erected "the first complete system of political theory which was wholly based on natural law."³² In his 1603 *Politica Methodice Digesta*, he developed a comprehensive system of politics which was based on the idea that "Politics is the art of associating men for the purpose of establishing, cultivating, and conserving social life among them."³³ That is, political organizations existed because of the natural need of men to associate with one another — although it is important to note that, unlike later theorists in his tradition, he derived his theory from scripture as well as reason. Following Ramist methodology, his analysis of politics actually resembled Aristotle's in many ways. His most important contribution to German political thought was his rejection of Bodin's position that sovereignty rested in the ruler of a state. Rather, he located sovereignty in the entire body of associations that made up a commonwealth. This shot across the bow, so to speak, began a debate over sovereignty and the Empire, which had clear implications for the constitutional settlement. All of the *Politica* writers would use the language of sovereignty (rendered in Latin as *majestas*) when discussing the question of who had ultimate authority in the Empire.

The third major tradition which influenced the *Politica* writers, and perhaps the cause of the most consternation, was the reason of state discourse which emerged out of Italy.³⁴ The phrase was a new one, coined by Giovanni Botero in his 1589 work *Della Ragion di Stato*. Botero disagreed with Bodin's position that a prince held irrevocable authority over his subjects, and more importantly criticized Machiavelli for suggesting that a prince should only pretend to be good. These two positions would exert a strong

³² Gierke, 37.

³³ Althusius, xv.

³⁴ For an overview of reason of state in the German context, see Michael Behnen, "'Arcana — Haec Sunt Rationis Status.' Ragion di Stato und Staatsräson. Probleme und Perspektiven (1589-1651)" *Zeitschrift für Historische Forschung*, Vol. 14, No. 2 (1987) pp. 129-195.

influence over many of the *Politica* writers.³⁵ Its influence can be traced as well to Justus Lipsius. The tradition as a whole held that politics was separate from ethics, and that preserving the state was of paramount importance. This position was held in opposition to Machiavelli, who almost reveled in the amorality of the political sphere. Rather, politics had its own rules which occasionally allowed for actions that could be seen as immoral or impious, because of the high stakes of the enterprise — reason of state thinkers were certainly responding to the disastrous wars and chaos of their times, and felt that political stability should be the goal of politics as such. Thus, Lipsius felt, in the words of Gerhard Oestreich, that “deception must be used to counter deception if the common good requires it.”³⁶

This strand of thinking resonated with the *Politica* writers for several reasons. For one, it established that the common good as the end of politics could serve as a means of creating an autonomous academic discipline, independent of ethics, jurisprudence, and theology. Moreover, it could establish this separation while preserving the broadly Aristotelian contours of their understanding of politics. Secondly, it centered the state as the prime object of political reflection. By emphasizing the importance of the state as the manifestation of political order, the tradition did much to depersonalize the institution, in contrast to, for example, Machiavelli’s understanding of the term. Finally, because of their interest in the state, thinkers in this tradition did much to articulate the ways in which the state could or should intervene in society, introducing topics like demographic and economic thought into the field for the first time.³⁷ At the same time, the tradition held dangers, because of the whiff of amorality of the entire enterprise and the connection, however strongly denied, to Machiavelli. The *Politica* writers were therefore at pains to show that establishing an independent set of political ethics would not bring about immorality in the public sphere. Their arguments relied on the depersonalization of the state, which they conceived of as the protector of the common good, rather than as an instrument of the ruler’s self-interest.

The final influence on the *Politica* writers, and perhaps the most important, was Neostoicism, and can also be traced to Justus Lipsius. His focus on prudence and the value of experience was deeply attractive to German thinkers, and many scholars argue that his role in defining the political attitude of theorists in Germany cannot be overemphasized.³⁸ The influence of Neostoicism can be seen on a methodological level, but the philosophy primarily served as an example of how to behave with integrity as a political thinker in fraught circumstances. Additionally, it was attractive in that it offered a new synthesis of Christian ethics with classical political theory. In this sense, it was central to the reevaluation of political writing as a vocation, as practitioners sought to resolve their problematic status as intellectual servants of authorities.

³⁵ Michael Stolleis, *Staat und Staatsräson in der Frühen Neuzeit. Studien zur Geschichte des öffentlichen Rechts* (Frankfurt: Suhrkamp/Insel, 1990), Robert Bireley, *The Counter-Reformation Prince: Anti-Machiavellianism or Catholic Statecraft in Early Modern Europe* (Chapel Hill: University of North Carolina, 1990).

³⁶ Gerhard Oestreich, *Neostoicism and the Modern State* (Cambridge, 2008).

³⁷ Bireley, 47-48, 64.

³⁸ Oestreich, *passim*.

Lipsius took many positions which were attractive to Germans, including the assertion (which harmonized nicely with Aristotelianism) that moderation was a precondition for peace, and that political writing should be oriented toward giving practical advice to rulers. His aphoristic style, which derived from his admiration for Tacitus, was less popular among Germans, although it did find some adherents. Lipsian political thought provided a more direct response to the problems of the day, a task for which Aristotelianism was less well-suited. Oestreich notes that this was in a sense ironic, as Lipsius showed barely any interest in the specific problems facing the Netherlands and Europe. Nonetheless, his work resonated massively throughout Europe because of his assertion that the Neostoic state should focus on practicality. In Oestreich's narrative, the modern state arose out of the religious wars as a practical institution, less interested in religious purity than the effectiveness of rule.³⁹ Lipsius' influence spread to Germany both through institutional links across the border and also through the wide dissemination of his works. He corresponded widely with intellectuals across the continent, including Germany. For example, he formed a personal relationship with Ludwig Camerarius, who studied at Helmstedt in 1592 and who would later serve as the head of Frederick V's government in exile after the latter's ill-fated and short-lived term as King of Bohemia. A German translation produced by P. Negelein of his most famous work, *Politicorum sive Civilis Doctrinae Libri Sex*, appeared already in 1600, only eleven years after its original publication.⁴⁰

Neo-Stoicism, particularly as articulated by Justus Lipsius, provided German political theorists with a model on how to behave as subjects and scholars. Of special importance was the stoic emphasis of self-control. The danger of practicing political writing derived not only from the risk of doctrinal confusion but also from human passions. Once again, an outside influence gave German scholars the opportunity to discuss politics as an autonomous branch of knowledge. This influence, however, placed immense demands on the political thinker as a person and on political writing as a practice. Perhaps the strictures of stoic ethics attracted German thinkers because they were onerous. The perilousness of engaging in political thought engendered the desire to control not only the field of politics but also the political thinker as a figure of importance.

A Scientific Revolution in Politics?

While the four traditions outlined above influenced the *Politica* writers heavily, they did not fit neatly into any boxes. Indeed, their political philosophy was marked by eclecticism, as they employed the various languages of political theory for different uses as they saw fit. They might use Aristotelian concepts in order to explain the causes of political life, rather than natural law, only to employ the latter discourse in their discussion of religious toleration. This often lends their texts a measure of incoherence. Still, their methodological reflections served to provide a structure to their thought. Looking at these sections of their thought is revealing in that it displays their central concerns in writing works on politics. The *Politica* as a project was about making the topic legible and useful to students and other members of their audience. This

³⁹ Oestreich, 56, 70.

⁴⁰ *ibid.*, 163.

procedure could in turn exert a measure of control over an unruly body of knowledge, and a chaotic political world. While they were written in order to defend specific political positions and schools of thought — something which I do cover in this study — it was this concern with discipline that characterized the *Politica* as a genre of writing.

I therefore argue in this dissertation that the *Politica* writers were shaped decisively by their disciplinary backgrounds in approaching their task. Their academic habits and techniques, formed by their training in the four faculties of the early modern university, were as important to their conception of the topic as were their political and confessional commitments. In order to illustrate this, I have chosen one figure from each of the faculties, and interrogated their primary political texts for evidence of their methodological background. The chapters follow a roughly chronological order, as well as the order of precedence of the faculties (not to mention Dr. Faustus' soliloquy). Bartholomäus Keckermann, a Danzig polymath and Ramist educational reformer, represents the arts faculty. His political thought was inflected most by pedagogical concerns, reflecting his status as an instructor of younger students. Henning Arnisaeus, the political Aristotelian from the University of Helmstedt, was trained as a medical doctor. His political thought was characterized by a preoccupation with crisis and corruption, reflecting his position in the medical faculty. Christoph Besold was a jurist whose thought displayed not only a legal understanding of political concepts, but also a lawyer's attitude toward mediation and conflict resolution. Finally, Adam Contzen was a theologian who understood politics in starkly religious terms. He conceived of politics as a means to salvation for humanity, and of political philosophy as a version of controversial exegetics.

These four philosophers represent the three major confessions that existed in the Empire at the time. (Keckermann, the example of Reformed political thought, lived in the part of Prussia that was technically part of Poland, although he was trained within the Empire.) They also represent a wide geographical swathe of the country. My choices gesture toward the idea that discipline and method were a central concern of political philosophy in this period, and that this phenomenon was intimately linked to the continuing rise of modern, territorial states throughout Europe in the seventeenth century.⁴¹ Each of the figures I have chosen were influential in their own right, something I discuss in their individual chapters. However, they were not chosen because they were the four most important German political thinkers of the period — although they are certainly judged to be among the most significant.⁴² Rather, they are representatives of a larger endeavor, in which the German academic class as a whole attempted to shape the world around them using the tools accessible to them.

Ultimately, I will show that the *Politica* writers' attempts to discipline their field of study was a significant step in the articulation of the idea of the state. While their theoretical innovations may have been unremarkable relative to their colleagues in neighboring countries, they represented some of the first attempts to treat almost the

⁴¹ In the centuries-long process of state formation, this was a critical period, as the challenges facing states meant that they had to be reconstituted along institutional, legal, and financial lines. The preoccupations of the *Politica* writers — the depersonalization of authority; the management of natural resources, population, and the economy by a growing bureaucratic apparatus; the use of natural law concepts

⁴² See Dreitzel, Weber, and Franklin.

entirety of human activity under the rubric of politics, and thus as a possible target of state intervention. This will, I hope, serve as an illustration of how the supposedly sterile soil of German academic culture could help produce political modernity.

Chapter 1
A Most Dangerous Science: Pedagogy and Discipline in Bartholomäus
Keckermann's *Systema Disciplinae Politicae*

*Settle thy studies, Faustus, and begin
 To sound the depth of that thou wilt profess:
 Having commenc'd, be a divine in shew,
 Yet level at the end of every art,
 And live and die in Aristotle's works.
 Sweet Analytics, 'tis thou hast ravish'd me!
 Bene disserere est finis logices.*

Bartholomäus Keckermann, the Calvinist polymath from Danzig, published in 1607 a series of lectures on politics he had given at the *Gymnasio Dantiscano*. As the first general canon of politics he proposed that it was preeminent among intellectual pursuits. This was the case, he argued, because any error committed would be widely diffused and connected with great danger:

*Disciplina politica est princeps quaedam et architectonica, unde aliarum omnium disciplinarum non quidem res ipsae et methodus, sed institutio tamen et docendi tradendique occasio pendet, et in qua si erretur, error statim latissime diffunditur, ac cum maximo periculo coniunctus est.*⁴³

Keckermann's interests were eclectic — he published on nearly every topic — but he was best known for his works on logic and systematic theology.⁴⁴ While in Heidelberg, he had held a chair in Hebrew, before eventually returning to his hometown on the Baltic Sea in order to serve as rector of a new gymnasium there. His political works form only a small, uncelebrated fraction of his life's work, and yet in the beginning of his lectures he wished to emphasize to his students the vital importance of the topic.

The text of the *Systema Disciplinae Politicae*, or “System of Political Instruction,” contains thousands of canons, expounded according to a Ramist classification and containing the collected wisdom of authorities ranging from the ancients, and especially Aristotle, to near contemporaries such as Bodin, Lipsius, and Pierre Gregoire. That the first canon would establish the vital importance of the given topic is from a pedagogical perspective understandable. We can hardly expect that an experienced teacher would

⁴³ Bartholomäus Keckermann, *Systema Disciplinae Politicae*, 1607 (first) edition, p. 4. Unlike most other treatises written in the period, the *Systema* (*SDP* in later footnotes) does not have section or paragraph numbers.

⁴⁴ For biographical information, see Joseph S. Freedman, “The Career and Writings of Bartholomew Keckermann,” *Proceedings of the American Philosophical Society*, Vol. 141, No. 3 (Sep., 1997), pp. 305-364.

introduce a subject by calling it irrelevant. Nonetheless, his two grounds for the preeminence of politics are not only noteworthy, but contain the key to understanding the meaning of Keckermann's political attitude. Firstly, the discipline of politics is architectonic, in that the other disciplines, those of practical philosophy especially, both form the basis of civic life and find their fullest expression in the public realm. This teleological move from private to public is recognizably Aristotelian, but was in Keckermann's time notable for its refusal to place any other field of inquiry, particularly theology, above politics in a hierarchy of learning. As conceptual hierarchies and the relationships among the sciences were central to Keckermann's pedagogical project, the choice indicates a growing awareness of the disciplinary importance of politics. Keckermann's respect for politics as a field of instruction in turn indicated a growing respect for the political arena as a field of human activity, and the state as an institution.

The second reason given for the centrality of politics was the danger of error in the field, as well as the speed with which error could spread. It is, once again, unsurprising that he should make note of the perilous aspect of the field, but here as well the placement of the canon was essential. Keckermann introduced the discipline of politics by connecting intellectual error with great danger. Therefore, his methodologically rigorous treatment of politics was meant to be a solution to that danger. This is simple enough. The important question is how exactly Keckermann supposed that his text would serve as a meaningful answer to political error. Yes, he could present his students with the sagacity of the authorities and the lessons of history, while adding some of his own opinions, and this is certainly what he intended to do in the *Systema*. What is more interesting is how he chose to present his collection of political wisdom, and the assumptions he brought to bear in his application of Ramist methods to the topic.

This chapter explores the impact of Keckermann's methodological approach to politics, as he sought to exert control over an unruly political world through the act of intellectual discipline-construction. He marshaled the intellectual resources available to him, and from his vantage point on the periphery of the German speaking world, in a relatively minor and new educational institution, sought to make politics legible. I argue that Keckermann strove to transform the political arena into a sort of vast university, where problems and solutions could be best understood by following classroom procedures, and where difference — that great driver of political dynamics — could be resolved through academic disputation. That is, Keckermann's pedagogical concerns determined not only the form, but also the content of his presentation of politics.

Keckermann's writings enjoyed a relative popularity in the first half of the seventeenth century; nonetheless, not much modern scholarship exists on the man. Howard Hotson has written extensively on him, although he plays a supporting role in the grand drama of his younger friend and colleague Johann Heinrich Alsted. The main full-length studies on him are a German theological dissertation from the 1930s and a Polish monograph from the 60s.⁴⁵ More recently, Joseph Freedman has produced an

⁴⁵ Willem Henrik van Zuylen, *Bartholomaeus Keckermann. Sein Leben und Wirken* (Borna-Leipzig: Noske, 1934); Bronislaw Nadolski, *Zycie i dzialanosc naukowa uczonego Gdanskiego Bartolomieja Keckermannna* (Torun: Towarzystwo naukowe w Toruniu, 1961).

overview of his life and career, placing him in the context of the German professorial class, which toiled and churned out thousands of works of philosophy, many of them unread today.⁴⁶

Keckermann's year of birth is the matter of some dispute, but was at some point in the early 1570s. He was born in Danzig, in Royal Prussia — that part which belonged to the Polish-Lithuanian Commonwealth, then in full flower. Strategically situated on the shore of the Baltic and connected to the Vistula River, Danzig was among the most important port cities in the region. Although the halcyon days of the Hanseatic League were long over — Danzig had been a member — the city had a vital role to play in the east Baltic trade. Polish grain flowed through Danzig, as well as timber, making the city a crucial location for the Dutch and English, who were both hungry for bread and ship masts.⁴⁷ As a result of its importance, the city enjoyed a number of privileges, including relative autonomy from the Polish crown. They would have to defend those privileges in 1577 against King Stephen Bathory, whom they did not want, having preferred Emperor Maximilian. The city endured a siege which ended with a minor battle, a confirmation of privileges and a payoff to the victorious king. Keckermann would have been a young boy at the time. It is unclear how this political history might have affected him — as we shall see, he was a strong monarchist, especially in comparison to his coreligionist Althusius, who was a champion of civic autonomy in theory and action. In any case, the episode was symptomatic of the chronic decentralizing tendencies that would be the downfall of the Commonwealth, tendencies which Keckermann's strong vision of politics would have counteracted.

Danzig's German speakers had accepted Lutheranism, and Keckermann's family was Reformed. The confessional situation in Poland was peculiar; German speaking Lutherans from Royal Prussia had distanced themselves from Lutherans in the Empire, choosing instead to produce the Sandomierz Consensus in 1570 with Polish Protestants of various stripes.⁴⁸ In any case, the more prominent families, including most of the city council, were Reformed. This accounted for a certain level of protection for Keckermann's family, although this had limits — his uncle, a preacher, had to flee the city when the patricians could no longer guarantee his safety from attacks by the populace.⁴⁹ He began his education at the Academic Gymnasium in Danzig in 1586 before enrolling at Wittenberg in 1590 and Leipzig in 1592. Danzig, like many of the great commercial cities of the German north, was no center of learning. Reformed students were tolerated in Electoral Saxony under Christian I, but his death in 1591 led to an "exodus" of Calvinists to the friendlier confines of Heidelberg, then the center of Reformed German life.⁵⁰ He received his master of arts degree in the Palatinate in 1595,

⁴⁶ Freedman.

⁴⁷ Jill Lisk, *the Struggle for Supremacy in the Baltic, 1600-1725* (London: Minerva Press, 1967) pp. 38-9.

⁴⁸ Peter H. Wilson, *The Thirty Years War: Europe's Tragedy* (Cambridge, MA: Belknap, 2009) p. 193.

⁴⁹ Friedrich Goedeke, *Die 'Politik' des Lambertus Danaeus, Johannes Althusius und Bartholomäus Keckermann* (Heidelberg: unpublished dissertation, 1977) p. 291.

⁵⁰ Freedman, 306.

and continued his career in the capital, first as a school teacher, and then later as a professor of Hebrew in the philosophy faculty.

After he was denied a chair of theology at Heidelberg, Keckermann decided to return to his hometown and take up a professorship of philosophy at the Academic Gymnasium. The school, as one of the only Reformed educational institutions in a region including parts of Prussia, Pomerania, Poland, Courland, and Livonia, attracted students from a wide area and served as a bulwark of Protestantism at the northeastern margins of the German world, according to Zuylens.⁵¹ He taught there from 1602 until his early death in 1609, which was caused, according to an early commentator, by sleep deprivation and neglect of his own health.⁵² While in Danzig, he did spend some time teaching schoolboys their Latin declensions and the like. Nonetheless, his main job was to teach a three-year philosophy course to graduates of the six-year program, which covered logic and physics in the first year, metaphysics and mathematics in the second, and ethics and politics in the final year.⁵³ This, of course, was in addition to writing systematic treatments of almost every conceivable subject. Freedman counts some 40 works — keeping in mind that he could only have been 38 at the oldest when he died, we might have to believe that he worked himself to death! Moreover, in the last years of his life, he was witness to increased confessional competition in Danzig, with the Reformed elite facing renewed challenges from Lutherans and Catholics alike, and with the Polish king repeatedly interceding to enforce the peace.⁵⁴

The main contours of Keckermann's life emerge from this brief sketch. Although he came from the margins of the German-speaking world, he was exposed to the heartlands of German intellectual life. Indeed, he made his career at Heidelberg, which was at that time one of the most dynamic and lively center of scholarship in Central Europe, and which had important connections to the wider Reformed world. His home in Danzig was not even in the Empire; nonetheless, he experienced the vicissitudes of confessional and political strife on a personal level in Germany, and moreover the Baltic region was no sleepy backwater at the time. He was clearly aware of the major political dynamics of the time, and displayed concern for both German and Polish current affairs in his political works. Also, while his career was mostly devoted to more abstract disciplines such as logic and philology, he had a noted interest in politics. Finally, his entire life is marked by a concern for education, both in theory and in practice. His writings were invariably systematic presentations of subjects for use in classrooms and as reference tools. As we shall see in the following section, this pedagogical concern not only helps us put Keckermann's thought into context, but had deep social and political implications at the time.

The question of Keckermann's significance within the field of intellectual history remains — Joseph Freedman, who assembled a short study of the man and his works, was less than enthusiastic in answering it. He suggests that while Keckermann may have made some impact on European intellectual culture, particularly “within the context of schools and universities,” he was nonetheless merely one of hundreds or thousands of

⁵¹ Zuylens, 8.

⁵² *ibid.*, 308 fn.

⁵³ Goedeking, 290.

⁵⁴ *ibid.*, 291.

professors who were busy churning out similar works during the period. Since the great majority of these have not been read by anyone for hundreds of years, we cannot be sure whether many of his supposed contributions were not “preempted” by other scholars.⁵⁵ It is fair to suggest that his work was in large part derivative, as in his political work he references Pierre Gregoire quite frequently, often as the only support for some specific policy suggestion. Freedman thus suggests that Keckermann’s systematic works form a window into a “corpus of learned views” that are merely presented in a clear and accessible fashion, and that the study of his works belongs in an important sense to the field of social or cultural history in that it illustrates the intellectual world inhabited by countless anonymous scholars of his period.⁵⁶

Pedagogical Method and Disciplined Politics

The context for Keckermann’s attempt to discipline politics came not only from the religious and political turmoil that had touched his own life, but also from the breakdown of the traditional language of politics in the previous century. This transition has been explored by Maurizio Viroli in *From Politics to Reason of State*. While his monograph focuses on Italy, he indicates that the revolution he outlines also affected the rest of Europe.⁵⁷ His central contrast is between “politics as the art of preserving a *respublica*, in the sense of a community of individuals living together in justice, and politic as the art of the state — the art of preserving a state, in the sense of a person’s or group’s power and control over public institutions.”⁵⁸

This latter language of reason of state clearly unmoored the subject from its traditional ethical grounds, and Viroli shows how by the seventeenth century it gradually became synonymous with politics itself. In the latter stages of this process, treatises on politics ceased to present “well-organized sets of rules with an apparent logic,” and instead assumed that the “ruler has to make his decisions on particular issues, in specific circumstances.”⁵⁹ That is, the needs of the state required a new kind of prudence, which not only divorced politics from generalized rule but also grounded political decision-making in self-interest rather than virtue.⁶⁰ As he argues persuasively throughout the book, this conception of politics not only degraded its status among scholarly pursuits but promoted an impoverished and incomplete understanding of the scope and aims of political activity.⁶¹

A number of political theories which emerged throughout the continent around the turn of the century can be seen as a response to this transformation. Bodin’s theory of sovereignty attempted to ground the power and self-interest of the state in a universal/comparative history of jurisprudence. An even more influential phenomenon on the subjects of my study was the neostoicism of Justus Lipsius, whose emphasis on

⁵⁵ Freedman, 324.

⁵⁶ *ibid.*, 325.

⁵⁷ Maurizio Viroli, *From Politics to Reason of State: The acquisition and transformation of the language of politics, 1250-1600* (Cambridge, 1992) p. 2.

⁵⁸ *ibid.*, 2-3.

⁵⁹ *ibid.*, 240-241.

⁶⁰ *ibid.*, 255.

⁶¹ *ibid.*, 281-2, *passim*.

the “strict performance of duty” strove to reintroduce specific form of virtue into politics — one that was not only amenable to the functioning of the state as a disciplinary institution but also attractive to bourgeois-academic types like Keckermann.⁶² It is clear that Lipsius loomed large for the Danzig professor; his treatise is peppered with references to the Dutch humanist, and his understanding of political virtue is obviously informed by neostoic ideals.

My argument, however, is that Keckermann responded to the scholarly problem he faced — that is, of how to provide an overarching structure to a science of the state — through recourse to method. As Neal W. Gilbert’s *Renaissance Concepts of Method* shows, the period preceding the Scientific Revolution was not fallow in terms of methodological reflection. On the contrary, there was a sustained and intense debate over method which touched not only natural philosophy but the humanities as well. Gibson cites Keckermann toward the end of his study as someone who sought to produce *systems* for the treatment of discipline which consisted of two elements: “(1) the determinate distribution of the parts and (2) the coordination of these parts to the end or purpose of the whole system and to each other.”⁶³

As will be shown below, Keckermann’s political thought was decisively shaped by this task of applying method in a way that would produce a systematic presentation of his subject. His educational philosophy was that students should receive systematic treatments of subjects through textbooks such as his *Politicae* combined with practical exercises involving the use of commonplaces.⁶⁴ He consistently emphasized the importance of the internal composition of disciplines as the *sine qua non* of systematic instruction — they must be balanced and symmetrical. While he tended to criticize the methods of Petrus Ramus, it is clear that he was heavily influenced by Ramist thought and that he used it in the service of producing systematic expositions of the various academic disciplines.

Indeed, the story of German Ramism is central to understanding Keckermann’s approach to politics. He was in fact a major figure of that methodological and pedagogical tradition, wherein reformed German intellectuals applied the teachings of Petrus Ramus with varying degrees of fidelity. The movement’s namesake was a French educational reformer who called for practice-based rather than theoretical learning and championed the idea of a single, universal method, both positions which ran counter to the Aristotelian scholastic consensus of the period. He developed the use of simple, visual dichotomies as a way of organizing and teaching any given discipline. He is better known for his followers (and for being a Huguenot martyr) than for his own stature as an intellectual, which historians have not evaluated kindly. He gained adherents across the Protestant world, who did not so much slavishly follow his dictates as develop an open tradition of what Howard Hotson has called “commonplace learning.”⁶⁵

⁶² Gerhard Oestreich, *Neostoicism and the early modern state* (Cambridge, 1982) p. 68.

⁶³ Neal W. Gibson, *Renaissance Concepts of Method* (New York: Columbia University Press, 1960) p. 219.

⁶⁴ Freedman, 317.

⁶⁵ Howard Hotson, *Commonplace Learning: Ramism and its German Ramifications, 1543-1630* (Oxford, 2007).

Given his outsized influence on European intellectual life over the course of two centuries, the literature on Ramus has a patchwork quality. What it lacks in continuity, however, it makes up for with contention. Indeed, Ramus has proved to be as polarizing to historians as he was to his contemporaries. The first scholarly work on his career, Charles Waddington's 1855 *Ramus: Sa vie, ses écrits et ses opinions*, lauded Ramus and positioned him as a heroic modernizer of education in the context of the Protestant Reformation. As was typical for nineteenth-century scholarship, a figure who attacked authority, particularly the kind of authority that propped up the legitimacy of the Catholic Church, was a warrior for the light of reason against medieval obscurantism.⁶⁶ A century later, the Jesuit scholar Walter J. Ong, under the influence of Marshall McLuhan, interpreted Ramus' career through the lens of the print revolution, and argued that he represented a regrettable effacement of classical erudition. His *Ramus: Method and the decay of dialogue* is striking in the vehemence of its tone — he accuses Waddington of harboring a “psychopathic identification” with his subject, and opens his book with a nasty insult towards Ramus from Justus Lipsius: “You will never be a great man if you think Ramus was a great man.”⁶⁷ His analysis, along with that of other critics, focused on Ramus' extreme simplification of rhetoric, a subject which formed the basis of both scholastic and humanistic educational schemes at the time. While classical rhetoric covered the concepts of invention, disposition, style, delivery, and memory, Ramus only covered style and delivery in his rhetoric manual. Invention and disposition were covered in a logic manual that severely simplified classical logic in favor of a streamlined dialectic, and memory was treated not as an individual subject as much as an animating goal behind the entire pedagogical enterprise.⁶⁸

More recent scholars such as James Skalnik and Howard Hotson have taken Ong to task for the vehemence of his criticism, which seemed to parallel critiques from Ramus' time, and which focused excessively on those aspects of his system that were most controversial in that period — obscuring the ways in which it was broadly in keeping with the educational traditions Ramus opposed. Skalnik has focused on the social context in which Ramus operated, portraying him as a working-class hero in an extraordinary period of social flexibility and meritocracy in mid-sixteenth-century France. Hotson, meanwhile, has emphasized the ways in which other scholars, particularly at the margins of the German speaking world, found Ramus' reforms to be useful for their own ends.

Obtaining a straightforward definition of Ramus' actual educational agenda, one that might shed light on Keckermann's political project, from the historical literature is in fact much more difficult than it would seem. Strangely enough, for a pedagogical movement that was widespread, and focused on clarity and ease of use, its characteristics are arcane, and subject to frequent mutation. This confusion probably stems from the fact that Ramus' own views developed significantly throughout his career, before his followers continued his work in a multifarious, nebulous tradition.

⁶⁶ Charles Waddington, *Ramus (Pierre de la Ramée): Sa vie, ses écrits et ses opinions* (1855).

⁶⁷ Walter J. Ong, *Ramus, Method, and the Decay of Dialogue: From the Art of Discourse to the Art of Reason* (University of Chicago: 2005) p. 19.

⁶⁸ Peter Mack, “Ramus and Ramism: Rhetoric and Dialectic” in Steven J. Reid and Emma Annette Wilson, eds., *Ramus, Pedagogy and the Liberal Arts: Ramism in Britain and the Wider World* (Burlington, VT: Ashgate, 2011) pp. 7-24.

There is also some disagreement, mentioned above, as to whether the most controversial aspects of his system were indeed as central as early modern commentators seemed to think.

Nonetheless, it is possible to provide an outline of Ramism that will serve our purposes, by focusing on its two most relevant characteristics: its practicality and its emphasis on the logical organization of disciplines. The most important aspect of his pedagogical system, and the one which distinguished him the most from his humanist contemporaries, was the breadth of topics he set out to cover in a short period of time. He proposed to teach both Greek and Latin grammar, rhetoric, dialectic, arithmetic, geometry, optics, music, and physics, (roughly equivalent to the traditional trivium and quadrivium) all in a seven-year sequence beginning at age eight. This compression was possible because of the simplified logical and rhetorical basis of the curriculum, which sacrificed erudition for accessibility. The sequence made up the “arts” curriculum of his system, after which students would move on to the higher disciplines of law, medicine and theology. (It was here that his system met even more resistance, and his followers were quick to reintroduce Aristotle, especially in the crucial and often abstract discipline of theology.) The programs of his contemporaries, even those he was closely associated with, tended to use seven or more years on grammar alone, before moving on to more advanced topics.⁶⁹

Ramus’ universal method was based on three laws that stood at the heart of his critique of Aristotelian logic. The law of truth, predictably, commanded that all propositions about a certain subject be true. The law of justice meanwhile demanded that propositions be relevant to the topic at hand. Finally, the law of wisdom, which was the crucial piece of Ramist method, required that the propositions be ordered in a way optimized for learning. One begins with a definition of the subject, and then divides it into subtopics, until one reaches a point of sufficient specificity that individual examples may be given. This is the source of Ramus’ famous tables of knowledge, which endured in the tradition that bore his name, even as the influence of his anti-Aristotelianism faded. These logical principles already existed but had always been used purely with reference to the creation of individual arguments. Ramus modified them by applying them to the construction of disciplines. Rhetoric, heretofore the basis of learning, would instead serve as a handmaiden to disciplines constructed along logical lines.⁷⁰ In this manner, entire subjects could be treated similarly, as logically structured bodies of knowledge, proceeding from generalized definitions to specific examples culled from historical cases and classical literature.

Hotson argues that the compression which defined Ramus’ system was motivated by an instrumental view of education. Efficiency and popularity were emphasized in his program — rather than any philosophical principles that would form an intellectual basis for the system — because it was meant to be the basis for a wider reform of society, church, and state. In a sense this was utterly typical. Educational reform is always informed by a wider social or political agenda. Ramus’ mid-16th century France was defined by social fluidity and bitter confessional strife, and his system was designed to

⁶⁹ Hotson, 39.

⁷⁰ James Skalnik, *Ramus and Reform: University and Church at the End of the Renaissance* (Kirksville, MO: Truman State University Press, 2002) p. 49.

maximize accessibility in order to serve both a triumphant reform of church and society, and particularly a meritocratic political order.

As Skalnik notes, the educational reform sought by Ramus served not only his Protestant sympathies — he converted in Germany publicly only a few years before his notorious death in 1572, although he had long been suspected of certain inclinations — but also his vision of a *Republica Timocratia*. The latter term has a confused etymology, but broadly suggests a democratic state governed above all by honor and wisdom. Ramus' political sensibilities brought him into conflict even with Reformed luminaries like Beza, who held him to be a dangerous radical.⁷¹ Alas, he was not talented in making friends, beyond the few powerful benefactors who had allowed his career to blossom, particularly the cardinal of Lorraine, who came from the powerful Guise family.⁷² Nonetheless, what he lacked in friends he made up for in readership and influence. A chart in Skalnik's book based on Ong's inventory of Ramus' printing history shows that his works went through dozens of printings a year in France from the 1540s through the 1570s, followed by similar spikes in popularity in England and to a lesser extent Germany.⁷³

Hotson's work picks up on this thread — the career of Ramism in the German-speaking world — and uses it to rehabilitate the educational program, if not the man himself. Hotson sets out to argue that Petrus Ramus' work was deeply attractive to a German readership, not necessarily because of its Reformed background, but because of its usefulness in a variety of educational contexts. This was especially true for the *gymnasia* of northern Germany, a region not renowned as a center for German intellectual life. The relatively humble institutions of this region served to prepare its students for a professional rather than academic life. In this view, Ramism was not valued by Reformed Germans for confessional reasons. Indeed, Hotson shows how Keckermann and Alsted brought back many Aristotelian elements into the educational philosophy at least in part because of its use in training theological students in an environment of bitter confessional tension. Hotson furthermore details how Keckermann and Alsted cultivated an encyclopedic strain of Ramism, bringing the Frenchman's dream of a truly universal system of learning closer to fruition. This latent encyclopedic tendency was present because Ramus' procedure of organizing a subject was easily replicable and extendable. The trees of knowledge could be expanded to include ever more breadth and complexity within their logical embrace. Alsted's highly ambitious project stretched Ramism to its breaking point and was ultimately interrupted by the Thirty Years' War, which disrupted intellectual life across the Empire.⁷⁴

⁷¹ Skalnik, 149-158.

⁷² *ibid.*, 42. That his patron would be a representative of the ultra-Catholic Guise family is illustrative of the religious and social fluidity of the period — something which would come to a violent end, along with Ramus himself, in 1572.

⁷³ *ibid.*, 162.

⁷⁴ Hotson, *passim*.

POLITIÆ GERMANICÆ. 23
Et tantum de dispositione locorum Communium Politicæ
Germanicæ; cuius methodum discere ex hac, si
placet tabella.

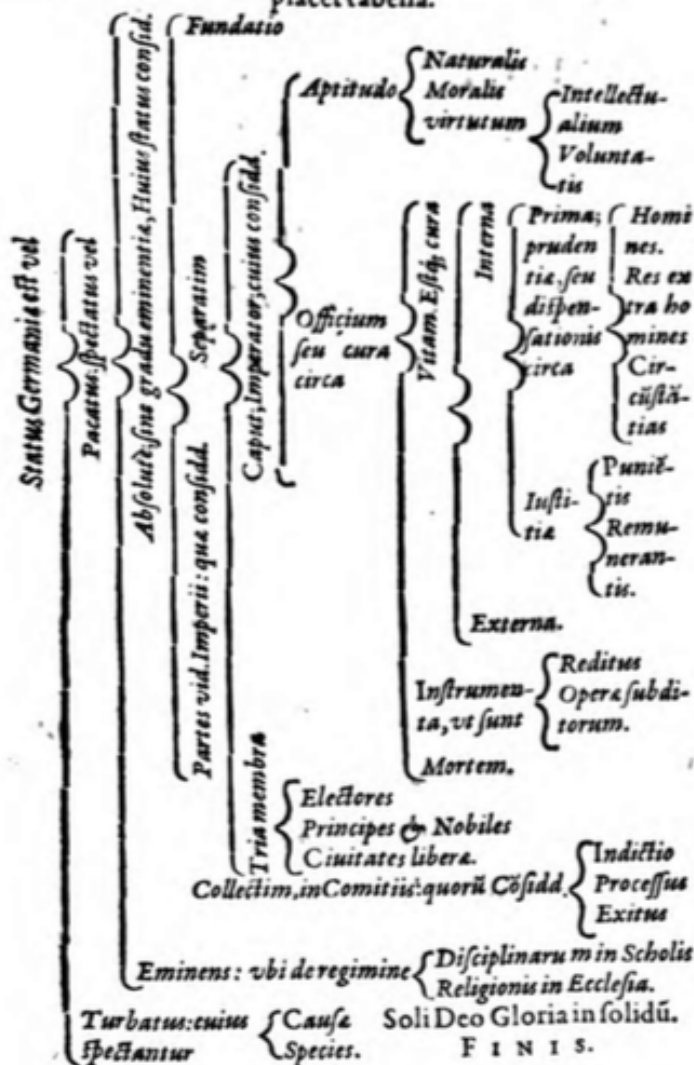


Fig. 1: An example of Ramist tables of knowledge, from Keckermann's 1618 text, *Politica Specialis*. The text was posthumous, and paired Keckermann's analysis of Poland with Alsted's section on Germany, which he wrote following Keckermann's method. The table was therefore most likely produced by Alsted.

Keckermann had other influences — Bodin figured large in his thinking on sovereignty and resistance, while his understanding of civic virtue was decisively shaped by the neostoicism of Justus Lipsius, which was wildly popular at the time — but for the purposes of this chapter I focus on Ramism and his other great influence, Aristotelianism. Many scholars have described Keckermann as more of an Aristotelian than a Ramist. In fact, Hotson describes a sort of conversion experience in which Keckermann came to understand the value of Aristotle's theoretical and complex works, and thereafter vociferously attacked Ramus' criticisms of the ancient philosopher. Nonetheless, Keckermann agreed with his erstwhile role model that Aristotle's texts were too obscure in their original Greek, too laden with archaic contextual baggage to be easily apprehended by students.⁷⁵ Keckermann thus followed a procedure of filtering Aristotelian philosophy through a Ramist pedagogical method, which would present concepts and normative positions in an easily understandable fashion. Just as Social Realism is socialist in content and realist in form, Keckermann's pedagogy was Aristotelian in content and Ramist in form.

Keckermann's Aristotelian Ramism found expression in works on the central fields of the Aristotelian corpus and, a bit unusually, on the practical philosophies. Keckermann's methodological and pedagogical choices therefore influenced his treatment of politics as a disciplinary concern. There were three important ramifications of those decisions. Firstly, I suggest that by reconstituting politics along disciplinary (i.e. pedagogical) lines, Keckermann effectively reimagined political life in a way that he could personally understand and potentially control. In other words, his *habitus* — that of the sober academic — was applied to the world of political activity, particularly that of princes and their territorial states. This kind of activity normally took place in a court setting, where, as we well know, an entirely different sort of *habitus* held sway.⁷⁶ Secondly, I describe how Keckermann's textual technique of collecting commonplaces and reconciling any differences among them was challenged by the problem of religious conflict. His anxiousness to use his method as a way of preserving social order is most apparent here, and I argue that this drove him to embrace a statist solution to the problem rather than occupying a polemical confessional position. I finally suggest that Keckermann's disciplinary approach to politics, while meant as an instrument of control, functioned as a medium for the expansion of the political realm. That is, the Ramist instinct for thoroughness and plenitude in the treatment of any given subject served to reveal ever new potential sources of disorder and danger, which predictably called for the further application of coercive state power. This would prove to be a recurrent theme among all the *Politica* writers, one which would manifest itself in ways determined by disciplinary concerns. In Keckermann's case, Ramist trees of knowledge were omnivorous in their categorization of knowledge, a dynamic paralleled by emergent states voraciously extending their control over their territory and citizens. My suggestion is that, therefore, Keckermann's textual practices, rather than his theoretical treatment of specific concepts such as natural law or sovereignty, pointed toward the

⁷⁵ Freedman, 315.

⁷⁶ Norbert Elias, *The Civilizing Process, Vol. I: The History of Manners* (Oxford: Blackwell, 1969).

development of the modern state as an impersonal institution which follows policy set by sober experts and whose power extends ever further into the lives of its subjects.

Trees of Knowledge: Keckermann's Textual Technique

As earlier stated, the *Systema* was itself a record of lectures Keckermann gave on politics at the Danzig Academy. The course on politics formed a part of the third-year curriculum for advanced students at the institution, which was a university in all but name. The *Systema* is, then, both a record of his pedagogical practice and a textbook through which he hoped to spread his reform-minded methods. The template he follows here matches that which he used for all other topics of his curriculum. While the text is split into two books, the first on monarchy and the second on other forms of government — the latter is a cursory description of the various possibilities that exist other than monarchy — the primary division is between a brief *praecognita* in the beginning and the main body of the text. The *praecognita* — which we would call a *prologomena* — discusses the qualities of the topic as a whole, including its relationship with other disciplines, while the body discusses the contents of the topic.⁷⁷

In both sections of the text, Keckermann invariably imposed the same structure on his lessons. He began with a very brief definition of the topic of the chapter. Then, he immediately started to produce dichotomies within that topic: primary or secondary, immediate or mediated, public or private, and the like. At some point on the tree of subdivisions, he would reach a desired level of specificity. At this point, he could begin to offer his students the real substance of his lessons: normative definitions or pieces of advice called canons. Some canons were merely given before moving on to the next, while others elaborated on the canon, gave support in the form of brief citations, or discussed a debate that had occurred over the topic.

As a result of Keckermann's method, his text stands out among those of his contemporaries in terms of texture. While other *Politica* treatises are characterized by dense webs of assertions, rejections, and references, the *Systema* has an altogether different quality. The density is still present, but because of the variegated nature of the text, and the regular method by which different pedagogical elements are presented, the text is altogether much easier to follow for a modern reader. The text itself tells the reader when it is changing the subject, or when it has finished referring to someone else's argument, for example. This legibility comes not only from the structure of the text, but from its physical characteristics as well. Definitions and canons are printed in italicized typeface, while citations and explanations are given in Roman type. Footnotes are used very sparingly. The text is therefore relatively two-dimensional and uncomplicated. This has the effect of propelling the reader forward, through the various topics covered, rather than into the complexities of any given problem. One imagines that students of the seventeenth century had a similar experience. This was no mistake — the text was streamlined to promote quick mastery, and variegated to aid the memory. Both of these qualities serve the central goals of Ramist pedagogical reform.

An example of Keckermann's technique can be found in treatment of the Jewish question, which in this period meant the question of whether Jews should be allowed to live in one's territory. Keckermann dealt with the question in the chapter on the prince's

⁷⁷ Hotson, 148.

external responsibility, which he defined as those things which the prince must govern with respect to foreigners. First, he specified that foreigners may be outside of the realm, or in it; next, that foreigners within one's borders are either passing through (*peregrinantium*) or dwelling in (*habitantium*) the realm. Jews come under the rubric of wanderers (*peregrinatus*) desiring to live in the realm. They come ninth in the list of canons dealing with this category of people. His discussion of the question was therefore highly subjugated to his logical development of a structure exposition of governmental concerns in general. Although the amount of space he gives to the problem indicates its importance and controversial character, this is secondary to the proper placement of the canon within the presentation. In the canon, he said simply that they must not be easily admitted ("*Judaei non facile quidem sunt admittendi*") and those that are should be bound by all the usual restrictive laws imposed on Jews in Europe at the time. As is typical for canons it comes in the form of an imperative. Relatively few canons are mere statements of fact — most describe the way things ought to be, either directly or indirectly. He followed up his canon with an extensive discussion of the debate over the question, which reveals that he has taken a moderate position, by the standards of the time. (His conclusion matches that of Althusius.) He cited not only authorities, but also councils and laws bestowing certain privileges on the Jews. He wrapped up the discussion with a reference to his contemporary Camerarius, and an assertion that European rulers must consider their rivalry with the Turks before behaving intolerantly towards the Jews.⁷⁸ He laid much import on this argument, saying Camerarius has put forth a "*gravissimam rationem*." It was a pragmatic argument, which suggested that the Ottoman Empire might benefit from the expertise of expelled European Jews. He effectively had drawn together various well-known positions on the matter, although in a way that would not cast doubt on the solution, which had already been presented in the form of the canon. He had attempted to settle a thorny question in a way that his students would understand — and recall, because it has been presented within a methodological context which they could easily remember.

Keckermann's use of dichotomies, which was so key to the pedagogical value of his method, is in general logical enough, although it can produce strange juxtapositions in the text. For example, one chapter is devoted to the discussion of the prince's responsibilities with respect to goods. His first division is between instrumental goods and goods with pecuniary value. The former relate to either the body or the mind. This former category, tools which relate to the body, can be useful either in general, or specifically in times of war. He then gives canons for both, before moving on to a discussion of tools related to the mind. This results in the successive discussions of war materiel and books.⁷⁹ While this is not necessarily an expected combination of topics to be covered in one chapter of a work of political thought, it makes sense within the framework Keckermann devised. And this framework was aimed squarely at easy comprehension and retention, rather than the rhetorical defense of a polemical position.

Keckermann's technique contrasted with that of Althusius, a more prominent political theorist with whom Keckermann has often been studied.⁸⁰ Unlike Keckermann, who emphasized the architectonic quality of politics, Althusius was keen to distinguish

⁷⁸ *SDP*, 380-382.

⁷⁹ *ibid.*, 323-324.

⁸⁰ See Goedekeing.

politics from other disciplines. As the prefaces to the various editions of his *Politica* indicate, he was particularly concerned with the relationship between jurisprudence and politics on the one hand, and the usefulness of religious material, in particular the Decalogue, in informing civil life. This was because his chief aim was to preserve the rights of sovereignty, which he located in society as an organic body of various “symbiotic” associations. His disciplinary aim, in other words, was to identify the “universal association” — one can insert “society” as an alternative translation to that of the conservative Liberty Fund — as the subject matter of politics, in order to buttress his idea of popular sovereignty in the service of his Reformed confessional interests. He made this explicit in the preface to the third edition of 1614, which references the Dutch Revolt against Spain.⁸¹

Given that Althusius clearly had a specific kind of political outcome in mind, his technique and method were altogether different from that of Keckermann. Indeed, the overall structure of Althusius’ *Politica* treatise began with laying the foundation of politics as the “art of associating men for the purpose of establishing, cultivating, and conserving social life among them.”⁸² His method of presenting the topic then proceeded along those lines, dealing first with the different kinds of association that, when taken in the aggregate, constitute the political body as a whole, before moving on to types of government, the question of administration, and finally the question of resistance.

The text itself was more polemical and discursive; however, Althusius did follow a Ramist method just as Keckermann had. Indeed, he produced tables which present the discipline in a graphical form, and his text was also organized through the production of dichotomies and laying down of definitions. Nonetheless, the purpose was less obviously that of instructing students in a discipline and more the theoretical or universalized presentation of a particular set of political convictions. His discussion of the Jewish question, for example, did not explore a variety of different positions but rather focuses on the “prudent and pious” precautions that one must take when allowing Jews to dwell in one’s country.⁸³

In general, one can say that Althusius’ text hangs together as an argument while Keckermann’s text relies on the systematic relationship of its various parts for its coherence. This is because Althusius sought to find a theoretical basis for his political commitments, and as a result developed new natural law concepts to fit his ends. This was a more typical procedure for political thought, a fact which is reflected in his prominent stature in the historical literature. Keckermann was after something different: as a teacher and a relatively disinterested observer of political life, his text privileged the ordered presentation of useful knowledge over an abstract notion of how the civil sphere *ought* to look.

The State as a University

⁸¹ Johannes Althusius, *Politica*, trans. Frederick S. Carney (Indianapolis: Liberty Fund, 1995) pp. 3-14.

⁸² *ibid.*, 17.

⁸³ *ibid.*, 171.

As we know, however, seemingly neutral school textbooks often contain agendas. Keckermann was indeed not shy about sharing his normative judgments on a whole host of political questions. For example, he came out strongly in favor of royal power, which was perhaps unexpected, given his position as a reformed German who had experienced religious persecution and was living in the Polish-Lithuanian Commonwealth. Keckermann's explicit political commitments were fascinating enough, and have been discussed elsewhere.⁸⁴ What I am interested in is the effect Keckermann's professional *habitus* had on his political attitude. By filtering the politically charged normative positions through his methodologically rigorous pedagogical system, Keckermann tried to control and mitigate their explosive potential. He was attempting to exert some sort of discipline, not only on the instruction of political science, but on the act of thinking about politics. In doing so, he reimagined the world of political decision making (something he had little experience with) in pedagogical or academic terms. In other words, he transformed the court, which was an aristocratic arena of political decision making and the primary locus of power in the early modern state, into a sort of university. Once again, the distinctive elements of Keckermann's text are those of inflection, because the content itself is formulaic — in fact, it studiously avoids originality. Nevertheless, when Keckermann described the business of ruling — that is, politics as a human activity, as opposed to a field of reflection — it is clear that he is seeking a kind of control through pedagogy.

Howard Hotson argued that Keckermann's overall project of creating *systemata* for the various disciplines had a theological dimension, in that it was meant to serve "the instauration of the image of God in man."⁸⁵ As Peter Harrison has persuasively argued, the early Scientific Revolution was imbued with the notion that people had easy access to perfect philosophical knowledge before the Fall of Adam — this idea had roots going back to Augustine — and that the development of the scientific method was meant to restore the original, God-given faculties to mankind. In particular, the Calvinist emphasis of Man's depravity encouraged thinkers like Bacon to develop external constraints on the search for knowledge, in the hope that they would correct our propensity for error. Nonetheless, in the earlier stages of the revolution at least, the Aristotelian notion that science should consist of certain knowledge still held sway.⁸⁶ This was particularly true, according to Harrison, in the case of Keckermann's student, Johann Alsted.⁸⁷

As Hotson shows, Keckermann's reconstruction of logic was of paramount importance to this restoration of mankind's original philosophical faculties. This restored system of logic served as a disciplinary bridle on the unruly minds of fallen men: "The laws of logic now have to be imposed rigorously and artificially from without and even relatively simple inferences have to proceed slowly, carefully, and laboriously."⁸⁸ Upon this foundation, Keckermann and Alsted developed the idea that

⁸⁴ Goedeke, 287-342.

⁸⁵ Hotson, *Johannes Heinrich Alsted, 1588-1638: Between Renaissance, Reformation, and Universal Reform*, (Oxford, 2000) p. 66.

⁸⁶ Peter Harrison, *The Fall of Man and the Foundations of Science* (Cambridge, 2009).

⁸⁷ *ibid.*, 91.

⁸⁸ Hotson, 69.

philosophy as a whole stood for, in Keckermann's words, "all teaching and learning which pertains to the perfection of the intellect and the will, and indeed of the whole man."⁸⁹ Finally, they applied this idea to the "full course of the philosophical disciplines," which entailed an encyclopedic project collecting all human learning into one system organized along broadly Ramist lines.⁹⁰ As Alsted explained in the *praecognita* to his *Encyclopaedia* of 1620, any one discipline was meant to correct specific errors in human judgment which were present on account of the Fall.

The contours of Keckermann and Alsted's joint encyclopedic project are illustrative of precisely what the former was trying to achieve with the procedure described in the previous section. By adhering to a rigorous and careful method, Keckermann hoped to inculcate a prelapsarian facility with practical philosophy — a kind of scientific political prudence. Thus, he was envisioning political life entirely within the framework of his pedagogical project, one which embraced all of human learning. If grave matters of state were handled by minds restored to their original perfection, all error could be potentially avoided. Politicians were to behave like students of philosophy — or better yet, professors of philosophy — in their application of prudence to the challenges of politics. This could only be achieved through the external imposition of discipline. This idea imbued Keckermann's political project, to the point that the practice of politics itself was characterized by the imposition of discipline.

Keckermann's particular interest in discipline as a primary function of politics is evident in the *praecognita* section of the text, where he discusses the ends of politics. One might expect an Aristotelian to take up the famous argument that the goal of political organizations should be the good life, particularly through the exercise of intellectual contemplation. On the contrary, he was quick to point out that there are "principal" and "less principal" ends to the practical philosophies. The chief goal of politics, he wrote, is the "calm operation of virtue" (*tranquilla virtutis operatio*), while things like splendor and opulence are less important.⁹¹ The chief goals can be looked at either "absolutely" or "simply" (*absolute*), or "with a level of eminence" (*cum gradu eminentiae*). Looked at absolutely, the end of politics is the public exercise of virtue. This latter distinction was of serious importance to Keckermann. He explained that there is a "grave reason" for distinguishing between the simple and more eminent ends of politics — one cannot judge a republic where people live virtuously and peacefully as unhappy, even if they do not live a life of contemplation, or follow the true religion.⁹²

He went on to cite Aristotle further, claiming that in his view, the end of politics is the conservation of mutual society, and Francis Patricium, who wrote that the goal of politics is consociation, "that is, the conservation of society, which is through the action of virtue."⁹³ In a following canon, he explained that "from political happiness — that is, the public exercise of virtue — security, pleasure, and internal security necessarily flow

⁸⁹ Hotson, 70.

⁹⁰ *ibid.*

⁹¹ *SDP*, 22.

⁹² *ibid.*, 23.

⁹³ *ibid.*, 24.

forth.”⁹⁴ He disagreed, however, with the implied conclusion that the latter three goods are therefore the end of politics. The enjoyment of food is the end result of eating well, he explained, but the end of eating is nutrition; a good that follows from the end, therefore, is different from the end itself. The laws of Solon, he asserted, attest to this truth.⁹⁵ A final canon on the topic concludes that without public virtue, no republic can exist; in many republics the goods of contemplation and piety cannot be achieved in any case. Therefore, in every civil republic the pursuit of integrity (*studium honestatis*) must be strictly pursued (*urgendum*).⁹⁶ He even listed the most renowned republics in history — those of the Spartans, Athenians, Romans, and Venetians — as examples of republics that have been lauded as genuine, without achieving the more eminent ends.⁹⁷

This whole argument was typical of Keckermann’s technique, in that at heart it took Aristotelian concepts and norms to begin a discussion about politics, but which also strove to make Aristotle legible to the modern student by reorienting those concepts — particularly by emphasizing their direct relevance and eliminating the obscurities and anachronisms of their original context. It is noteworthy that throughout the argument, Keckermann constantly compares politics to ethics, claiming that private virtue is the end of that discipline, and that happiness results from the operation of virtue. This is indicative of Keckermann’s sustained interest in the Ramist drive for a universal method, which revealed the similarities among branches of knowledge, and obscured the irreconcilable differences among disciplines that have divergent ends. Thus, we can say that the passage is exemplary of Keckermann’s particular pedagogical or disciplinary treatment of politics.

The argument bears further inspection, however, along two lines. Firstly, there are the implications of Keckermann’s pointed distinction between different kinds of ends, and his insistence that “simple” ends are more important than more eminent ends. I am not aware that any of his contemporaries treated Aristotle in the same way; he cited sympathetic authorities like Lambertus Daneaus and Melanchthon, but did not indicate that they have made this particular distinction about ends.⁹⁸ In any case, the result is that the activity of politics is reoriented around the ordering of human behavior — “public virtue” — rather than towards transcendent ends. The Aristotelian valorization of philosophical contemplation is bracketed, as is the Machiavellian-humanistic celebration of glorious achievement. Nor is there any trace of the Augustinian-Lutheran view of temporal authority as a necessary, if morally ambiguous, bulwark against sinful mankind in a fallen world — although Keckermann’s idea that

⁹⁴ *ibid.*, 25.

⁹⁵ *ibid.*, 26.

⁹⁶ *ibid.*

⁹⁷ *ibid.*, 26-27. Keckermann’s language here is confused. He says these republics have not reached “*ad istum finem excellentem*,” which is in the singular. Nonetheless, he frequently refers to contemplation and pure religion as twinned concepts, even using and/or to discuss them (*contemplatio aut & religio pura*), so he might have been referring to them together in the singular. Given the context, not to mention contemporary views of the republics under consideration, it would be inconceivable for him to mean that they never achieved the public exercise of virtue.

⁹⁸ It does attest to the importance of Melanchthon in Keckermann’s thinking on the relationship between politics and religion, as well as the validity of using Aristotelian concepts to delineate the proper spheres for theology and philosophy.

politics create a baseline of human virtue, as a precondition for the practice of religion, clearly owed something to this tradition. Still, politics did have its own value for Keckermann, as his remarks about republics lacking the true religion indicate, although he was on shaky ground — public morality is valuable for its own sake, because it allows for all the goods that others have claimed are the ends of politics. It hardly needs to be said — Keckermann is keen on the *disciplinary* aspect of politics as an activity, in a way that substantially parallels the modern state's *raison d'être* as an instrument for producing certain behaviors that allow for the pursuit of all sorts of goods, goods which justify the state's existence without requiring it to embody any transcendent values.

Secondly, the reason for Keckermann's insistence on the gravity of his distinction is crucial. The text makes clear that he was concerned with the specter of religious violence, and that his bracketing of the transcendent ends of politics was informed by this concern. As noted above, he did not cite any authorities to support his idiosyncratic view of Aristotelian ends, which seem to actually be means. Rather, he approvingly cited Lambertus Danaeus' argument that political and ecclesiastical rule should be distinguished from one another, and Melancthon's position that the political magistrate should be "the protector of external discipline, that is, of honor."⁹⁹ A footnote to his "grave reasons" remark — he often used footnotes to discuss views he disagreed with — is all the more revelatory. It discusses the Jesuit interpretation of Aristotle, which holds that the end of politics is indeed the more eminent goal of religious piety. (This perspective will be explored much further in the fourth chapter.) The implication of this view is that republics that do not achieve religious unity are not true republics at all, but rather are tyrannies. Keckermann explained that the Jesuits use this line of argument to delegitimize politics and justify all manner of destabilizing, pernicious activities against established authorities.¹⁰⁰

In other words, the Jesuit position was exactly the sort of error that Keckermann discussed in the first canon of the book. A misinterpretation of Aristotle, in Keckermann's view, could have catastrophic consequences. His response to the "pernicious" Jesuit argument was to reorient politics around the ordering of public activity, specifically the operation of "public virtue" — a category which could easily include both classical and Christian morality. Here, the influence of Lipsius was strong — his neostoicism strongly linked social discipline with political virtue.¹⁰¹ It was the crisis of religion and politics, which followed Keckermann throughout his life, that put pressure on his project of making Aristotle relevant for his students, and it was the specter of the religious delegitimization of political authority which drove him to embrace a disciplinary mode of thinking about politics as an activity.

There were other ways in which Keckermann's pedagogical mode of thinking could have implications for his political positions. For example, his dedicated monarchism, clearly informed by the Aristotelian argument, may have been preferable to him because of its amenability to his educational system. To him, the superiority or "perfection" of that form of government owed more to its simplicity than anything else. In the first lines of the first chapter of the body of the treatise, he laid out a philosophical

⁹⁹ *ibid.*, 23. "*custos externae disciplinae, id est, honestatis.*"

¹⁰⁰ *ibid.*, 24-25.

¹⁰¹ Oestreich.

basis for the perfection of monarchy. He first divided monarchy into two “*medii*,” which are ruling and obeying (*regere* and *regi*). While some might say, like Lambertus Daneaus, that subjects existed before magistrates, Keckermann explains that on a logical and metaphysical level ruling, as an active principle, is prior to being ruled, which is passive. The *temporal* priority of subjects is therefore less important than the *natural* priority of rulers.¹⁰² He elaborated in the second canon that because authority is naturally prior to obedience, the most relevant subject matter of politics has to do with governing rather than obeying.¹⁰³ Ruling is thus the primary medium through which one can reach the end of politics, and a medium is good to the extent that it can lead to the end simply and directly.¹⁰⁴ Monarchy is the perfect form of governance, then, because one person rules, and because of that the subjects are reduced to a unity themselves.¹⁰⁵

In the second book of the treatise, a perfunctory look at the other forms of government, Keckermann explained that he had collapsed aristocracy, democracy, and mixed forms of government into the various forms of “polyarchy” — a departure from Aristotelian categories, and a move which clarified the ambiguities of Aristotelian constitutional analysis by establishing a simple dichotomy between “perfect” monarchy and “imperfect” polyarchy.¹⁰⁶ The first canon on other forms of government — seen generally — emphasized that they were satisfactory insofar as they imitated monarchy’s principle of unified rule, making reference to Machiavelli’s repeated assertion that “authority cannot exist in the hands of many men exerting equal power,” because concord is impossible in such a situation.¹⁰⁷ A government, then, ought to resemble a Ramist tree of knowledge, with all authority flowing progressively outward from a single unarticulated source, just as all knowledge begins from simple definitions and proceeds to articulated specificity. Complexity at the outset — and it is ruling, rather than being ruled, that is the beginning of politics — is unacceptable.

The second canon explained that everything which had been described in the preceding book — on governing, the law, defense, preservation of the commonwealth, etc. — also pertained to polyarchic states. It is unnecessary to go over them again at length, because these lesser states will simply practice a diminished version of monarchical rule. Keckermann employed a comparison to metaphysics — having already explained the substance or essence of nature, it is easy work to deal with the accidents.¹⁰⁸ Anything he said about princes earlier could be emulated by whatever group of people rules a polyarchic republic. Thus the truncated analysis of them in the text. Here is a reminder that Keckermann’s Ramist procedure of creating dichotomies was not necessarily neutral. Rather, he created a strongly normative relationship between the two constitutional forms, one that is not teleological, but peculiarly Ramist.

Keckermann, in a text whose aim is to make politics legible to students of all kinds, thus gave preeminence to the simplest form of government. There are other

¹⁰² *ibid.*, 30.

¹⁰³ *ibid.*, 31. “*in Politicis multa doceantur de gubernatione, pauca de obsequio.*”

¹⁰⁴ *ibid.*, 32.

¹⁰⁵ *ibid.*, 33.

¹⁰⁶ *ibid.*, 534.

¹⁰⁷ *ibid.*, 535. “*non possit esse imperium penes plures pari potestate pollentes.*”

¹⁰⁸ *ibid.*, 536.

reasons he may have preferred monarchy: for example, he might have preferred a centralizing monarchy in Poland to the nearly anarchic power of the *szlachta*, although such a position would have required extraordinary powers of foresight from an early seventeenth-century vantage point. He did not have to face the prospect of an energetically counterreformation Habsburg monarchy, as his coreligionists in the Empire did. In any case, his preference for monarchy and his mode of justifying his position were strongly inflected by his intellectual commitments — that is, by his project of reorganizing the disciplines along Ramist lines.

A disciplinary tendency was also apparent in his discussion of advisors, where he imagined the practice of political advice as a variety of academic disputation. He emphasized at length the importance of advisors, and specifically called for open debate on matters of government. He nonetheless held that domestic servants and the wife of the prince — that is, people who are relevant to the King's family and household, rather than his public role — should not be allowed to influence the sovereign on political questions, suggesting he preferred the masculine world of the university to the semi-domestic dynamic of the court. In fact, a kind of scholastic misogyny pervades the text: he opened the second chapter of the entire treatise, on the efficient causes of monarchy, with a stern canon declaring that men should be princes, and women only in extraordinary circumstances.¹⁰⁹ In a chapter on the prince's household, he was sure to recommend that wives should not take part in “secret councils” or take any part in government, which is solely the province of men.¹¹⁰ It was hardly an unusual position — as his lengthy discussion of the former canon attests, there were plenty of scholars, ancient and contemporary, who agreed with them — but his persistence suggests that perhaps he was imagining the courtly world of political decision-making along scholarly lines.

Keckermann gave 20 canons on the act of advice, which is an unusually large number, in which he called for a large and diverse group of advisors, and warned that a prince must not show favor to any one in particular.¹¹¹ In other words, he argued that commoners must be involved in matters of state, even at the court. He did give limitations for this diversity, however: for the highest offices of the land, it is prudent to select members of great families, unless a commoner of extraordinary talent is available.¹¹² Later, he gave canons on what makes for a good advisor, emphasizing collegiality and mutual respect as the key to a properly functioning political debate.¹¹³ The court has become, in the mind of Keckermann, a collection of sober experts who exchange knowledge and arguments in a rationally organized fashion. It has become, if not quite a university, at the very least the kind of place where Keckermann would feel comfortable. It is far from the world of Castiglione where someone like him might have to worry about being ruthlessly mocked, let alone taken seriously. There is no talk of *sprezzatura* or even grace here; advisors must be “*prudens, temperans, fortis,*

¹⁰⁹ *ibid.*, 40.

¹¹⁰ *ibid.*, 369.

¹¹¹ *ibid.*, 149-154.

¹¹² *ibid.*, 165.

¹¹³ *ibid.*, 160-164.

*mansuetis, verax & liberi pectoris.*¹¹⁴ Again, the political world is here construed as a stage for the operation of political virtue envisioned along neostoic lines.

Perhaps it would be too bold, not to say reductive, to claim that Keckermann was here engaging in anti-aristocratic polemic, in the name of bourgeois proto-liberal values.¹¹⁵ Nonetheless, it is productive to think more deeply about the sociological, or at least professional context of political knowledge-production in this period. Joseph S. Freedman has noted that the intellectual labor exerted by German school philosophers in this period was so overwhelming, and has been so ignored by scholars, that it might well be treated in terms of social history rather than the traditional methods of the history of ideas.¹¹⁶ Mario Biagioli, in another context, has shown how the sociological dynamics of the Italian Renaissance court exerted a decisive influence on the intellectual career of Galileo.¹¹⁷ Professors like Keckermann labored at educational institutions that had intimate links to their regional rulers — rulers who were engaging in a long process of territorialization, which would culminate in the post-Westphalian system of states in Central Europe. These universities trained the political classes, including both the nobility and the professionals who would administer the state. In many cases, professors themselves enjoyed significant public roles in their own right. Johannes Althusius was the syndic of the city of Emden, and Henning Arnisaeus was the personal physician and political advisor to the King of Denmark. Historians dealing with the subject, however, have followed the traditional method of reconstructing their various systems of thought, tracing influences and measuring impact within various traditions of thought, whether that be natural law, resistance theory, or political prudence. It would deepen our understanding of the relationship between the history of political ideas and the history of the state if we went beyond the influence of concepts and focused on textual practices, and modes of thinking politically.

We generally see the role of intellectuals as furnishing the burgeoning state with concepts like sovereignty, contract theory, or even religious toleration. These concepts were devised by political thinkers in response to the great political questions and crises of their times, and functioned as the intellectual foundation of the state's legitimacy as it achieved supremacy over all other forms of political organization. Keckermann's text, and those like it, are of no great importance to this narrative. Indeed, the entire Central European scene is peripheral in this story of the modern state. But if we consider the state in a professional context, we might see Keckermann's work in a new light. His disciplinary mode of thinking politically, which was informed by his own professional and institutional background, can be seen as a step in the transformation of the political class into one that could staff an impersonal, administrative territorial state. The Ramist, encyclopedic project that informed it might have been something of a dead end,

¹¹⁴ *ibid.*, 162.

¹¹⁵ Wolfgang Weber, "What a Good Ruler Should Not Do': Theoretical Limits of Royal Power in European Theories of Absolutism, 1500-1700," *The Sixteenth Century Journal*, Vol. 26, No. 4 (Winter, 1995), pp. 897-915. Weber suggests here that much of the political theory of the period can be understood in class and professional terms, with bourgeois writers seeking positions of influence, an argument he also took up in his book, *Prudentia Gubernatoria*.

¹¹⁶ Freedman, 305.

¹¹⁷ Mario Biagioli, *Galileo, Courtier: The Practice of Science in the Culture of Absolutism* (Chicago, 1994).

and Keckermann certainly did not succeed in restoring mankind's original intellectual perfection. Nonetheless, his evocation of external discipline as the key to both political reflection and public life would endure. As we shall see, this more impersonal, scientific mode of political reflection could also be mobilized in the name of resolving persistent sources of conflict.

Commonplace Politics: The Mitigation of Conflict

As discussed above, Keckermann always sought to resolve complicated questions and the contradictory statements of authorities as simply as possible. In fact, he generally used canons to present a solution in the form of an imperative before even admitting to any controversy. As other scholars have shown, this procedure of using an eclectic mixture of textual support and then resolving any apparent tensions among them was typical of German Ramism in general.¹¹⁸ Andreas Blank has argued that, in the case of ethics, “collecting commonplaces and presenting them in the form of *Systemata* is not only a way of making a variety of traditional knowledge accessible in an educational context; it is also a way of philosophical problem-solving — of using and re-interpreting traditional philosophical material in such a way that the result is a philosophical theory that is meant to work better than its historical antecedents.”¹¹⁹ Ramism was meant to improve upon the collected intellectual heritage of the West, then, by prizing legibility and consistency.

Howard Hotson argues that Keckermann's characteristic strategy was to resolve these “discrepancies in one of three general ways: by reduction to an Aristotelian norm; by rigorous individual analysis, self-consciously independent of any established philosophical tradition; or by mutual reconciliation.”¹²⁰ We see all three of these procedures frequently in the *Politica*. It is noteworthy that the three strategies outlined by Hotson refer to purely philosophical inconsistencies; they are, however, also recognizable as methods for resolving political conflict. Either one appeals to universally accepted norms, engages in hyper-specific analysis of the problem at hand (thus hoping to sidestep the competing claims of rival traditions) or simply argues that, on further reflection, there is no disagreement at all.

As this chapter has argued, Keckermann's disciplinary approach to politics was a response both to the problem of teaching the subject and to the tangible presence of political crisis in the post-Reformation world. Indeed, as the quotation which opens the chapter shows, these two problems were intimately linked in the minds of academic philosophers. In Keckermann's pedagogical project, it was always crucial to present the spectrum of views — sometimes extensive, sometimes sketchy — on a topic, while at the same time giving his students an easily digestible lesson. We have seen this procedure at work in his discussion of the Jewish question. The ever-present question of the religious settlement and the havoc it could cause for authorities, however, put severe pressure on Keckermann's procedure of accommodation and resolution. Keckermann's political world was akin to a university, not only in that it recognized academic norms and

¹¹⁸ Hotson, *Commonplace Learning*.

¹¹⁹ Andreas Blank, “Justice and the Eclecticism of Protestant Ethics, 1580-1610,” *Studia Leibnitiana* 40, no. 2 (2008): 238.

¹²⁰ Hotson, 225.

values, but also because irreconcilable difference was unthinkable — everything could be resolved, and not through judicial procedure, but rather through Ramist methods of reconciliation. The question of religion put this imperative to the ultimate test, and ultimately proved insoluble for Keckermann.

Throughout the treatise, Keckermann was careful in his discussion of controversial questions, indicating a discomfort with some of the more vexed debates of his time. One such question was of taxation — it was universally acknowledged that a state must have revenue in order to function, and yet European societies were filled with groups and individuals who claimed special privileges which countervailed the sovereign's right to tax them. Keckermann suggested in his canon that “a kingdom without revenue is like a body without arms,” and gave the prince an extensive right of taxing his subjects, provided that the money was used for the business of governing the realm. In his discussion below, he called it a “hard question,” but, after quoting *Antimachus* simply to restate the question, he concluded that “we have succinctly settled the controversy in the canon.”¹²¹ The typical method of collecting commonplaces in order to compare the various positions available before arriving at a justification of the canonical recommendation was completely eschewed.

Indeed, Keckermann was more comfortable resolving conflicts where he could make reference to Aristotelian norms, and was thus at home with questions of governance of a more theoretical nature. Taking on the question of a ruler's relationship to the law, he proposed that although it was the king who made law, he should also rule according to the same norms which inform the laws. He followed immediately with a second canon, explaining that because the law speaks of generalities, the prince must make use of his judgment (*arbitrium*) and prudence; and that therefore, the ruler and the law effectively govern each other, and the state through each other. In explaining the two canons together, he explained that it addressed the famous question raised in the fifteenth chapter of the third book of Aristotle's *Politics*, of “whether it is more beneficial to be ruled by the best man or the best laws.”¹²² And indeed, he followed Aristotle comprehensively on this matter, while making reference to other scholars such as Piccolomini, all of whom agreed that while a perfect king would not need laws, since such a man could not exist, the king and the law should rule together.¹²³ Keckermann made no reference to contemporary disputes over this question, although surely he would have been aware of them; because the matter could be discussed in a relatively distanced manner, and because an Aristotelian norm was easily at hand, he was more comfortable in providing his students with a variety of citations that would give more texture to his assertions in the canon.

Occasionally Keckermann attempted to avoid controversy by claiming that the evidence he had mustered was so convincing, that other material need not be considered. In discussing the topic of persecution by princes, he had to confront the fraught question of whether it was advisable to banish heretics or confessional nonconformists. In the canon, he accepted that it must cause princes considerable pain to have subjects that stray from the true religion, but that nonetheless they should not persecute them “by exile or cruel punishment.” Rather than discussing the extensive

¹²¹ *SDP*, 328.

¹²² Aristotle, *Politics*, trans. C.D.C. Reeves (Indianapolis: Hackett, 1998) p. 94.

¹²³ *SDP*, 328-9.

body of controversial literature on the subject, of which he was certainly aware, Keckermann turned to the Old Testament for succor. Certainly, he wrote, King David had heathens within his realm, but he never violently coerced them to join his religion, nor did expel them from his territory. And wasn't David renowned as a pious man and king? Then, he concluded, "*sufficiat hoc uno argumentum; plura enim pro hac confirmada (sic) sententia suo tempore afferi a nobis poterunt.*"¹²⁴ Does this represent a shirking of duties, an expedient avoidance of a thorny topic? It is curious that Keckermann would be so succinct when discussing one of the most pressing controversies of his time, one which touched his life personally, and that he would use such a remote example to support his position — he had plenty of colleagues who agreed with him, and whom he could have cited. I suspect that the irreconcilable nature of the contemporary debate made him uncomfortable, and he reached back into antiquity in order to say that really, these things are simple after all. Similarly to his reliance on Aristotle (who was unhelpfully silent on this question), Keckermann leaned heavily on the antiquity of his evidence to give rhetorical heft to his sleight of hand.

The central iteration of the religious question in Keckermann's time was whether it was permissible for subjects to violently resist their rulers on religious grounds. Frequent allusions to the terrible violence in France and the Netherlands suggest that Keckermann was well aware of the existential stakes of the problem. Clearly, he was sympathetic to his coreligionists suffering under Catholic monarchs, although at the same time, his community enjoyed relative autonomy in Commonwealth Poland; ironically, because the latter was decidedly not the kind of centralizing monarchy that Keckermann describes in his treatise, and which would be able to carry out repressions against Protestant communities like Danzig. Nonetheless, in keeping his moderate royalism, he came down against the concept of legitimate resistance. He did, however, give some allowance for lesser magistrates to defend them and to "protect against cruelty" (*tueantur contra saevitiam*).¹²⁵ He thus watered down the Calvinist theory of resistance to homeopathic levels in his canon, and emphasized the value of Christian patience. What was uncharacteristic of Keckermann was his explanation of the canon that followed, specifically the emotion he showed. His opening line states, "*Anxia admodum quaestio est: An subditis licitum sit religionis causa a principe deficere.*"¹²⁶ It is an exceedingly troublesome question, he writes, which today concerns the provinces of Belgium, not to mention the kingdoms of France and Scotland. In justifying his position, he made use of theology and political theory, but was careful to construct a consensus around obedience. In a clever move, he first wrote that he did not wish to be prolix — a sentiment belied by the relative length of what follows. He cited a number of biblical verses attesting to the need to obey evil and wicked kings, who differ totally from their subjects in terms of religion, and claimed that modern political writers had assented to this sentiment. He then cited the fourth chapter of Althusius' *Politica*, a strange moment indeed, in that Althusius was understood by many to be the theorist of

¹²⁴ *ibid.*, 524-5.

¹²⁵ *ibid.*, 527.

¹²⁶ *ibid.*

the monarchomachs.¹²⁷ Stranger still, the chapter he cited is on collegial consociations, not states, and did not even approach the topic of resistance.¹²⁸ It was a simple mistake, perhaps, explained by Keckermann's extreme work ethic, but was nonetheless highly convenient for the nervous author.

A second kind of prince, continued Keckermann, was one who does not greatly stray from the true religion of his subjects, but who persecutes them terribly. This was the case in France, in "Belgium" (meaning the Low Countries in general), in England, and elsewhere. In other words, he was trying to describe inter-confessional strife. He said that, according to the law of nature such princes may be resisted, because in that law "the defense of man against man is allowed."¹²⁹ He followed with an obscure statement, possibly erroneous: "*ius a. naturae non tollitur per iura Politica.*"¹³⁰ Effectively, he said that rights of nature are not superseded by political law. This is a startling statement given the context, as it opens up all kinds of possibilities for legitimate resistance of political authority, of which Keckermann was probably only dimly aware.

Or perhaps he was keenly aware of the possibilities opened up by the acknowledgment of a natural right to self-defense in the context of confessional strife, as he immediately moved to mitigate them. "Such a prince is therefore to be resisted," he writes, "but not rashly, not precipitously... so that the faithful, afflicted subjects try every prior solution."¹³¹ He followed with a supportive quotation from Livy, and then said that, with the passage of time, cruel tyrants had become the best kings, with support from Tholosanus (Pierre Gregoire) and Lipsius. "Nor are they to be resisted by just any subjects," protested the nervous schoolmaster.¹³² Subjects who cannot bear to simply wait should follow Matthew's advice and flee to another city; if they cannot flee, they should remain and endure, because they do not have the *ius gladii*, the "right of the sword." According to the contemporary jurist Georg Obrecht, Keckermann explained, resistance by private subjects would be illegitimate and indeed such a war would be impossible to declare. It is therefore left to lesser magistrates to resist in these cases:

*Ratione ergo huius iuris quod habet subditus tanquam magistratus inferior et unus ex optimatibus regni, potest resistere principi ob religionem saevienti propter rationes, quas supra allegavimus de resistencia subditorum adversus principem ob tyrannidis Politicae sive civilis causas.*¹³³

He concluded that this has been the wisdom of both theologians and political philosophers, "who think prudently and moderately about grave controversies of this

¹²⁷ Althusius, *Politica*, lvii.

¹²⁸ *ibid.*, 32-8.

¹²⁹ *SDP*, 528. "*quo conceditur defensio homini contra hominem.*"

¹³⁰ *ibid.*

¹³¹ *ibid.* "*Resistendum est igitur tali Principi, sed non temere, non praecipitanter, verum ita, ut omnia prius remedia fideles & afflicti subditi experiantur.*"

¹³² *ibid.* "*Nec resistendum est a quibusvis subditis.*"

¹³³ *ibid.*, 529.

sort,” and finally added that, as the history and letters of the French attest, it is possible for persecuted subjects to appeal to other princes, that they admonish their prince to desist from his cruelty.¹³⁴

What are we to make of Keckermann’s confused attempt to teach his students something about the right of resistance? His reluctance to clearly explain why true (i.e. Reformed) Christians should be permitted to resist cruel monarchs suggests that, on some level, the entire matter bothered him. He must have been aware of the extensive body of Reformed literature, and could have managed better than an reference to Althusius and Obrecht in supporting his moderate position. Clearly, the question put his political and confessional sympathies in conflict with each other. Moreover, he could not call upon Aristotle to settle the dispute, nor could he possibly say that the evidence clearly showed that all different positions could be reconciled. So, he chose to muddle through on his own. The passage indicates, if not a clear understanding of the implications of resistance theory (and particularly its natural law underpinnings), then at least a lucid view of Keckermann’s pedagogical vision of politics. The discipline, if considered and applied according to the correct method, did not involve the messy matters of persistent conflict or change over time. Indeed, the entire goal of the endeavor might be seen as the scientific description of politics as a field of human activity and reflection (using a proto-taxonomic system, no less) in order to control it, specifically by eliminating the elements of difference and change. In this sense, Keckermann’s treatise cannot be seen as a work of truly modern political thought, which seeks to manage and direct these elements and indeed views them as the sources of the vitality of politics. Nonetheless, as we shall see in the concluding section, it was Keckermann’s premodern prejudices which led him to theorize a greatly expanded territory for political thought and activity, thus empowering the greatest institutional expression of modern political activity and reflection – the territorial state.

The Voracity of Method and the Materials of Politics

A scholastic, disciplinary mode of thinking about politics, then, contributed to the development of the state as a disciplinary institution. What is slightly ironic about this process was that people like Keckermann were so very *careful* in their treatment of the discipline – they wanted to make it manageable, controllable – and in so doing, they vastly expanded the boundaries of politics as a field of inquiry, with a corresponding increase in the power of the state. The encyclopedic project of Keckermann and Alsted was founded on a logic that emphasized caution and a dim view of human intellectual capabilities, but it was simultaneously expansive and overambitious in that it aimed to capture all of human learning under its umbrella. Keckermann’s desire for plenitude in his treatment of any given subject was particularly in evidence in the *Systema Doctrinae Politicae*. A drive for thoroughness, for the coverage of all possibilities that political life might confront, predictably uncovered ever new subjects for political treatment. The Ramist method became a hammer in search of new nails, and the procedure of making dichotomies was very effective at finding them. Keckermann had sought to produce a vision of the civil realm that precluded the possibility of real change. Instead, and almost by accident, he laid the intellectual groundwork for the modern state.

¹³⁴ *ibid.*

Hotson has argued that the encyclopedic project of Alsted represented the endpoint of the German Ramist tradition. Indeed, it revealed the limits of the Ramist drive for a universal method, as the 1630 second edition of his *Encyclopaedia* “was less coherent than the first, as individual *regulae* bulged with irreconcilable doctrines and individual treatises juxtaposed divergent systems of thought.”¹³⁵ The project to collect and categorize all human knowledge within an easily-taught system was driven by a desire to preclude change, dynamism, and difference. This was particularly clear in the political project of Keckermann, with its constant attempts to reconcile the diversity of the textual record with simple policy prescriptions. The voracity of the method, however, served ironically to draw attention to the essentially controversial nature of thinking politically.

It is worth noting that Keckermann was not a man who wanted to diminish the role of politics in European life. On the contrary, he was in some ways a prophet of its rising importance among academic pursuits. As a result of his educational concerns, Keckermann was more keen than other Reformed political theorists (such as Althusius and Lambertus Danaeus) to determine the status of politics among the other sciences.¹³⁶ To return briefly to the *praecognita* section of the treatise, he carefully delineated there the relationship between politics and the other practical sciences, emphasizing the supremacy of politics on a teleological basis. In the first canon of the treatise, quoted in the beginning of this chapter, he indicated the “architectonic” quality of political learning. In the second canon, he articulated the implications of this Aristotelian description. He explains, “political teaching moves strongly from universal to singular things, and much more *than all other disciplines*.”¹³⁷ (Emphasis mine.) Because the subject matter of politics not only includes both universal categories and particular examples, but must also navigate the thorny paths that lead from the former to the latter, its materials are “more copious” and its method “more difficult” than “all other” disciplines.¹³⁸

This is a striking statement, not least because Keckermann was not primarily a political thinker seeking to burnish the reputation of his field of expertise. He nonetheless placed the discipline in a supreme position with respect to other fields, literally claiming that their subject matter is subsumed under political philosophy. The implication is clear: if the discipline embraces the subject matter of all others, then all spheres of human activity are brought within the competence of the state. Keckermann normally described the tentacles of state power as the “responsibilities” (*curae*) of the prince. These responsibilities applied to materials of all sorts, from other human beings to natural resources. In the *Systema* one can find discussions of forest husbandry, family planning, education, and the like. In the chapter on foreigners, he took the time to say that a prince should not allow criminal patois like *Rotwelsch* to be spoken in the realm.¹³⁹ Elsewhere, he takes the time to describe every method of capital punishment,

¹³⁵ Hotson, 269.

¹³⁶ Goedeking, 293.

¹³⁷ *SDP*, 5. “*Disciplina politica ab universalibus valde recedit ad singularia, & multa magis quam ulla alia disciplina.*”

¹³⁸ *ibid.*, 5-6.

¹³⁹ *ibid.*, 376.

including those that are no longer in use.¹⁴⁰ His discussion of forest husbandry included a division of forests into four categories, determined by the age of the trees and their use.¹⁴¹ While the treatise is characterized by rigorous fidelity to a simple method, it begins over time to display the woolly, encyclopedic qualities that Hotson found in Alsted's later work. In a treatise that makes so much of the prince's prudence, is it really necessary to say whether *Rotwelsch* should be permitted? In Keckermann's view, it was necessary, because for him the quality of prudence embraced not only a general capacity for decision-making but also a knowledge of as many particularities as possible. The prince had to apply prudence to an ever-expanding number of topics, because the central state was taking more and more responsibility over from representative, corporative institutions that had taken a larger role in local government previously.¹⁴² This required a scientific, rigorous approach, which Keckermann was happy to provide.¹⁴³

It is worth looking at how Keckermann constructed the intellectual architecture for his plenary treatment of political life. The eighth chapter of the treatise marked a transition point. He explained that, having already discussed the tools available to the prince in administering the realm ("*de instrumentis pertinentibus ad curam regiminis in principe*"), it was time to treat governing itself ("*de modo & distinctione istius curae, sive regiminis*").¹⁴⁴ In other words, having described all the branches, twigs, and leaves on one side of the tree, it is time to proceed to another limb. Here, he began his treatment of the raw materials that the sovereign must direct toward the public good. Although all the subjects covered in this section of the text may have their own disciplines proper to themselves, the traditional boundaries between branches of knowledge — so crucial to the Ramist edifice of human knowledge — were entirely obliterated. Anything can be relevant to the state, or rather, can be a concern of the prince, because it exists both in itself and in relation to the common good.

The chapter itself purported to cover the birth and education of subjects ("*De cura & regimine Principis circa subditorum navitatem & educationem*").¹⁴⁵ It was in fact the beginning of the textual presentation of a vast tree of knowledge, which politicized nearly all aspects of human life and the natural world. First, he wrote that the concerns of the prince relate either to life, or to death. After this rather existential beginning, he reverted to his typical tricks, dividing the concerns related to life into external and internal varieties, focusing on the latter, which are matters which sustain those people living within the dominion of the prince. These matters are either public and of wide importance, or of a private, restricted nature. And these again are either

¹⁴⁰ *ibid.*, 287.

¹⁴¹ *ibid.*, 316.

¹⁴² Oestreich, 155-165.

¹⁴³ As James C. Scott has argued, forestry was a metonym for the modern state's development of an abstracted perspective as a means of domination. Keckermann's entire project of Ramist discipline-construction mirrors this trajectory closely. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale, 1998).

¹⁴⁴ *SDP*, 170.

¹⁴⁵ *ibid.*

primary or secondary concerns — a prince’s primary concern is his own government, whereas secondary concerns relate to the defense and enlargement of the realm.¹⁴⁶ Primary tasks of government are once again dichotomized — they are either concerns “of fairness” (*directionis*) or “of justice” (*iudicii*), the former relating to distributive justice, and the latter pertaining to obedience, punishments, and the like. The former, which broadly deal with resource administration, can be either “principal” or “less principal.” Once again, the distinction was vague, but lent a philosophical veneer to the proceedings. He explained that the principal administrative concerns of the prince concern people.

An explanatory note to this final distinction justifies all this business by noting that a prince rules and manages things not only pertaining to people, but also “*ad loca & ad tempora*.”¹⁴⁷ Thus, the preceding distinctions were absolutely necessary in order to avoid confusion. The prince’s responsibilities therefore embrace life and death, space and time. This is a politics that concerns itself not only with stability and the legitimacy of authority, but also with every aspect of the lives of subjects. A charitable interpretation might call this welfare politics. Keckermann wrote this way because he wanted to ground the study of politics, to reign it in through the application of a rigorous method. The search for discipline, however, enlarged the disciplinary powers of the state, and not only in terms of the breadth of its responsibilities. The discussion which follows reveals that Keckermann is interested in extending the power of the state into the everyday lives of all subjects.

He began with the declaration that humans are naturally more defiant (*feroces*) than any other animal, with references to his contemporary Tholosanus, to Xenophon, Plutarch, and Seneca, and to Ecclesiastes. As there is a general agreement that people resent the intrusion of political authorities into their lives, it is right that the prince should dissimulate (*dissimulare oportet principem*).¹⁴⁸ Nonetheless, he persistently found ways in which the state should intervene in the private lives of subjects, and he did it in a way strongly inflected by his Ramist method. For example, he raised the topic of marriage through a set of distinctions which cover the prince’s responsibilities with respect to the “life itself” of subjects, the first subdivision of which is marriage. Then, through a comparison to botany, he claimed that a prince must assure that the right people marry one another, just as a farmer cross-pollinates his crops.¹⁴⁹ As his citation of Aristotle attests, political control over marriage has a long tradition — mostly, it is meant to promote fertility and good parenting by timing marriage correctly¹⁵⁰ — but its application to the large territorial state, as opposed to the more intimate, intensive world of the Greek *polis*, has clear implications.¹⁵¹

¹⁴⁶ *ibid.* Note that here, rather than simply saying that government may be divided into domestic and foreign affairs, he chooses to ground the distinction in a philosophical, if vague, dichotomy.

¹⁴⁷ *ibid.*, 171.

¹⁴⁸ *ibid.*, 172.

¹⁴⁹ *ibid.*, 175.

¹⁵⁰ Aristotle, *Politics*, 7.16.

¹⁵¹ Michel Foucault, *Security, Territory, Population*, trans. Graham Burchell (New York: Picador, 2004) *passim*.

In the ninth chapter of the treatise, the work begins to mirror itself, as he discusses the education of subjects. Keckermann, the rigorous schoolmaster, describes how the prince should behave likewise in producing a virtuous citizenship. The primary concern of the prince is not only education, but also preventing opportunities for vice.¹⁵² This is not only the most important end of politics seen in itself, but is also crucial from a religious point of view, as virtuous subjects must also be pious subjects.¹⁵³ The disciplinary state thus attains a kind of divinity as the schoolhouse of honesty. Because errors inculcated at a young age cannot possibly be corrected later in life, education from the age of seven must be public — *in oculis ipsius Principis* — administered by certain officials of the prince, and not subject to the judgment of parents.¹⁵⁴

Ultimately, Keckermann's marriage of a Ramist infrastructure to Aristotelian political norms may not have succeeded in stabilizing politics as an intellectual discipline or as a human activity, but it did serve to extend and deepen his understanding of what sorts of things a state ought to do. In short, the Ramist method expanded politics as a discipline, while Aristotle's intensive, participatory understanding of political life deepened it. Rather than limiting politics to its own proper sphere, the combination uncovered an unsettling tension in the project of political science — if it is about directing human activity toward a common good, then there is no telling where the outer limits of the endeavor might be. In other words, the assumption that people and things should only be treated politically insofar as they are in the public sphere is incorrect, because anything has the *potential* to be politically relevant. The desire to identify and control these vexing potentialities through categorization, description, and recommendation may have been conservative at heart, both politically and intellectually. Nonetheless, Keckermann's vision of civic life, and the mode of thinking politically that animated his vision, heralded the rise of the state as a regulatory institution, or rather as a schoolhouse, disciplining the minds and bodies of its subjects as the raw materials of the commonwealth.

Pedagogy and the History of Political Ideas

There was a clear dynamic at play in Keckermann's thought between a philosophical approach to politics that treated the state as an object of reflection and which aimed at universal applicability through methodological purity on the one hand, and a more pragmatic approach which thought of political knowledge as the prudential solutions to specific problems. It was the same dynamic at play between Aristotelianism and Ramism. This is not to say that Keckermann was mired in an internally contradictory project. On the contrary, the tension between these two opposing tendencies was tremendously productive. To my mind, his attempt to think through the topic of politics in a disciplinary mode was effectively a matter of harnessing this tension in order to produce a treatment of the field that was methodologically consistent and at the same time comprehensive in a practically useful way. One might say that Keckermann was helping here to create modern political science.

¹⁵² *SDP*, 190.

¹⁵³ *ibid.*

¹⁵⁴ *ibid.*, 192.

It must be granted that although Keckermann's treatise represented a substantially modernizing view of politics, it did not achieve a complete break from the past. That is, Keckermann was not able to develop a *comprehensive* theory of the state with the conceptual tools available to him. The magisterial theories of politics based on natural law which effectively created new underpinnings for the state, freeing it from Aristotelian and Christian conceptual restrictions, were still on the horizon.

Keckermann did not present a coherent vision of what sovereignty was, or what its implications for political life were. In short, his basic assumptions about the reasons human beings engage in political activity remained Aristotelian, and to a lesser extent Lipsian. Nor did he pursue a rigorous project of expelling theological concepts from political theory in order to inoculate the state from religious violence — rather, he attempted to mitigate the effect of confessional difference while still allowing that the exercise of religion was a public act which could not be excluded from civic life.

On the other hand, he was not interested in doing any of these things. It is hardly illuminating, in any case, to take on the polemical criticisms of successive generations of political theorists and to dismiss Keckermann's textbook as an exercise in arid, arcane neo-scholasticism.¹⁵⁵ As this chapter has shown, Keckermann's treatise was an effort to rejuvenate traditional concepts through a rigorous and an many ways revolutionary methodology. This was done not only in the interest of pedagogical reform, but also with a clear sensitivity to contemporary political events and dangers. It is thus insufficient to describe him as out of touch, or his tradition as conservative and anachronistic.

While Keckermann may have not furnished political theory with any significantly new concepts, he did help define a mode of thinking about politics that was tremendously amenable to the operation of the territorial state. In this, he was emblematic of a tendency which was apparent throughout the German-speaking world in his period. There was a general awareness of a crisis, which had both practical and philosophical dimensions. It was not just that established authorities were threatened by the breakdown in Christian unity — there was also a confusion of tongues in the practice of writing political philosophy, which was a result not only of confessional difference but also the introduction of new ways of thinking about politics, from Machiavelli and the reason of state tradition, to Lipsian neo-Stoicism, Bodinian analysis of sovereignty, and theories of resistance based on natural right. As Keckermann's case shows, this phenomenon put tremendous pressure not only on the concepts scholars could use to describe and analyze political life — it also put pressure on their role as political thinkers. The close relationship between the crisis of political ideas and the prospect of religious war meant that the stakes of writing about politics were immeasurably raised, as his first canon demonstrated. It would be a mistake to interpret his turn to Aristotle as a flight from real-world problems into a comforting scholastic cul-de-sac. Rather, the pressure Keckermann perceived was productive for his project, just as the tension between Ramism and Aristotelianism was.

¹⁵⁵ Ian Hunter, *The Secularisation of the Confessional State: The Political Thought of Christian Thomasius* (Cambridge, 2007). This work mostly reproduces Thomasius' critical view of pre-Westphalian German political thought.

Chapter 2
***Tractatus Medico-Politicus: Neo-Stoicism, Medicine, and Staatslehre as
 Therapy in the Works of Henning Arnisaeus***

*A greater subject fitteth Faustus' wit:
 Bid Economy farewell, and Galen come,
 Seeing, Ubi desinit philosophus, ibi incipit medicus:
 Be a physician, Faustus; heap up gold,
 And be eterniz'd for some wondrous cure:
 Summum bonum medicinae sanitas,
 The end of physic is our body's health.*

The seventeenth century — or, alternatively, the hundred-year period ending in the middle of the seventeenth century — is rich ground for investigating the manifold relationships between human bodies and political bodies. In the history of political ideas, there had long been a concept of the “body politic,” connected intimately to the physical body of the king. (One can also argue that this kind of corporate conception has roots in the medieval Christian vision of the Church as a *corpus mysticum* with Christ as the head.)¹⁵⁶ The post-Reformation era, with its constant challenges to and reformulations of legitimacy, produced a sustained debate over the nature of political bodies. The period climaxed with Hobbes’ articulation, both visual and textual, of the Leviathan as an artificial human comprising the amalgamated political rights and powers of the populace, wielding instruments of both temporal and spiritual authority in its mighty arms. This vision of an indestructible state-body, ordered and sustained through the application of philosophical reason, both belied and reflected an alternative narrative linking bodies to politics, which saw corruption and crisis afflicting commonwealths all over Europe. After all, Hobbes was writing after his own king’s head had been severed from his body.

The “General Crisis of the Seventeenth Century” has been thoroughly debated by historians in the past decades.¹⁵⁷ The medical background of the term, and its implications for the historical explanation of political, social, and cultural upheaval have

¹⁵⁶ Jeannine Quinet, “Community, counsel and representation” in *The Cambridge History of Medieval Political Thought* (Cambridge, 1988) pp. 520-572. p. 539. Ernst Kantorowicz famously argued that this concept was transferred to the secular state in *The King’s Two Bodies: A Study in Medieval Political Theology* (Princeton, 2016).

¹⁵⁷ Geoffrey Parker offered a revised version of the crisis thesis in *Global Crisis: War, Climate Change & Catastrophe in the Seventeenth Century* (Yale, 2013). The book suggests that climactic and ecological changes can help explain the why practically all of Eurasia and Africa experienced some level of political turbulence in the period. While it is intriguing to consider that these changes may have inspired the *Politica* writers to think more seriously about topics like population and natural resource management, it is beyond the scope of this dissertation to cast a judgment on the validity of Parker’s thesis.

also been discussed at length.¹⁵⁸ For the purposes of this investigation, in any case, two things are clear. Firstly, political thinkers even in the early decades of the century were acutely aware that they lived in a period of crisis, in that they viewed political calamity as an immediate possibility. The sources of disorder which German political thinkers identified — the tenuous confessional peace, the unresolved constitutional situation, and the possibility that states could act immorally to pursue their own interests — were the very factors which brought about the Thirty Years' War, the crisis that destroyed the post-Reformation political order. Secondly, they frequently made use of medical language when describing and analyzing political life, particularly when they dealt with disordered — or unhealthy, so to speak — political bodies.

This latter observation raises several questions about the practice of political thinking in early modern Europe. The first relates to the shifting and controversial status of political philosophy as an intellectual discipline. Historians of medicine have shown how that field was the subject of a wide-ranging, extended debate with implications for the treatment of evidence and the internal organization of the discipline.¹⁵⁹ Was medicine an art or a science? Did it proceed from universally valid principles and produce irrefutable truths, or did it employ specific *historia* in order to develop useful practices? Political writers were engaged in an analogous debate, and what's more, many academic political theorists were themselves trained as medical doctors. By looking at the way they understood and articulated their disciplinary commitments we can better understand the assumptions they brought to bear in producing works of political theory, and what they hoped to accomplish with them.

A second set of questions relates to the meaning of the use of medical metaphor in discussing political problems. Scholars did not merely compare politics to medicine, in order to give their arguments rhetorical texture. They maintained that the forms of reason and pathways of knowledge employed in medicine were substantially analogous to political science and could therefore inform the latter endeavor. Most significantly, they conceived of healthy bodies politic as static and unchanging, while corruption and crisis signified any sort of change. The question, therefore, is how the analogy to medicine inflected political writers' understanding of political bodies as objects of analysis.

Finally, the use of medical terminology in political writing and explicit comparisons between the medical and political sciences points to a question about the ultimate utility of political theory. The value of political thought was that it provided connective tissue between universal norms or values and the concrete activity of

¹⁵⁸ Reinhart Koselleck, *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society* (Cambridge, MA: MIT Press, 1988). p. 104fn. Theodore K. Rabb, *The Struggle for Stability in Early Modern Europe* (New York: Oxford University Press, 1975.) provides an overview of "crisis" historiography and uses the medical background of the term to focus on the resolution of the various crises that beset Europe in the middle of the 17th century, primarily in the political sphere but also in aesthetics and other fields. The thesis suggests that the middle of the century proved to be a decision point, after which various fields, including political philosophy, began anew.

¹⁵⁹ See the work of Nancy Siraisi, particularly *History, Medicine, and The Traditions of Renaissance Learning* (Ann Arbor: University of Michigan Press, 2007). This text focuses on the tradition of learned medicine (as opposed to more practical traditions, including Paracelsian medicine), which Arnisaeus himself represented.

political life. This was most obviously true in the case of legal thinkers like Besold, because their discipline involved the relationship between abstract norms and specific cases. What would it mean for these connections to be conceived of in medical terms? More to the point, how could a medical frame of mind produce a certain modality of political reflection? Political theorists hoped to concoct a cure for the ailments of society, to be sure: political thought in this sense was a form of *therapy*. This approach to political writing could not only develop therapies for the state, it could also reform the act of political thinking itself. After all, Neostoic philosophy emphasized the use of intellectual therapy to expunge harmful passions, a practice which has had obvious implications for politics even for the stoics of antiquity, although these implications were ambiguous. For many scholars the bodies in need of treatment were not only states, but also human beings engaged in writing about them.

This chapter looks at the work of Henning Arnisaeus, a medical doctor and political theorist who worked at the University of Helmstedt before decamping to Copenhagen to serve as the personal doctor and advisor to the King of Denmark. (A career with more intimate connections between medicine and politics can hardly be imagined.) During his time at Helmstedt he produced several works on politics, beginning with the *Doctrina Politica in Genuinam Methodum* of 1606, his most well-known and influential work. He continued to write extensively on politics, addressing the concept of sovereignty, rights of resistance, and the legal status of clerics — that is, after producing a magisterial work of theory, he became something of a polemicist. He was a staunch defender of the Lutheran confession and of a proto-absolutist conception of monarchy, a position which he articulated in the course of a fierce and public debate with Johannes Althusius.¹⁶⁰

Arnisaeus has been situated within the landscape of post-Reformation political thought in a variety of ways. Otto von Gierke saw him as an exception to the general trend of increasingly radical formulations of politics along natural-law lines, in that he developed his entire theory (according to von Gierke) Aristotle's *Politics*.¹⁶¹ Other scholars, who like Gierke have tended to focus on Althusius as the most significant thinker of the period, have positioned Arnisaeus as a Lutheran, absolutist foil to the Calvinist monarchomach. In these narratives, Arnisaeus thus plays the role of Robert Filmer to Althusius' Locke in a sense, even though it was Arnisaeus who wrote in response to what he saw as Althusius' unacceptable defense of the rights of resistance. In any case, these attitudes indicate a general scholarly belief that Arnisaeus did not

¹⁶⁰ Gerhard Oestreich, *Neostoicism and the Early Modern State* (Cambridge, 1982) p. 206. Oestreich contrasts Arnisaeus, "who credited the Emperor with absolute authority," with later theorists of the mixed constitution, which to his mind were more accurate in their description of political realities of the Empire. He ignores that many of these latter thinkers — including, as we shall see, Besold — made use of Arnisaeus' division of sovereignty into real and personal forms. This move, from Arnisaeus' 1610 *De Jure Majestatis*, will be discussed below.

¹⁶¹ Otto von Gierke, *Natural Law and the Theory of Society, 1500 to 1800* (Boston: Beacon, 1950). p. 36. Von Gierke groups Arnisaeus with Tholosanus, whose work had been so influential on Keckermann in providing his *Politica* treatise — which was mainly a framework for teaching the topic — with normative content. As we shall see, Lipsian neostoicism was also decisively influential for both thinkers.

participate in the more important, progressive trends of the period, and indeed opposed them.

Horst Dreitzel did much to dispel this view of Arnisaeus as a bystander by positioning him as a central figure in the tradition of political Aristotelianism. This intellectual development was linked to territorializing Lutheran princes within the Empire, and indeed Dreitzel connects “Protestant Aristotelianism” with the absolutist state in his work. Dreitzel looked closely at the vocabulary employed by Arnisaeus and others, identifying a strain of academic political thought which worked to establish that field in German universities, and which took as its object the state and the art of governance, in contrast with Althusius’ focus on community. In sum, Arnisaeus was seen by Dreitzel as contributing to the articulation of politics as a science, to the broadening of its interpretive field and set of analytic tools, and finally to the increasing prominence of political theory as an activity at German universities. In trying to explain the meaning of Arnisaeus’ political thought, Dreitzel reconstructs almost the entire intellectual history of the period, with the effect that it can sometimes be as dense and discursive as the *Politica* itself. Nonetheless, it remains the authoritative study of Arnisaeus, and it is hard to imagine surpassing its analytical depth and breadth of materials.¹⁶²

This chapter follows Dreitzel in seeing Arnisaeus as a scientist of the state, with a focus on disciplinary and methodological problems that confronted all political thinkers in this period. Specifically, I follow Arnisaeus’ own self-construction as a physician of the state: first as he conceived of political science along medical lines, secondly as he diagnosed the various maladies besetting states, and thirdly as he prescribed a program of therapies that could, in his mind, function to preserve or if necessary restore the *sanitas* of the republic. I begin with explicit parallels drawn by the author himself between medicine and politics, and extend the relationship where reasonable. Ultimately, I argue that Arnisaeus’ medical approach inflected his political thought in ways that cannot be reduced to confessional or constitutional commitments. Dreitzel discusses the influence of medicine mainly in terms of methodology — I investigate how these methodological choices had broader ramifications. Arnisaeus’ vision of a political body organized and animated by a hierarchy of *Herrschaft* owed as much to his disciplinary assumptions — that is, from his preliminary reflections on the form and utility of political theory — as to his partisan sympathies for the Protestant princes of the Empire and his hostility toward Calvinist monarchomachs.

In this sense, Arnisaeus was much like Keckermann, in that their methodological commitments inflected their treatment of concrete political issues in a way that privileged the autonomy and resources of the secular state as a disciplinary institution. However, this phenomenon took an entirely different dynamic in the thought of the two authors. For Keckermann, the teleological-hierarchical relationships and formal similarities among disciplines meant that politics could become a master discipline subsuming all other practical philosophies and establishing dominion over all realms of human activity. Conversely, for Arnisaeus the various disciplines remained strongly divided along Aristotelian lines with distinct methodologies appropriate to their own ends. Politics attained its importance, and the state its supremacy, through the assertion

¹⁶² Horst Dreitzel, *Protestantischer Aristotelismus und absoluter Staat. Die „Politica“ des Henning Arnisaeus* (Wiesbaden: Franz Steiner, 1970).

of autonomy from other fields of knowledge, most notably theology and jurisprudence. The field gained an increased disciplinary stature through Arnisaeus' work primarily because of the wealth of empirical evidence demanding systematic-scientific treatment and because of the urgent stakes of the questions to be answered.

Henning Arnisaeus was born in 1570 in Schlanstedt, near Huy in Saxony-Anhalt. He would spend the rest of his life in the milieu of northern German Lutheranism. He matriculated at the University of Helmstedt in the year 1589; he was probably around fourteen years of age at the time. The University was at the time one of the most vital centers of Lutheran learning in the north of Germany. He completed his masters' exam in Medicine in 1600 and became a "provisor" there. In 1602 he enrolled at Frankfurt an der Oder, where he began his study of politics. Returning to Helmstedt in 1605, he led thirteen disputations on politics, under the leadership of the well-known Helmstedt humanist Johannes Caselius.

Johannes Caselius had been integral to the transformation of Helmstedt into a center of humanist learning in northern Germany — there would have been no *Athen der Welfen* without him. Born in 1533 in nearby Göttingen, he studied under Melanchthon in Wittenberg, as well as Carolus Sigonius and Piero Vettori of Florence. He maintained a correspondence throughout his life with friends throughout the continent, thus becoming a central figure in that early iteration of the Republic of Letters.¹⁶³ Caselius' presence in fact reflects an important change experienced by the University in 1589, which belied the once popular view of the University as provincial and intellectually sterile. The staunchly orthodox Lutheran Duke Julius, who was the founder of the Academia Julia, died and was followed by his son Heinrich Julius, who had a humanistic background. He steered the institution away from the stultifying influence of Orthodox Lutherans there.¹⁶⁴ Among other measures, he invited Caselius, by that point already a prominent scholar, to the University in 1590.

Helmstedt was at the center of a number of humanistic and scholastic developments in the period, in which his closest mentors (particularly Cornelius Martini) played important roles.¹⁶⁵ The first was the attempt of the Helmstedt circle of humanists to employ Aristotelian methodology in order to establish the autonomy of philosophy against theology. This culminated in the "Hofmannstreit," named after the theologian who began a vicious academic conflict by declaring philosophy the enemy of religious belief. In his vehemence he denied even the Lutheran concept of double truth, and in the end Heinrich Julius interceded in order to preserve the peace, although with the effect that the autonomy of philosophy was upheld institutionally and

¹⁶³ Background on Caselius from Paul Zimmerman and Franz Häberlin, *Die Gründung der Universität Helmstedt und der weitere Verlauf ihrer Geschichte* (Helmstedt: J.C. Schmidt, 1927). pp. 33-4.

¹⁶⁴ Dreitzel, 29.

¹⁶⁵ Dreitzel, 53-86.



Fig. 1: A globe from the University of Helmstedt, currently held at the Herzog August Bibliothek in Wolfenbüttel. It is illustrative of the eclectic unity achieved by intellectual culture of neo-scholastic Lutheranism at places like Helmstedt. The globe's numerous inaccuracies are balanced by the sheer erudition on display and aestheticized complexity of its articulation. It combines an empirical-scientific worldview with a thoroughly Baroque attitude about the value and presentation of knowledge.

intellectually.¹⁶⁶ The second element was the strongly Aristotelian character of Helmstedt humanism, as opposed to other schools, including those of the Jesuits and Ramists. In sum, at Helmstedt there was a renaissance of Aristotle, in which metaphysics was celebrated as the queen of all sciences, rather than theology or logic. The effect was that, in contrast to Ramism, in which disciplines developed analogously through the application of a universal method based on logic, among the Helmstedt Aristotelians the philosophical disciplines were sharply distinguished from one another and followed autonomous methodological developments based on Aristotelian terminologies.

Arnisaeus' mentor Caselius had encouraged him to develop a new teaching style which freed him from working purely from a textbook. At the urging of his students, he expanded on the theses he proposed in these disputations, and this text was published in 1606 as the *Doctrina Politica in genuinam methodum quae est Aristotelis reducta*. The process by which the text was produced therefore stands in contrast to Keckermann, who sought to produce a strict textbook, whereas Arnisaeus' project was oriented toward propounding sound doctrine. Caselius hoped that Arnisaeus would be made a professor after the publication of the *Politica*; when he was not, the elder suspected intrigue on the part of the orthodox faction at the university, and took the younger scholar under his wing. Arnisaeus thereafter became an integral part of a close circle of humanists at the university. Further political treatises followed quickly: in 1610 he published *De jure majestatis libri tres*, a full-length study on sovereignty and his second-most important work. Two years later came *De auctoritate principum in populum semper inviolabili* — one hardly needs to know Latin to recognize that this work argues against rights of resistance. In 1613 he produced *De subjectione et exemptione clericorum*, which was about church-state relations and in particular refuted Bellarmine's arguments about the temporal powers of the Pope. Finally, in the same year he wrote *De jure connubiorum commentarius politicus*, a book on marriage. Interspersed with his political works were numerous texts on medical issues: disputations on epilepsy, venereal disease, dropsy, and anatomy, but never a major treatise. (There were also a number of treatises on Aristotelian physics and metaphysics which he wrote in between the *Politica* and *De jure majestatis*.) He had an abbreviated career as a political writer, so the set of concerns he addressed and the terminology he employed did not develop significantly over time.

Arnisaeus later went on a series of journeys throughout Europe with the counts Ernst and Burchard von Steinberg, who were wealthy noblemen (father and son) from the Duchy of Brunswick-Wolfenbüttel. They travelled down to Switzerland for a time, when there was a war in the duchy. By traveling through France, England, and the Northern Netherlands, Arnisaeus was exposed to autonomous states founded on

¹⁶⁶ Markus Friedrich, *Die Grenzen der Vernunft: Theologie, Philosophie und gelehrte Konflikte am Beispiel des Helmstedter Hofmannstreits und seiner Wirkungen auf das Luthertum um 1600* (Göttingen: Vandenhoeck & Ruprecht, 2004). It is difficult to overstate the importance of this now-forgotten dispute, which according to Friedrich was "one of the fiercest and most significant theological conflicts in the Protestant part of the Holy Roman Empire in the period around 1600." p. 12.

humanistic, neostoic ideals which rose above confessional partisanship.¹⁶⁷ This was followed by an even more prestigious opportunity that would nonetheless prematurely truncate his publishing career.

It is not exactly known why, but in 1619 Christian IV of Denmark invited him to serve as his personal physician. In any case, the King was intimately involved in Northern German politics in this period, which is likely how he became aware of the professor. (It is important to remember that in this period the German lands were equally a united Empire and a patchwork of spheres of influence contested by neighboring unified states.) He reached an agreement that he could return to his academic position in Helmstedt whenever he pleased — although when he finally departed for Copenhagen in July 1620, it was for good.¹⁶⁸ It seems he chose a good moment to depart the university. The matriculation numbers for the school had already begun to decline shortly before the beginning of the Thirty Years' War. While the early Bohemian stage of the war left northern Germany unmolested, it was Christian IV's 1625 intervention that brought the Duchy of Wolfenbüttel directly into the conflict, and Helmstedt soon found itself occupied by Imperial-Habsburg troops. An outbreak of the plague in the same year marked a low point for the university and city, and academic life was frequently interrupted in the period. After the line of the dukes ended in 1634, authority of the university was split among Wolfenbüttel, Calenberg and Lüneburg, a confused situation which hardly helped the institution thrive.¹⁶⁹

This brief biological sketch illustrates a number of significant contexts for Arnisaeus' political works: his professional membership in a group of scholars working to reform academic disciplines along Aristotelian lines, his participation in fiercely polemical debates as a semi-public intellectual, his political sympathies for a specific form of Protestant absolutism, and his close relationships with members of the political class. As the interpretation of his texts will show, these positions gave contour to his career as a political theorist, and in addition to his medical background exerted a decisive influence on his political concerns, as well as the answers he developed in response.

The sociological contours of Arnisaeus' career — class background and professional identity are central to Wolfgang Weber's interpretation of German political theory in the period — deserve attention as well. Sabine Ahrens compiled a list of all professors at the Helmstedt during its existence, which gives precious clues about the social lives of its subjects alongside short chronicles of their careers. Their marriages are particularly revealing of the dense social networks they inhabited, comprising a key segment of a burgeoning learned, bureaucratic class. A great number of professors married the daughters of other academics. Nonetheless, many of them married the daughters of ministers, apothecaries, lawyers, and other members of the learned professions. Finally, a significant portion of them married daughters of members of the

¹⁶⁷ Dreitzel, 19-20.

¹⁶⁸ Dreitzel, 26.

¹⁶⁹ Michaela Triebs, *Die Medizinische Fakultät der Universität Helmstedt (1576–1810). Eine Studie zu ihrer Geschichte unter besonderer Berücksichtigung der Promotions- und Übungsdisputationen* (Wiesbaden: Harrassowitz, 1995). pp.17-18.

political class, including court advisors, bureaucrats, and mayors. Arnisaeus himself married the Elisabeth Götze, daughter of the Bürgermeister of Salzwedel, a city in the Margraviate of Brandenburg.¹⁷⁰ Arnisaeus was thus part of an integrated social class that played a crucial role in the developing state apparatus. That is to say that his political treatises, although they seem abstruse to the modern reader, were no mere academic exercises.

Bodies of Knowledge: The Civil Science as Medicine of the State

Arnisaeus' political thought was characterized by overlapping relationships—between scholar and subject, ruler and ruled, etc.—which substantially parallel the discipline of medicine. In the most basic sense, Arnisaeus approached his task as a political thinker informed by his background as a practitioner of learned medicine. The term refers to the discipline as it was pursued at universities throughout Europe until the Scientific Revolution overthrew it. Most recent historical literature on the topic, however, avoids the polemical denigration that characterized earlier treatments of learned medicine, emphasizing continuities and the innovations produced in the pre-Cartesian period. In other words, scholars no longer view learned medicine as an intellectually sterile body of knowledge and instead seek to understand its practices and developments on their own terms.¹⁷¹ The field influenced Arnisaeus' political thought in three significant ways, which shaped the contours of his texts. Firstly, he held that the proper philosophical method for treating politics as a discipline was virtually identical to that used by medical doctors—more specifically, he employed a Galenist methodology to his subject. Secondly, like learned medicine, Arnisaeus' understanding of political thought was centered on the intensive study of texts rather than real-world experience. Thirdly, the relatively ecumenical quality of learned medicine, which crossed all confessional and national boundaries, was reflected in his eclectic and frankly promiscuous attitude about citations, and in his desire for comprehensiveness.

The result is a group of texts that are frustratingly dense and prolix: they do not present a coherent system, as Keckermann sought to do. Arnisaeus' text is characterized by density. Each paragraph contains a thick web of interlocking assertions, rejoinders, and lists. Most notably, he claims almost nothing without adding a citation, often several. At times, the text itself seems to be nothing more than an index of useful citations in prose form. The heavily abbreviated in-text citations — typical for the period — add to the sense that the text itself is bursting at the seams with complexity and information. While he writes at length on many topics, the treatise cannot be described as discursive. It is, as its title suggests, succinct. The intention was clearly not to produce accessible summations of political wisdom but rather a relatively consistent attitude toward politics as a set of problems with a specific body of evidence that needed to be treated with the proper procedures. Rather than viewing this aspect of Arnisaeus' thought as a failure, the question here is how these choices may have been productive. As will be shown below, his approach not only affected the characteristics of Arnisaeus'

¹⁷⁰ Sabine Ahrens, *Die Lehrkräfte der Universität Helmstedt (1576-1810)* (Helmstedt: Veröffentlichungen der Kreismuseen Helmstedt, 2004) p. 12.

¹⁷¹ Ian Maclean, *Logic, Signs and Nature in the Renaissance: The Case of Learned Medicine* (Cambridge, 2001).

political works but also influenced the conclusions he drew about important questions and debates. Indeed, Arnisaeus' eclectic and exceedingly thorough inclinations produced a vision of political thought which was mainly about the identification and amelioration of potential sources of corruption, crisis, and change.

Dreitzel describes Arnisaeus' turn to political science as a result not of reflections about the crises of his day — as was the case with Machiavelli, the Monarchomachs, Bodin, and Bellarmine — but rather because of the philosophical imperative to fulfill the promise of the Aristotelian renaissance by developing all philosophical disciplines along systematic and objective/pragmatic lines.¹⁷² In this, he had something in common with Althusius, as Otto von Gierke observed.¹⁷³ He also shared this motivation with Keckermann, although the two men came from opposing traditions. As Arnisaeus took on this task — essentially a continuation of the metaphysical works of his teachers Cornelius Martini and Owen Günther — he was pulled in deeper than he had expected because of the third of three main objectives he set for himself. The first was to establish political science's autonomy from theology, ethics, and jurisprudence, the second was to give it an Aristotelian systematic method, and the third was to examine an ever-widening supply of historical and juridical facts and ideas that political science as an empirical field had to explain.¹⁷⁴ This understanding of the task at hand explains his choice not to develop a natural law theory of the state but rather to undertake a systematic, empirical investigation of political life. Arnisaeus' biography was not the only reason he chose medicine as a model discipline—Aristotle himself had argued that the discipline, as the most methodologically developed branch of science, served as a useful paradigm for constructing practical philosophy.¹⁷⁵ This position was transmitted down to Arnisaeus via Averroes and the Italian Renaissance.¹⁷⁶ The point was not that the state was akin to an organic body; rather, the activities of the statesman were similar to those of a doctor. This was at least the case according to Dreitzel — as we shall see, the doctor-patient relationship influenced Arnisaeus' political thought in more substantial ways, as we shall see. In any case, the process by which politicians should gather information and process it in order to make decisions was analogous to that of a doctor making a diagnosis.

Arnisaeus began his *Doctrina Politicae* with a methodological précis of *Staatslehre* as a branch of political philosophy. His goal was to accommodate, as Keckermann had, Aristotelian political philosophy to the questions he was interested in answering. He began by citing Scotus—an early indication of the eclecticism of his citations—who wrote that politics, because it was oriented toward honor (*honestas*), belonged among the practical disciplines.¹⁷⁷ Therefore, the discipline can follow no other method than the “*ordo resolutivo*,” a position he reasserted later in his career in *De*

¹⁷² Dreitzel, 87-88.

¹⁷³ Otto von Gierke, *Johannes Althusius*, 5th ed., (Aalen: 1958) p. 14.

¹⁷⁴ Dreitzel, 88.

¹⁷⁵ Werner Jaeger, “Aristotle's use of medicine as a model of method in his ethics,” *Journal of Hellenic Studies*, Vol. 77 (1957) pp. 54-61.

¹⁷⁶ Dreitzel, 117.

¹⁷⁷ Henning Arnisaeus, *Doctrina Politica in genuinam methodum* (Frankfurt, 1606) p. 3.

Republica.¹⁷⁸ This *ordo*, established by the Paduan neo-Aristotelian Zabarella, was widely seen as the proper method for the practical disciplines.¹⁷⁹ *Ordo*, according to Zabarella, referred to the “suitable disposition of all parts of a science” rather than a kind of syllogistic logic used to prove propositions.¹⁸⁰ Generally speaking, the resolute order derived causes from effects. For this reason, Ernst Cassirer drew a connection between Zabarella and the experimental method of Galileo. Gilbert found this argument fairly dubious, preferring to keep the methodological reflections that informed Arnisaeus in their Renaissance, premodern context.¹⁸¹

This essentially meant that the materials of politics should be analyzed down to their constituent parts in a search for ultimate causes. This search for the fundamental structures of politics led Arnisaeus down a path which centered on structures of hierarchy and domination as the essential ground of political life, and on the passions as potential sources of disorder. He continued his explicit comparison of politics to medicine through a discussion of Averroes, which proposed a tripartite division of the discipline:

*Quia artes practicae in quantum sunt artes, continent tria: Primum est, scire loca suorum subjectorum: Alterum scire finem quaesitum ad inducendum ipsum in subjectum: Tertium scire instrumenta, cum quibus valeamus ducere finem in subjectum.*¹⁸²

That is, the first part of the practical arts is to know the subjects covered by the art, the second is to know its end, and the third is to know what instruments are best used to achieve that end. In medicine, the subject of the art is the human body, whose various parts are described by the sub-field of anatomy; thus, the first step in developing political philosophy must be the analytical-empirical treatment of the commonwealth. The ends of medicine are twofold: the preservation of health and the avoidance of death, and are served by physiology and pathology respectively. (Here, the insistence of Dreitzel that the state and the human body were not analogous in this tradition seems suspect, although it is true that he does not envision the state in organicist terms.) The third part, naturally, is the branch of the science which seeks out “remedies” that would help obtain those ends, presumably not only by curing diseases also by promoting health. Because of the resolute *ordo*, these two subsidiary disciplines exist in a hierarchy with the primary, analytical study of the body.

This kind of art, as a practical discipline, begins with its ends and goes in search for means. So it is with politics.¹⁸³ Arnisaeus followed Aristotle in establishing the ends of politics, with some crucial alterations that emphasized the centrality of the state in his

¹⁷⁸ *DP*, 2-38.

¹⁷⁹ Luise Schorn-Schütte, *Aspekte der politischen Kommunikation im Europa des 16. und 17. Jahrhunderts* (Oldenbourg, 2004) p. 301.

¹⁸⁰ Jacobus Zabarella, *In libros Aristotelis commentarii...* (Venice, 1601) f. 3. Quoted in Neal W. Gilbert, *Renaissance Concepts of Method* (New York: Columbia University Press, 1963). p. 168.

¹⁸¹ Gilbert, 172.

¹⁸² *DP*, 4.

¹⁸³ *ibid.*, 9.

political analysis. He explained that in politics, as in logic, there are two ends: external and internal.¹⁸⁴ The external end of politics, in Arnisaeus' view, was the well-known Aristotelian formulation of *beate vivere*, living a life directed toward virtue, although he was unsatisfied with this as the pure subject of political thought. It was too interdependent with ethics, and Arnisaeus was driven by a desire to establish the autonomy of politics.¹⁸⁵ The internal end of politics, which Arnisaeus emphasized, was the state—or *respublica*—which, through laws and institutions, allows the people to live well.¹⁸⁶

Learned medicine inflected Arnisaeus' political works not only in terms of method, but also in terms of his attitude toward evidence. Indeed, as Ian Maclean has shown, the project of learned medicine “from the middle of the fifteenth century onwards” was substantially one of the humanistic purification of ancient texts.¹⁸⁷ Although many Renaissance doctors did criticize the ancients for their errors in various subfields, Hippocratic and Galenic texts still reigned supreme in the university curricula of the period.¹⁸⁸ So it was with Arnisaeus' study of politics. While the resolute *ordo* suggested a sort of empirical sensibility in approaching the project of discipline construction, Arnisaeus took his *exempla*, or points of evidence that could be collected in order to seek causes, from texts rather than observations about the political world around him. The body of the *Doctrina Politica* consisted largely of lists of other texts, with Arnisaeus explaining which were correct and which had erred. The goal was to create an archive of practical textual knowledge that could be used by students and politicians when questions arose. As the title suggests, it was a humanistic project that sought to recover political doctrine as it had been collected throughout human history, but especially as it had been propounded originally by Aristotle. The problem for Arnisaeus, therefore, was organizing the archive in such a way that would make it useful in answering the questions he had — specifically, questions about crisis and morbidity, caused by other thinkers such as monarchomachs and Catholics like Bellarmine.

Finally, a third way in which Arnisaeus' approach to political philosophy was shaped by learned medicine was the vast archive of political writings that Arnisaeus chose to cite. Whereas Keckermann relied heavily on a small body of mostly sympathetic scholars, Arnisaeus was hardly discriminating at all. Maclean describes the well-developed networks of intellectual exchange that allowed the transmission of medical knowledge in his monograph, and even mentions that while the confessionalization of Europe did present a barrier to this process, northern Protestants “did not have the same inhibitions about citing their Catholic counterparts.”¹⁸⁹ Arnisaeus was also profligate in his use of references, crossing confessional lines frequently, in his attempt to construct a useful, Lutheran archive of political knowledge.

¹⁸⁴ *ibid.*, 10.

¹⁸⁵ *ibid.*, 11.

¹⁸⁶ *ibid.*, 12.

¹⁸⁷ Ian Maclean, *Logic, Signs and Nature in the Renaissance: The Case of Learned Medicine* (Cambridge: 2002) p. 18.

¹⁸⁸ *ibid.*, 29.

¹⁸⁹ *ibid.*, 36-46.

Maclean's describes learned medicine as a field where "Knowledge was accumulated, and given an eclectic character by its preservation in libraries in which were juxtaposed ancient, medieval, humanist and more recent texts on the same subject."¹⁹⁰ The description would be apt if applied to Arnisaeus' political thought as well. This sense of strange juxtaposition was a result of the disciplinary inclinations of Arnisaeus. We have seen this at work in Keckermann, as a result of his Ramist methodology. For Arnisaeus, the method and order of political philosophy, as influenced by his medical background, was oriented toward the accumulation of political wisdom.

The State's Two Bodies: Politics as a Doctor-Patient Relationship

There was a second sense in which Arnisaeus' conception of politics was inflected by his background as a medical doctor: he viewed the body politic as a patient, which would be acted upon by the state, which behaved as a doctor. This had the effect of centering political analysis on the state, rather than the political community as a whole, because the latter was relegated to a passive status. The *Politica* project as a whole was not only about constructing disciplinary texts about politics, thus establishing order over a body of knowledge, but also about maintaining stability in the political world. For Arnisaeus, this meant that the state, as an order of hierarchy, would aspire to a condition of stasis, seen along medical lines.

The first step in this vision of politics was establishing the state as the center of political reflection. Arnisaeus' most significant contribution to the history of political ideas emerged from his participation in the debate over sovereignty; here also the medical metaphor was operative. Arnisaeus was embroiled in a debate with Althusius over the nature of sovereignty, and he took an absolutist view, while still maintaining important distinctions from the Bodinian definition. As I will show, he took an intermediate position between the unified, centralized sovereignty of Bodin and the popular sovereignty of the monarchomachs. We are presented with a French Catholic absolutist, a German Calvinist resistance theorist, and a Lutheran who fell in the middle. It seems that confessional and political allegiances were decisive on the question of sovereignty, as they map neatly onto the various positions. In this case, however, methodological presuppositions were also crucial for both sides of the debate.

The monarchomachs were largely Calvinists, who had a good reason to develop theories which would give legal justification to their resistance against sovereigns and laws. Their conception of politics was designed in order to provide such a justification. Significantly, they did not limit themselves to the *civitas* and *respublica* as the objects of political study. Rather, they centered on the concept of *consociatio* or consociation as the essence of public life. This move emphasized the role of voluntary association and civic participation, with a consequent celebration of republican values.¹⁹¹ Althusius succinctly presented such a view of politics at the opening of his *Politica*:

¹⁹⁰ *ibid.*, 66-67.

¹⁹¹ Martin Van Gelderen, "Aristotelians, Monarchomachs and Republicans: Sovereignty and *respublica mixta* in Dutch and German Political Thought, 1580-1650," in Martin van Gelderen and Quentin Skinner, eds., *Republicanism: A Shared European Heritage, Vol I: Republicanism and Constitutionalism in Early Modern Europe* (Cambridge, 2002). pp. 195-218. pp. 205-206.

Politics is the art of associating (*consociandi*) men for the purpose of establishing, cultivating, and conserving social life among them. Whence it is called “symbiotics.” The subject matter of politics is therefore association (*consociatio*), in which the symbiotes pledge themselves to each other, by explicit or tacit agreement, to mutual communication of whatever is useful and necessary for the harmonious exercise of social life.¹⁹²

This lengthy passage contains several interdependent elements which contrast sharply with Arnisaeus’ conception of the discipline. Firstly, Althusius’ definition takes society as such as the object of politics, as opposed to the state, or *respublica* in Arnisaeus’ version. Secondly, it is therefore the study of the process by which social groupings mutually engage in public life for the purpose of achieving social harmony. That is, the active role is taken by citizens in the Althusian conception. Finally, the activity of political life occurs through communication among relatively horizontal associative bodies, rather than through the vertical relations of domination and obedience emphasized by Arnisaeus.

Other monarchomachs, including the Steinfurt humanist Clemens Timpler and Alsted, substantially accepted this definition of politics as the basis for a Calvinist political theory that would justify some level of resistance to established authority.¹⁹³ (Indeed, the definition itself relied heavily upon the Ramist rejection of Aristotelian terminology—nonetheless, it is important to remember that Keckermann’s conception of politics in many ways resembled that of Arnisaeus, including an emphasis on the primacy of rule as the active element in political life, not to mention his less than sanguine view on rights of resistance.) Arnisaeus’ work was significantly informed by an opposition to this view, with a corresponding alteration to his theory of sovereignty.

Arnisaeus disagreed with both Althusius and Bodin that the formation of a state forms a body, as in the natural law tradition. He insisted on differentiating between the city or *civitas*, which is a body of people, and the commonwealth or *respublica*, which is defined by hierarchy and subjection. As he put it in the *Politica*, the *respublica* was that which gave form and order to the *civitas*.¹⁹⁴ The most sophisticated articulation of this division, which as we shall see would prove immensely influential for Besold and other theorists of the mixed constitution, came in the 1615 *De republica seu relectionis politicae libri duo*. This later text repeated many of the topics of the *Doctrina Politica*, particularly its methodological arguments. However, it also represented an opportunity to reply in depth to his monarchomach opponents and develop his ideas about sovereignty. Here, he defined the *civitas* as the material subject of politics, whereas the *respublica* referred to the order of ruling and governing — in other words, the state. As he put it, “*Reipublicae essentiam consistere in ordine imperandi et parendi.*”¹⁹⁵ In this, he distanced himself from other thinkers, including Keckermann, who saw the

¹⁹² Althusius, Johannes Althusius, *Politica*, trans. Frederick S. Carney (Indianapolis: Liberty Fund, 1995) p. 17.

¹⁹³ Van Gelderen, 205.

¹⁹⁴ *DP*, 147.

¹⁹⁵ Arnisaeus, *De republica seu relectionis politicae libri duo* (1615). p. 43.

respublica as the object of politics.¹⁹⁶ For Arnisaeus it was the *respublica*, as the *end* of politics, which allows the body of citizens to achieve the goal of happiness: “*Feliciter autem cives in societate vivere non possunt, nisi ab una aliqua summa potestate regantur per magistratus intermedios.*”¹⁹⁷ The citizen was thus definitively separated from the subject, who is defined in terms of subjection to a sovereign.

The science of government was therefore about describing the order of hierarchy that would best provide a salubrious structure to the lives of the people, here envisioned as patients being acted upon by political authority. Indeed, although Arnisaeus’ various presentations of politics tended to begin with the family, they quickly moved on to a discussion of government. This is because the people were the raw material of politics, happiness was its end, and government was the *means* by which the end could be achieved. This meant that the state was not necessarily an organic body, but it did act upon the body of the people. This move of separating the *civitas* from the *respublica* was crucial in his discussion of the question of sovereignty and constitutions. For prudential reasons, he suggested that monarchy was the best form of government; he found that it was most effective in serving the public interest and providing stability and order, although he allowed that other forms of government .¹⁹⁸ He remained descriptive and prudent, however, in analyzing the constitutional situation in the Empire, saying that it was “a mixture of Aristocracy and Monarchy, where the Aristocracy preponderates, but where the Emperor has full and highest power over the sovereign rights that remain with him.”¹⁹⁹

Arnisaeus was notorious for opposing Althusius, but he also rejected Bodin’s idea that sovereignty was indivisible. As the above discussion indicates, this was largely because he was more interested in ensuring that the *respublica* did its job in creating order, than in the juridical question of locating the supreme power in some part of the political body. His treatment of the sovereignty question indicated that it was of subsidiary importance to him. The organization of the *Doctrina* is indicative of this; it comes in the ninth chapter of the first book, after an Aristotelian treatment of various other forms of authority, including in marriage, and between master and slave, and even after a discussion of the various forms of constitution. In his chapter on sovereignty, he described *majestas* as authority which acknowledged no superior — because the republic was an order of rule and obedience, and because rule was prior to obedience, sovereigns were “the beginning and head of the republic.”²⁰⁰ As Kinch Hoekstra has shown, he argued in the *Politica* that the sovereign power did not need to reside in a single figure, but could be built up into an organic whole by spreading aspects of authority among different actors, as in the Roman constitution:

There are many principals and prerogatives the combination of which constitutes complete sovereignty: it is admittedly impossible for many to

¹⁹⁶ *ibid.*, 37.

¹⁹⁷ *ibid.*, 43.

¹⁹⁸ Van Gelderen, 209.

¹⁹⁹ *De republica*, pg. 1084, quoted in van Gelderen, 210. Notably, this contrasts with the description offered by Otto von Gierke.

²⁰⁰ *DP*, 259.

share the whole of it in its entirety, but nothing prevents separating its parts and assigning them to many, so that there is a piece of sovereignty in each. In the body as a whole there is properly full sovereignty, resulting from the combination of the parts and the bringing together of the pieces of sovereignty into one.²⁰¹

In this sense, the sovereign power of the *respublica* was composed of the various governing powers of the state, as exercised by magistrates. In the case of the Empire, the electoral princes might wield a great deal of power, and the Emperor himself might do so as well. What was important was that, whatever the constitutional arrangement was, it gave order and stability to the *civitas*. The goal of political theory was in part (as we shall see) to ensure that the state functioned.

Arnisaeus' vehement opposition to the indivisibility of sovereignty rests uneasily against his reputation as a forerunner of absolutism. It would appear to indicate some hesitation on his part—if the desire was to shore up the legitimacy of the monarchic state, then wouldn't it have made sense to concentrate sovereignty as much as possible in the institution of monarchy? His personal political and confessional commitments do not appear to map smoothly onto the positions propounded in the text. As his discussion of *civitas* and *res publica* indicates, however, Arnisaeus was a thinker who envisioned political philosophy as a science of the state, rather than as a science of a certain mode of activity. And he took seriously the idea that the state was something larger than institutions, such as monarchy, which comprised it. It was also the entire system of *Herrschaft*, which organized the *civitas* and gave it meaning. It is no surprise, then, that he would locate the supreme power of the commonwealth in the state itself, and would be indifferent to its distribution among various bodies or persons that served the state. His absolutist tendencies would be more evident in other arenas, for example the question of legitimate resistance, discussed below. While his position was clearly inflected by his more theoretical-methodological interests which were themselves decisively informed by his medical background, his peculiar view of sovereignty cannot be reduced to a medical metaphor. Indeed, it is quite the opposite. Ironically, Arnisaeus modeled his political teachings on medicine in order to develop more fully the concept of the impersonal state.

The Writing Cure: Pathology and Therapy in the Treatment of Political Instability

The final way in which Arnisaeus' political thought mirrored the doctor-patient relationship was the sense in which political thought itself could be therapeutic, as a cure for the various complex problems that could befall anyone who took an active or reflective role in the political world. This strand took up the two subfields of medicine which Arnisaeus mentioned: pathology and therapy. The utility of political philosophy was in identifying sources of disorder and offering treatments that would cure them. Arnisaeus imagined himself as a sort of doctor of the political class — many of the

²⁰¹ *De republica*, 164. Trans. Kinch Hoekstra, in "Early Modern Absolutism and Constitutionalism," *Cardozo Law Review*, Vol. 34 No. 3 (Feb., 2013) pp. 1079-1098.

problems he described as most dangerous to stability were internal to this group. The cures he suggested were aimed at the harmonious operation of their various responsibilities. In this sense, it was in fact the political class that provided the organic body that was the subject of Arnisaeus' reflection.

The entire second book of the *Doctrina Politicae* concerned "Corruptions of Republics and their Treatment." The language of the book's title, with an explicit use of the medical term *curatio*, indicates that Arnisaeus took the parallel to medicine seriously. It is further noteworthy that he chose to devote such a significant proportion of his work to the treatment of change and decay, as most theoretical treatments of politics at the time focused on the analytical description of states. For example, Keckermann discussed the topic of political change himself over the course of some 15 pages out of a treatise of exactly 600 pages; moreover, his division of the work into two books centered on the dichotomy between monarchy and "polyarchy," rather than on healthy and sick polities. Nor would Besold or Contzen spend much time on the topic in their later treatises. This is indicative of how Arnisaeus' disciplinary background dovetailed with his political concerns.

Indeed, Arnisaeus opened the second book of the *Doctrina Politica* with reference to medicine and Galen. In a slightly adjusted analysis of medicine into two constituent parts, he wrote that the science is partly aimed at the conservation of health, and partly aimed at the avoidance of death. He said that, analogously, politics is divided in two parts: one teaches the constituent parts of the republic, while the second part "*ad curandas vel praevertendas ejus corruptiones destinata est.*"²⁰² This is, in fact, not exactly an analogy between the two fields, although his scheme for politics does map onto the branches of anatomy and pathology. The first aim of the latter branch is to understand the cause of illness—without this understanding, it is impossible to produce a cure. Arnisaeus thus presented a remarkably exhaustive list of the various causes for corruption and mutation of the commonwealth in the pages that followed, with an eye toward those that can be remedied through the application of political science.

The criteria by which Arnisaeus identified and categorized the causes of political change is informed by his own peculiar definition of politics, which centralized relationships of domination and subjection. Others discussed political change in terms of the cyclical transformations of constitutions, in a tradition reaching back to Aristotle. Arnisaeus did participate in this tradition, although he was sure to add that there were more than six possible changes in constitution; rather, there were twelve, in which all four forms (the three simple forms as well as the mixed constitution) could change into any of the others.²⁰³ The task Arnisaeus set for himself was to identify every last cause of these transformations, in order to develop ways of preventing them. Without understanding the cause, there can be no remedy:

*Unde in summa duodecim colliguntur species mutationum Rerumpub. quarum causas porro inquirere, & ordo Aristotelis, & ratio curandi praecipit. Nam, quam diu causa morbum fovens non tollitur, frustra morbo manum admovemus ut est concors Medicorum sententia.*²⁰⁴

²⁰² *DP*, 416.

²⁰³ *ibid.*, 465.

²⁰⁴ *ibid.*

It is important to reiterate that Arnisaeus was not suggesting that he was treating a “body politic” like a doctor would treat a human body. The *respublica*, as the means by which the end of politics could be achieved, was not analogous to a human body. Rather, it is the organization of the discipline that is analogous to medicine. The causes of political change were therefore to be analyzed on their own terms, not along medical lines — it is the political scientist’s gaze that is akin to a doctor inspecting a patient.

The following three chapters discussed the various causes of corruption or mutation in a *respublica*: the first treats the “causes of corruption in certain republics,” (*De causis quibusdam corruptionum Rerumpublicarum*) by which he meant traditional explanations for political change including fate, divine providence, oracles, and astrology. The second dealt with causes that are “voluntary and by strategem” (*spontaneorum et per fallaciam*), and the third is about “internal violence” (*per vim internam*). Political changes that occur through external violence—that is, through war—were apparently on the agenda for Arnisaeus, although he did not end up including them in his treatment. His technique was similar to that of a medical textbook describing different kinds of diseases—there is little analysis or generalizing statements, as the emphasis is on analytical rigor in the service of comprehensiveness.

There is, nonetheless, a structure to his presentation of the causes of political change, which reflects his differences with Keckermann. Whereas the latter, in following his Ramist tables of knowledge, always began with the logically prior or more important concept, Arnisaeus proceeded from the trivial to the critical. Indeed, the entire second chapter, with the vague title about “certain causes,” seems to have existed purely so that Arnisaeus could get it out of the way. This is not exactly because those sources of change were trivial per se—although he naturally finds oracles and astrology dubious—but rather because they are not problems that can be treated through the application of political thought. In this sense, Arnisaeus was unsure what to do about them. Indeed, when he discussed divine providence, he was perfectly willing to admit God’s influence: Samuel and Solomon were made kings directly by God, and even the gentiles knew that all political power had a divine source.²⁰⁵ In spite of God’s manifest importance to political life, Arnisaeus is relatively uninterested in discussing it in his work:

*Hanc igitur mutationum causam primam, licet accuratissime non pertractet Politicus, ubique tamen praesupponit, tanquam a Theologo luculentius explicatam, cujus hae sunt partes primariae. Politicus enim nem potest, nisi ex sua arte causas assignare, nisi saltum facere & terminos suos transgredi velit.*²⁰⁶

For a political scientist to fully understand the role of religion in establishing and transforming republics, he would have to transgress the boundaries of his art, and enter the territory of theologians.

Arnisaeus took the secular causes of political change much more seriously, particularly those that are caused by internal violence. Indeed, it seems that these were the sources of disorder that he was interested in diagnosing and ultimately addressing in

²⁰⁵ *ibid.*, 468-9

²⁰⁶ *ibid.*, 470.

the work. He made use of the list from Aristotle from the fifth book of the *Politics* as a general scheme by which he attempted to collect together the various causes of political upheaval, most of which were ultimately to do with social discord. Throughout, Arnisaeus mostly made use of examples from ancient Greek and Roman history. Take Arnisaeus' treatment of *contumelia*, which means insult or abuse, particularly from sovereigns toward their subjects.²⁰⁷ Much ink was spilled over the question of whether contumely is worse than contempt — he says in the beginning that it is, but then he must add evidence for this comparison, with reference to Aristotle, Plutarch, and Cicero. His argument, following that of Aristotle, is that slander can cause dissension especially among the ruling class of a republic — for example, the conflict between Lysander and Agesilaus, something of a lovers' quarrel, harmed Sparta.²⁰⁸ He continued with a list of further case studies, giving examples mostly from the ancient past but also from recent history. He paints a picture of a political class inflamed by rivalry and paranoia: “*Nam tua res agitur, paries cum proxima ardet.*”²⁰⁹

Arnisaeus' approach to the diagnosis of political change indicates a number of concerns peculiar to his intellectual project. Firstly, he was only interested in those types of sources of change that could be addressed by political philosophy as he defined it. Although other phenomena could indeed affect political life, he scrupulously avoided giving them full treatment, because of his central interest in defending the autonomy of political philosophy from rival disciplines. Secondly, he emphasized those sources of disorder that afflicted the political class, keeping in line with his statist vision of politics. That is, the healthy state consisted of various officials working in harmony, and therefore political philosophy was the art of ensuring that that discord would not enter that specific group. Finally, his methodology of categorizing sources of change presented political crisis as a kind of disease that could be approached as a doctor treating a sick patient.

The final chapter of the *Doctrina Politica* is massive, and deals with “remedies against predicted corruptions and their causes.”²¹⁰ In this section of the text, he makes use of the neostoic idea of therapy as a way of expunging harmful passions from the commonwealth. Having presented the sources of political change as a set of diseases that can afflict a *respublica*, he then presents political philosophy itself as a body of knowledge that can be used to treat them. Thus, his “absolutism” was in fact a state-centered vision of political science which gave a privileged position to the state as its object of analysis, with the goal of reinforcing its structures of domination and power, as opposed to an understanding of political life that is based on the natural rights of individuals.

Arnisaeus writes that “In curing [political corruption] certainly the method of doctors is again imitated.”²¹¹ Specifically, it is crucial that the therapy be applied as soon as possible, because preventative care, so to speak, is much more effective than any treatment after the fact: “*Nam aut viam occludit causis corrupturis, aut jam*

²⁰⁷ *ibid.*, 586

²⁰⁸ *ibid.*, 507

²⁰⁹ *ibid.*, 508.

²¹⁰ *ibid.*, 528.

²¹¹ *ibid.*, 530

invalescentes amolitur, aut quando jam morbum pepererunt, morbo manum applicare docet."²¹² Indeed, it is best to imitate the "prudence of Lycurgus," who designed the laws of Sparta so as to ensure that they never changed.²¹³ Indeed, many of Arnisaeus' suggestions are of this sort — generic and unoriginal. Some problems are "less obnoxious," as they can be handled by magistrates — the cure for political problems is often simply good governance, particularly when it comes to money.²¹⁴

Some of Arnisaeus' later texts were also illustrative of his attitude about the utility of political philosophy in addressing the causes of disorder, particularly resistance theory and the clergy. These represented attempts by groups outside the *respublica*, or political class, to participate in the business of ruling. His 1612 polemic, *De Subjectione et Exemptione Clericorum*, or "On the Subjection and Exemption of Clerics," was written in opposition to Bellarmine and aimed to prevent the Church from wielding any power in political life. At the same time, it argued that clergy were not exempt from secular power — while it set two separate jurisdictions for the two, the separation referred to function and not persons. In the second chapter, he outlined the various maladies that the Catholic expectation of exemption from secular jurisdiction exposed states to. In so doing, he argued that clerics represented a kind of foreign body in the commonwealth, who by exempting themselves from the order of the state could cause harm to it as a disease: "*Quae major pestis, quam in medio sinu habere, non tantum contra quos, si omni te affecerint injuria, mutire non audeas: Sed etiam qui alienae fidem potestate dederint, hoc est, qui teneantur ad nutum alterius arma in sumere?*"²¹⁵ His goal in writing the treatise was therefore to demonstrate, using an empirical method, that the arguments of his opponents were false. This was aimed at preserving the autonomy of the state: his preoccupation with clerics as *peregrini* suggested that the integrity of the territorial state was central to his project.

The later *De Autoritate Principum in Populum Semper Inviolabi*, also published in 1612 was a comprehensive response to resistance theorists. It was separated into four chapters: the first outlined the controversy, the second argued against resistance theorists on the basis of scripture, the third did the same based on the laws of nature and the "principles of politics," and the fourth dealt with the question of tyrannicide. His main issue with the question of rebellion was that it subverted the law of nature by making "rulers of those who obey, kings out of subjects, princes out of the vulgar."²¹⁶ The treatise itself was motivated by Althusius' response to Arnisaeus in 1610, which doubled down on his argument in favor of legitimate resistance.²¹⁷ He also focused at length on refuting the arguments of George Buchanan, the Scottish resistance theorist. As with his book on clerical exemptions, the text focused on the empirical refutation of the monarchomachs' arguments. The influence of Lipsius is evident, as the Dutch

²¹² *ibid.*

²¹³ *ibid.*, 436.

²¹⁴ *ibid.*, 440-442.

²¹⁵ *De Subjectione et Exemptione Clericorum* (Frankfurt, 1612) p. 25.

²¹⁶ *De Autoritate Principum in Populum Semper Inviolabi*, (Strasburg, 1635 ed.) p. 1.

²¹⁷ Merio Scattola, "Politica architectonica. L'aristotelismo politico nel dibattito politico tedesco della prima età moderna," *Res Publica. Revista de Historia de las Ideas Políticas*, Vol. 19, No. 1 (2016) pp. 15-33. p.25

humanist had relied heavily on the use of historical examples, and the way in which they revealed human psychology. This was crucial to Lipsius' project of describing the world as it was, refuting the abstract subtleties of his opponents with a doctrine that would moderate passions and fulfill human hopes.²¹⁸

For Keckermann, Lipsius' neostoicism provided ethical norms which informed his notion of political morality; his disciplinary attitude toward politics was defined by his Ramism, which sought order through the logical organization of the topic as a whole. For Arnisaeus, Lipsius provided a model for making political arguments, which paralleled his own disciplinary interests. For him, it was the sheer weight of historical evidence that lent weight to his arguments. (This was also evident in his extremely lengthy discussion of German constitutional history in the *De Republica*.) Arnisaeus held that by describing the world as it was, he could buttress the harmonious functioning of states.

As we shall see, Lipsius' influence waned as the decades passed, and was much less evident in the *Politica* treatises of Besold and Contzen. This was partially because of their disciplinary inclinations: Besold was thoroughly involved in debates over sovereignty and the constitution, and didn't have much use for Lipsius' ethics. Contzen had an alternative tradition of ethical reflection that he could call on for his Jesuit analysis of politics. This change was also, I propose, an effect of the increasing focus on the state as the focus of political reflection. This was accomplished through the intellectual labor of the *Politica* writers over the years, which put ever more emphasis on the business of governing as the goal of political life. In Arnisaeus' case, the business of governing was inflected by Lipsius' idea of discipline, and the preservation of constancy in the face of challenges. Later authors would have different goals in mind.

When Thomas Hobbes proposed a flagrantly heterodox interpretation of the Bible in the third book of his *Leviathan*, he closed by writing that he had not expressed any of his own opinions — people expressing their own opinions on scripture being a central cause of the English Civil War — but had rather followed the dictates of reason as applied to the text in question. For him, geometric rationality served as a methodological safety blanket. It was not only useful for the philosophical reconstruction of political authority, but also served as a rhetorical cover for Hobbes' controversial opinions. He wanted to protect the state from the corrosive effects of intellectual controversies, while engaging in that very practice himself. The concept of an impersonal method, which artificially constrains the activity of political writing, could produce a distance between the author and the text. More to the point, it could protect the validity of the text from the mere humanity of the author.

Arnisaeus was engaging in a similar project, although with an entirely different set of intellectual tools. He did not have access to the abstract reason of Descartes, which served as a basis for the total reconstruction of intellectual disciplines. What he did have was his background as a humanist and a medical doctor, which led him to a form of Political Aristotelianism that emphasized the empirical treatment of political information as passed down in the form of texts. This methodology could achieve a description of the world as it was, with the salubrious effect of preserving the order provided by the state. Arnisaeus' method was "impersonal" because it was

²¹⁸ Oestreich, 31.

dispassionate, in that it rejected abstracted claims for authority in favor of pragmatism and description. Like Hobbes, this did not mean that he avoided polemic; rather, it meant that his positions were presumably based on the correct evaluation of evidence rather than the passion of self-interest.

In his famous analysis of the rise of “governmentality”—that is, of political texts between the middle of the sixteenth and end of the eighteenth centuries which took as their subject the art of government, rather than advice to princes—Michel Foucault cited the “double movement... of state centralization on the one hand and of dispersion and religious dissidence on the other” as a causal factor. These two countervailing phenomena posed with “peculiar intensity” the “problematic of government in general.”²¹⁹ It is clear how Arnisaeus was conceptualizing, in his own peculiar way, the sovereign state as a replacement to the older feudal order.

²¹⁹ Michel Foucault, “Governmentality,” in Graham Burchell, Colin Gordon and Peter Miller, eds., *The Foucault Effect: Studies in Governmentality* (University of Chicago, 1991) pp. 87-104. p. 88.

Chapter 3

Law and the Mediation of Conflict in the Political Thought of Christopher Besold

Physic, farewell! Where is Justinian?

[Reads.]

Si una eademque res legatur duobus, alter rem,
alter valorem rei, &c.

A pretty case of paltry legacies!

[Reads.]

Exhoereditare filium non potest pater, nisi, &c.

Such is the subject of the institute,

And universal body of the law:

This study fits a mercenary drudge,

Who aims at nothing but external trash;

Too servile and illiberal for me.

Of the four faculties that comprised the early modern German university, it was law which seemed most appropriate to produce comprehensive treatments of politics. The central questions facing Germany at the time were legal in nature, concerning the relationships both among the various estates of the Empire and the confessions. The method of conflict resolution in the Empire was highly juridical in nature, meaning that lawyers were constantly at the center of political disputes. Moreover, the constituent territorial principalities of the Empire were undergoing a long process of state-formation, and law faculties were crucial in providing a supply of bureaucrats that would serve their ambitious rulers.

On the other hand, the *Politica* authors of the early 17th century were clear in distinguishing between jurisprudence and the study of politics as an autonomous discipline. Both Monarchomachs and Political Aristotelians were clear that the former was a subordinate discipline: recall Althusius' remark that the "political scientist is concerned with the fact and sources of sovereignty. The jurist discusses the right that arises from them."²²⁰ Jurisprudence would reign supreme by the middle of the century, due to the rise of natural law as the architectonic theoretical basis for practical knowledge, and also because of the continued juridification of the Empire in the wake of the Peace of Westphalia. Among the scholars of the first four decades of the century, however, political philosophy maintained its position as the master discipline. This chapter explores how jurists might navigate these rocky waters, through the example of Christoph Besold, the most prominent German legal theorist of his time. I suggest that, although his *Politica* did not present a comprehensively juridical understanding of politics as a field of philosophy, on a disciplinary level he was decisively shaped by his legal background. This was most evident in two senses: he employed the techniques of a

²²⁰ Johannes Althusius, *Politica*, trans. Frederick S. Carney (Indianapolis: Liberty Fund, 1995) p. 12.

legal scholar in conceiving of politics as an academic discipline, and the remedies he suggested for the most pressing issues of his day were legalistic in nature.

Christopher Besold²²¹ was born in 1577 in Tübingen in the Duchy of Würtemberg. A lawyer's son, he graduated from the philosophy faculty of the University of Tübingen in 1591. He completed his doctorate in Roman and Canon Law at the same university in 1599, proceeding to a glittering career in both the public and academic worlds. He served as rector of the university seven times, and also was an advocate to the highest court of law in Würtemberg — the *Hofgericht*. By the 1620s, according to von Friedeburg, he was “the towering legal authority of Lutheran Germany.”²²² The period was not without controversy: he ran afoul of church authorities twice in the decade, for his apocalyptic interests and for his suspected Catholic sympathies.

The ecclesiastics were onto something, as it turned out. Although he publicly swore his allegiance to the Lutherans on the Book of Concord in 1628, he secretly converted to Catholicism two years later. In 1635 the secret came out, and Besold decamped for a position at the Jesuit university at Ingolstadt — the *ius emmigrandi* in action. As a Catholic intellectual, Besold was no less active in the civic sphere, serving as an Imperial councilor and to the Wittelsbach family. He died in 1638 while considering an offer from Pope Urban VIII of a professorship at Bologna, which would have served as a superlative capstone to his career as a jurist.

Besold's confessional peregrinations seem to have been motivated by a number of factors, most notably an interest in a more spiritual form of Christianity which was out of sync with the Orthodox Lutheranism of his day. He was also attracted to the simplicity of the early church and repelled by confessional strife, as he related in letters to his close friend, the astronomer Johannes Kepler.²²³ His siding with the Catholic Church over land disputes — he argued in 1629 that Würtemberg had illegally seized Church property in violation of the 1552 Peace of Passau — would seem to have been a result of his sympathies rather than a cause of them. In other words, he had personal reasons for embracing Rome, and these influenced his legal thinking.

This last point is important particularly to a historical understanding of Besold's thinking on the question of religious freedom. As von Friedeburg argues, Besold was entirely inconsistent over the course of his career, employing a *ratio status* argument to support toleration in 1625 and later revising his position in 1638 to support that of Bellarmine. What is interesting here is not necessarily why he changed his position — it was obviously the result of his changed confessional allegiance, and the story behind his conversion has been researched in detail — but how he employed a methodological set of tools over the course of his career in order to support a broad range of positions

²²¹ Latinized as Besoldus for the purposes of declension. His original name is most common in the secondary literature and is thus preferred in this chapter.

²²² Robert von Friedeburg, “The Juridification of Natural Law: Christoph Besold's Claim for a Natural Right to Believe What One Wants,” *The Historical Journal*, Vol. 53, No. 1 (March 2010), pp. 1-19. p. 8.

²²³ See Edward Rosen, “Kepler and Witchcraft Trials,” *The Historian*, Vol. 28, No. 3 (May, 1966) pp. 447-450.

which were convenient to him. In other words, there's not much to be learned from judging thinkers like Besold or Lipsius for their lack of consistency, and even less to be gleaned from trying to apply coherence to a body of work that lacks it.²²⁴ Indeed, one of the qualities that defined Besold's thought, and which allowed him to find the middle ground on so many vexing questions, was the flexibility of his legal concepts.

It is also noteworthy that Besold, when compared to Keckermann and Arnisaeus, was a member of a more rarified and cosmopolitan echelon of the nascent seventeenth-century republic of letters. His friendship with Kepler and contacts with the Pope placed him among the leading figures of Europe. Moreover, if Helmstedt was more illustrious than the Danzig Academy by virtue of being a full university, then Ingolstadt and Tübingen were all the more venerable — they were founded during a spate of establishments that coincided with the spread of Renaissance humanism in Germany in the second half of the fifteenth century (1459 and 1477, respectively). These foundations also coincided with the increasing involvement of universities in the state formation process, both as part of the administrative apparatus and as an “ornament” to the territorial ruler's authority (both universities were founded by lay princes).²²⁵ Tübingen was renowned as a center for Protestant theology — the faculty had been reorganized by Philip Melancthon himself — and would later count Hölderlin, Hegel, and Schelling as alumni. Ingolstadt, Bavaria's oldest university, was at the time best known as a Catholic redoubt which had resisted the Reformation under the intellectual leadership of Johann Eck.

This chapter will show how Besold employed a legal approach in an attempt to resolve the many contradictions and dilemmas facing practitioners of political thought. As always, these problems had both an intellectual and practical dimension. What characterized Besold's political thought was his sustained pragmatism — he consistently sought to mediate conflict rather than exacerbate differences. Firstly, I will discuss how Besold resolved the contentious question of the relationship between law and politics. Secondly, I look at Besold's approach to the crucial conflict between natural law and the tradition of positive law that made competing claims to validity and application to the most pressing political questions of his day. Finally, I look at the Besold's practical application of his approach to the two great political questions which brought about the Thirty Years' War. The first of these was the question of sovereignty, which Besold sought to resolve by developing a unique and ultimately influential theory of federalism.²²⁶ The second was of religious toleration, a vexed topic which he sought to resolve through a novel position that argued for freedom of conscience within established traditions of thinking about confessional conflict.

This last point is key to understanding the character of Besold's political thought. His empirical approach allowed him to cut through certain theoretical problems and offer innovative solutions that were couched in the experience of history. One of the central tensions of political thought in this era was between innovation and tradition:

²²⁴ Quentin Skinner, “Meaning and understanding in the history of ideas,” in *Visions of Politics, Vol I: Regarding Method* (Cambridge, 2002) pp. 57-89. In this famous essay, Skinner argues against the traditional method of intellectual history glossed above.

²²⁵ Brady, 24.

²²⁶ Franklin, Eulau, etc.

thinkers were constantly insisting that their positions were totally in line with the record of authority, even as they broke new ground. Besold's task was to employ the disciplinary structures of jurisprudence in order to introduce an increased focus on empiricism and novel theories of federalism and confessional relations.

Another theme of this chapter is the way in which Besold was able to build upon the work of the previous generation — whereas Keckermann and Arnisaeus published most of their work in the first two decades of the seventeenth century, Besold's career peaked in the 1620s and 30s. This was a strikingly different period in German history, as the Thirty Years' War revealed the inadequacy of imperial institutions and the religious-political settlement of the previous century even as it demonstrated the cost of losing those structures for peace and confessional coexistence. This arguably opened up new horizons for a vision of politics, and Besold, with his heterodox religious interests and keen legal mind, was well-positioned to explore them. He was still, however, a German academic, with all the ingrained conservatism that entailed. His solution to political problems, therefore, was to generate a novel legal basis for the sorts of middle-ground compromises that had underpinned the preceding period of peace.

If he was backward-looking both in his search for institutional solutions to conflict and in his adherence to the wisdom of authorities, however, that does not mean he was entirely unable to break new ground, in large part due to the work of Keckermann and Arnisaeus' generation. He was able to make use, for example, of Keckermann's disciplinary distinctions, and was thus able to more easily secure an autonomous footing for political philosophy. Moreover, Arnisaeus' alteration to Bodinian theory allowed him to ignore the siren-call of indivisible sovereignty. This permitted him to be slightly more adventurous than his forbears in focusing his treatises on the topics and questions that most concerned him (to an extent — his texts were easily just as unwieldy as those of his predecessors, if not more so). He was able to make use of the herculean labors of legal and political scholars from the immediately preceding decades, who had digested the collected archive of juridical and political knowledge from antiquity up to their time.

Jurisprudence and Politics

Besold produced dozens of works over his career, and the *Politicorum libri duo* was among the most successful, receiving four printings between its original publication in 1618 and 1626.²²⁷ It is a truly massive text, running to 878 pages in the 1620 Frankfurt edition, not counting an 83-page index, the preface, and six testimonial poems preceding the main text.²²⁸ In terms of texture, Besold's approach stands between Keckermann and Arnisaeus. The Latin itself is more complex than Keckermann's, but not so dense and abbreviation-ridden as that of Arnisaeus. Like

²²⁷ Herbert Jaumann, *Handbuch Gelehrtenkultur der Frühen Neuzeit, Band 1: Bibliographisches Repertorium* (Berlin: de Gruyter, 2004) p. 94.

²²⁸ The copy from the Regensburg *Staatliche Bibliothek*, used for this chapter, is bound together with a set of tables drawn up by one Fridericus Richardus, based off Besold's own political teachings, and very much in the Ramist style — although there is no evidence of Ramist influence otherwise on the Tübingen jurist, he clearly did read some of Keckermann's writings, including his political works.

Keckermann, the text does proceed with a regular method, although not as rigorously enforced. Each chapter presents itself as a numbered (using Arabic numerals) list of paragraphs in Roman typeface, which are sometimes interspersed with italicized paragraphs ordered by Roman numerals and containing elaborations or summaries of the various positions taken by participants in debates over the issue at hand.

The overall structure of the *Politicorum* demonstrated Besold's juridical approach to political thought. Whereas other texts of the *Politica* genre tended to begin with an Aristotelian discussion of the causes of political life, Besold began with a discussion of sovereignty, after a prologue on politics as a discipline. The very long first book dealt mainly with various topics raised by the natural law tradition of Bodin, discussing forms of government and other relations of rule (subjection, "subaltern" commonwealths, and the like) within the context of the larger question of *majestas*. The second chapter was more topical, treating issues like education, public finances, and magistracy — in other words, the business of governing and disciplining a body of subjects. While the work did follow certain generic conventions of the time, such as the ambiguous placement of chapters on war and the preservation of the commonwealth at the very end of the text, Besold was primarily concerned with the application of the natural law tradition to the existing conditions in Germany at the time.

Besold therefore approached politics as a jurist; this did not mean, however, that he was chauvinistic about his disciplinary background. For him, politics was superior to the law in the disciplinary hierarchy. The first chapter of the *Politicorum* is a "Praecognita" section — it is not separated from the main body of the books, as it was in the case of Keckermann's works. It aims at any rate to delineate the contents and boundaries of politics as a field of knowledge, and concludes with a lengthy discussion of the relationship between politics and other disciplines. In this, he calls upon the familiar Aristotelian formulation of politics as the architectonic discipline:

*Eo quod Architectonis velut ductu & auspiciis, officinatorum sed opera variorum, Basilica, aliudve aedificium perfabricatur magnificentium: ipsi ita Politicae, non ut partes, sed ut ancillantes subijciuntur, Oeconomica, Rhetorica, peritia rei militariis, universimq artes & disciplinae in actione quae versantur aliae quarum opera & actiones, non equidem illa facit; veruntamen factis operibus & actionibus imperat: eas nimirum ad communem accomodans usum, & gradum aliquem addens perfectionis; ex privatis publicas faciendo.*²²⁹

The craftsmen are to the architect as the other practical sciences are to the discipline of politics; because it relates to the common good and the higher ends of human life, politics is hierarchically superior to the others.

This is why, in Besold's view, jurisprudence is subjugated to political philosophy: while there is significant overlap in terms of subject matter, the former deals mainly with the "more specific and particular" questions of law and right, whereas "Politics considers the laws of all peoples, public as well as private." In addition, the practice of jurisprudence is impossible without political science, and indeed the former discipline

²²⁹ Christoph Besold, *Politicorum libri duo* (Frankfurt, 1620) I.I.45. p. 48.

exists ultimately in the service of the latter. He explains with a witty, although quite possibly borrowed, pun when he writes that “Non est jurisconsultus, sed jurisstultus, qui practica caret philosophia.”²³⁰ For Besold then, the relationship between jurisprudence and politics corresponds neatly to Aristotle’s concept of an architectonic hierarchy of disciplines, which organizes sciences according to both their objects (which can be more general or more specific) and their ends (which can be subordinate to the ends of other sciences). According to Besold, politics is a master discipline and the apex of practical philosophy, whereas jurisprudence is merely a tool which serves the purposes of the latter, much like a brick maker serves the purposes of an architect. He elaborates that jurisprudence is a “state of mind” (*habitus animi*) which creates perfect jurists — something lesser than a practical philosophy, which considers the task of living well together in general.²³¹ Elsewhere, he states that jurisprudence is a “part of politics” while discussing the jurisdiction of magistrates.²³² Besold was not a legalist, who sought to reduce all political relationships to the level of legal analysis. Nevertheless, it is notable that when he articulated his vision of politics as an autonomous intellectual discipline, he did so entirely in comparison to jurisprudence. This mirrored Althusius’ discussion of the distinction between politics and jurisprudence as the central question facing political philosophers.²³³

While jurisprudence was certainly subordinated to the majesty of politics — as a lawyer might serve a prince — it was still the case that Besold’s methodological choices reflected his disciplinary background. He concluded the *praecognita* chapter with his most succinct definition of the constituent parts of the commonwealth, and one which would determine the order in which he would discuss the various topics contained within the discipline of politics.²³⁴ “Because the commonwealth,” he writes, “is established out of two parts, the supreme power and those who are made subject by it, the head of the commonwealth is therefore considered above all, then the remaining members and those things which serve that framework.”²³⁵ The entire discipline of politics, therefore, is oriented around the question of the *establishment* of just authority which allows people to live together in peace. Indeed, his definition of the end of politics was dual: the primary goal was to live together in harmony, like parts of a body, and the goals of living rightly and “beatitude” were relegated to a secondary place.²³⁶ This division reflected a preoccupation with stability which characterized many examples of the *Politica* genre and was present in Keckermann’s text as well. (Indeed, like Keckermann, he also condemned Jesuit “dogmatism” which prioritized the establishment of a specific confession as the most important end of politics.²³⁷ This was

²³⁰ *PLD*, I.I.45. p. 49.

²³¹ *PLD*, I.I.45. p. 49.

²³² *ibid.*, II.III.2. p. 633.

²³³ Althusius, 3.

²³⁴ This comes shortly after a discussion of the appropriate method to use in politics, in which he endorsed the methodological choices of both Arnisaeus and Keckermann: one should begin with the ends of politics, and then proceed to the means by which this end is achieved. *PLD*, I.I.47. p. 52.

²³⁵ *PLD*, I.I.48. p. 53.

²³⁶ *ibid.*, I.i.19. p. 21.

²³⁷ *ibid.*, I.i.22. p. 24.

an early hint that he was interested in pursuing a post-confessional politics.) As we shall see, Besold sought to achieve this stability primarily by resolving the problems of the Imperial constitution and the religious peace. For him, the goal of political writing was to reconcile political realities (usually conceived of in terms of legal relations of rule and subjection) to the universal norms articulated by the natural law tradition.

It is also notable that Aristotle made far fewer appearances in Besold's text than in those of the other subjects of this dissertation. Nor indeed did other classical and medieval sources dominate. Rather, he made much use of more recent and relatively obscure scholars who wrote on the legal systems then in force in Europe. Where Keckermann and Althusius relied extensively on a limited number of semi-contemporary jurists and political thinkers — for example, Pierre Gregoire in Keckermann's case — Besold drew from his experience as a legal scholar and was much more at ease with a wide range of political scholarship. This indicates not only Besold's superior erudition but also that his project had arguably higher stakes — he was not developing curricula in a relative backwater, or implementing a general renaissance of Aristotelian doctrine in the context of a confessional university, but was engaging in the most significant juridical debates from a perch at the top of the German academic hierarchy.

This quality of the text was reflected not only in his choices of subject matter, organization, and authorities, but also in the texture of the text itself. Take, for example, his discussion of war, in the seventh chapter of the second book. The chapter begins with a long discussion of armies, different types of troops, and the like: this is all perfunctory, but is nonetheless marked by the dense network of citations that characterizes the work as a whole. In discussing artillery (*inventiones bombardarum*) he cites the polymath Athanasius Kirchner as well as some other twelve authorities on the subject in a single short paragraph, although he did not have much to say about it himself. He merely notes that they are useful in destroying the redoubts of brigands, and says that others have written about their proper use.²³⁸ Passages like this convey the sense that the text was meant to be comprehensive, and to offer the reader a broad overview of the useful knowledge available on every single topic under the aegis of politics. In any case, the text is more descriptive than prescriptive in these cases, in contrast to writers like Keckermann who articulated nearly everything in the form of a recommendation to a ruler or political figure.

The text is more complex and lively, however, when it comes to open debates over legal questions, suggesting that Besold was more interested in participating in scholarly discourse than in telling politicians what to do. This suggests that his goal was to resolve juridical debates, and that if disagreements among lawyers could be solved, then the desired stability and peace would follow. This tendency is evident in his discussion of the justification of war, which comes in the third section of the chapter. The numbered paragraphs expand in length, as do the italicized elaborations below, in which Besold tends to give his own opinions, even making use of the first person frequently. For example, he condemns those who hold that utility is the sole cause for pursuing war — he holds that war should be defensive in nature, citing numerous contemporaries on the

²³⁸ *ibid.*, II.VII.13, p. 766.

topic.²³⁹ He discusses the issue at length, covering the various necessary conditions for war to be legitimate, such as the authority of the prince and a declaration of war.²⁴⁰ Like Keckermann, he employed the italicized elaborations in order to give the reader an overview of the topic, although in comparison to the Danzig pedagogue he was much more forceful in producing a judgment on debates.

Thus, while Besold's separation of politics from jurisprudence may have been superficially as complete as that of, say, Althusius, his background — most importantly, the intellectual resources he had at hand — meant that the law and the study of law played central roles in thinking about politics. The jurist's "state of mind" manifested itself in two ways: firstly, the topics and problems he identified were by and large legal, and secondly, his method for treating each individual subject revealed a legalistic predisposition. At the macro and micro scale, he was a "juridico-political" thinker. (Many of his publications were in fact titled *Dissertatio Juridico-Politica* on some topic, such as sovereignty or forms of government.) The procedure he followed in writing about politics was aimed at resolution: the resolution of juridical debates through the passing of learned judgment, and the resolution of universal norms to specific cases through the application of reason.

Otto von Gierke viewed Besold as a conciliatory figure, always trying to resolve the apparent contradictions between the novel and universalizing concepts of the natural law tradition and the particularities of German government. In his *magnum opus* on the Natural Law tradition, he introduced Besold as a figure who "stood alone in combining an interpretation of the State in terms of Natural Law... with an historico-legal justification of the *status quo*."²⁴¹ On the question of corporations, whose authority had been significantly diminished by natural law theorists who viewed them as competitors with central sovereigns, Gierke wrote that "Besold took more of a middle line, attempting to reconcile the new political doctrine [of sovereignty] with the old Roman-law theory of corporations."²⁴² On the mixed constitution, he wrote that Besold was the progenitor of a "school of thinkers attempting to reconcile the conception of the mixed form of state, under one designation or another, with the requirements of the conception of sovereignty" by using the concept of "*undivided participation*" in majesty.²⁴³ In other words, his entire political project was focused on the re-legitimization of the German political situation by reconciling it to the idea that laws must correspond to a universal concept of justice. The "historico-legal justification" of German politics was his calling and *métier*; it was the procedure by which he could use his disciplinary background in order to write usefully about politics.

²³⁹ *ibid.*, II.VII.22. pp. 772-773.

²⁴⁰ *ibid.*, II.VII.21. p. 771.

²⁴¹ Otto Gierke, *Natural Law and the Theory of Society, 1500 to 1800*, trans. Ernest Barker (Boston: Beacon Press, 1950) p. 37.

²⁴² *ibid.*, 67. For an overview of the relationship between German public law and natural law in this period, see Michael Stolleis, *Geschichte des öffentlichen Rechts in Deutschland, Band 1: Reichspublizistik und Polizeywissenschaft 1600–1800* (Munich: C.H. Beck, 1988).

²⁴³ *ibid.*, 155.

It is noteworthy, however, that as Gierke wrote, Besold was something of an outlier within the Natural Law tradition. He was alone, according to the legal historian, in combining the abstract analysis of sovereignty with the justification of the positive, Roman law. It is true that he occupied a middle ground between these two. While his political treatise was organized around Natural Law assumptions about the state, he did not accept the tradition's central position on what defined a law. Michael Stolleis writes that for Natural Law theorists, a law is a rule or an ordinance, but it also must be "just and virtuous, or at least expedient."²⁴⁴ In the *Politicorum*, however, Besold offered a formulation that mirrored earlier, Roman definitions: "*Lex est declaratio voluntatis Imperantis, ut Subditi certam habeat regulam, secundum quam vivant.*"²⁴⁵ It is worth remembering Besold's earlier remarks about the end of politics — the goal is primarily to live together, and laws given by rulers make that possible. Shortly after his definition of a law, he writes that laws should be accommodated to the nature of the people and the commonwealth, not the other way around, because the commonwealth is prior to the law, which serves the former by ensuring its conservation.²⁴⁶ Here, it is worth remembering his position that jurisprudence should serve politics and not vice-versa.

Thus, while Besold did participate in the Natural Law tradition, he did not accept all of its assumptions. He was less interested in universal notions of justice and rights than in the goal of living together peacefully. In this sense he had more in common with his fellow authors of *Politica* treatises than with other jurists, as historians of the tradition constantly note him as an outsider. This put him in an ambiguous position; as Gierke noted, his project of justifying federalism in the Empire was in constant conflict with the precepts of Natural Law, even though he tried to make use of the vocabulary of its theorists.²⁴⁷ His project sought to justify the Imperial *status quo* by placing it on a foundation of Natural Law concepts; nonetheless, his solutions had to take their basis from the existing Roman-German law. The primacy of politics — with its goal that people could live together in peace — meant that these tensions did not necessarily have to be resolved perfectly. Later on in the century, jurisprudence would usurp politics' place as the discipline which dealt with public life in Germany, as the juridical settlement of the Thirty Years' War required a more rigorous and constant legal negotiation, and the Natural Law would replace political philosophy as the locus of theoretical reflection.²⁴⁸ Besold reflected the primacy of politics in the period, in that his jurisprudential approach was subjugated to the teleological, Aristotelian definition of politics as an architectonic master discipline.

²⁴⁴ Michael Stolleis, "The Legitimation of Law Through God, Tradition, Will, Nature and Constitution," in Lorraine Daston and Michael Stolleis eds., *Natural Law and Law of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy* (Burlington, VT: Ashgate, 2008) pp. 45-56. p. 58.

²⁴⁵ *PLD*, II.II.29. p. 616.

²⁴⁶ *ibid.*, II.II.32. p. 617.

²⁴⁷ Gierke, 86.

²⁴⁸ Merio Scattola, "*Scientia Iuris* and *Ius Naturae*: The Jurisprudence of the Holy Roman Empire in the Seventeenth and Eighteenth Centuries," in Damiano Canale, Paulo Grossi and Hasso Hofmann, eds., *A Treatise of Legal Philosophy and General Jurisprudence, Volume 9: A History of the Philosophy of Law in the Civil Law World, 1600-1900* (New York: Springer, 2009) pp. 1-42. p. 6.

As with the other subjects of his study, Besold's disciplinary inclinations inflected not only the texture and organizations of his political writings but also his positions on a variety of crucial issues. In the case of Besold, this disciplinary inflection manifested in two ways: firstly, he focused on topics that were legal in nature, and often procedural — unlike, for example, Arnisaeus, who was preoccupied with crisis and corruption as a doctor of the state. Secondly, he sought always to ground political authority upon the binding force of law rather than the utility or ends of civic life — that is, his Aristotelian definition of politics in the *praecognita* existed in tension with a vision of politics that consisted almost entirely of the public law and the natural law precepts that give the former ethical sanction. Robert von Friedeburg described his argument for toleration as the “juridification of natural law,” a phrase which could well describe his political project as a whole. He was not interested in a pedagogical reconstruction of politics as a body of knowledge nor in an Aristotelian analysis of politics as a sphere of human activity. Instead, politics presented itself as a panorama of relationships among persons or bodies organized around rights and obligations. His vocation, as he saw it, was to serve the ends of politics by resolving the juridical disagreements that threatened to destabilize public life. As we shall see, the tensions between the law and politics informed his creative defense of the *status quo* in the two most vexing issues of the day.

Sovereignty: The Mixed Constitution as Middle Ground

The first of the two crucial issues facing German political thinkers was the constitution. While the German political system was not necessarily the monstrosity that later critics would describe, it was certainly unbalanced. The relationship between the central authority in the figure of the emperor and feudal institutions like the Reichstag, as well as the growing power and autonomy of the constituent principalities and cities, were sources of constant negotiation and conflict.²⁴⁹ Bodin's notion of indivisible sovereignty was a provocation to German political scholars, who generally championed either the Hapsburg emperors or the burgeoning territorial states. As we have already seen, Keckermann and Arnisaeus answered the challenge laid down by preferring monarchy while showing considerable sympathy towards other forms of government. They had inaugurated a critique of Bodin which sought to relativize his concepts and subjugate them to the prudential needs of German politics. This process was brought to fruition with Besold, who more completely than his predecessors transformed the Natural Law concept of sovereignty into something that could undergird the Imperial constitution, rather than undermine it. As a commentator on both the Natural Law tradition and the German public law, it was no coincidence that it was him who was able to achieve this. This was not only because he was more adept with the arguments involved in the debate, but also because he centered his conception of politics around the very issue. Moreover, it was also because of his methodology, which was more empirical, using historical examples as the starting point for his general statements on political life.

²⁴⁹ Martin Van Gelderen, “Aristotelians, Monarchomachs and Republicans: Sovereignty and *respublica mixta* in Dutch and German Political Thought, 1580-1650,” in Martin van Gelderen and Quentin Skinner, eds., *Republicanism: A Shared European Heritage, Vol I: Republicanism and Constitutionalism in Early Modern Europe* (Cambridge, 2002). pp. 195-218. p. 196.

Besold's central insight had to do with a seeming category problem that plagued political thinkers when they considered the question of sovereignty: confusion between the indivisibility of sovereignty and the sharing of powers that characterized all political formations at the time. In a sense, this problem highlighted a conflict between the two most significant traditions of political thinking that Besold and his colleagues inherited from the previous century. The juridical tradition of Natural Law demanded that sovereignty be unified in order to establish a firm ground for political power — the absolute supremacy of one figure or body could then be marshaled as a solution to questions regarding German constitutional conflicts or the rights of rulers vis-à-vis religious minorities. German political thinkers were in an awkward position when forced to apply concepts that had been developed by Bodin in very different circumstances.²⁵⁰ The second tradition was the Machiavellian, which applied an analysis of power rather than law, and which saw the ability to wield coercive state power, rather than the legal authority to do so, as the ultimate ground for political stability. While this line of thought did much to undergird the autonomy of political thought from other branches of knowledge, many thinkers were uncomfortable with the spectacle of political power unmoored from traditional constraints. It did, however, suggest an avenue of analysis which could acknowledge realities on the ground, as it were.

As we have seen in earlier chapters, the concept of sovereignty had presented something of a headache for German thinkers, because the political realities of the Empire stymied attempts to identify a single, indivisible locus of supreme power. Julian H. Franklin's account of the debate over Bodin in Germany — which names Besold as the thinker who finally solved the problem through a new juridical defense of the mixed constitution — suggests that the entire debate was caused by Bodin's "erroneous notion that sovereignty is indivisible." This, according to Franklin, was because Bodin conflated the "constituent authority" which ultimately legitimates any given states and the "ordinary agencies of government."²⁵¹ This suggested that state power had to be concentrated in a single body or figure, a prescription which plainly conflicted with the relationships existing between imperial institutions and the various estates in Germany, and the "seductive" error took several generations of jurists to overcome.

As the central argument of this dissertation is that the work of political thinkers cannot be reduced to the pure working out of theoretical problems, this type of narrative will not do. After all, Franklin himself says that Bodin was driven to overemphasize the indivisibility of sovereignty as the composite powers of the state in response to events in the Wars of Religion — specifically, in response to the rights of resistance articulated by Huguenot rebels, he decided that any traditional constraints on monarchy could not in any way imply that the community as a whole might possess a higher authority than the king.²⁵² This suggests that sovereignty represented in some important way not merely a theoretical concern to be resolved by jurists but an important rhetorical ground which various actors could contest in ways that would match their political sympathies.

²⁵⁰ Julian H. Franklin, "Sovereignty and the mixed constitution: Bodin and his critics," in J.H. Burns, ed., *The Cambridge History of Political Thought, 1450-1700* (Cambridge, 2008) pp. 298-328. p. 307.

²⁵¹ *ibid.*, 298.

²⁵² *ibid.*, 307

In his discussion of sovereignty in the *Politicorum*, Besold made ample use of the work of the previous generation of political scholars, repeatedly citing Keckermann, Althusius, Arnisaeus and others. He employed Arnisaeus' distinction between *civitas* and *respublica* in a 1626 text on the mixed constitution, arguing like his predecessor that the former provided the material and the latter the form of political formations. He also took on Althusius' anthropological assumption that human beings were social in nature, and that the goal of politics was living together. Finally, according to Martin van Gelderen, he agreed with Keckermann's definition of the *res publica* as the *res populi*, and therefore argued that Besold represented the fulfillment of a trajectory towards republicanism in German political thought.²⁵³ Given the concerns of the *Politica* writers, however, it is more sensible to see Besold's contribution in terms of the continuing endeavor of exerting control over political realities through the application of theory. He achieved this in three steps: first, through his modification of sovereignty, secondly, in his defense of the mixed constitution, and finally with an articulation of federalism as a political system allowing sovereignty to be divided and shared among the various estates of the Empire.

Much like Bodin, Besold treated the subject of sovereignty as a matter of comparative jurisprudence, noting examples and arguments from throughout history, both from Germany itself and the rest of the West. As a jurist, he was particularly interested in the language used to define sovereignty, which is indicative of how thorough the humanistic influence on jurisprudence was in his time. Indeed, the second chapter of the *Politicorum* opens with an overview of the various terms used to describe the *summum imperium* that undergirded all political formations — in the Romance languages, at least.²⁵⁴ He also provided an overview of the various contemporary definitions of the term, finding fault with many. He wrote, for example, that Keckermann himself had poorly defined sovereignty when he essentially reduced it to a kind of reverence held by subjects for their king by which he wielded authority — a kind of non-judicial legitimating aura similar to our modern definition of “majesty.”²⁵⁵

Besold's main concern in the chapter was to articulate a distinction within sovereignty which would underpin his defense of the mixed constitution, or more specifically, a justification of the federal system of authority then in force — though it was in the process of collapsing — in Germany at the time. (It would later be reconstructed, of course, by the Peace of Westphalia.) We have seen already that Arnisaeus modified the theory of sovereignty in order to spread the powers it entailed more widely throughout society, although in his case the goal was to strengthen his support for absolutist monarchy by evoking a constitutive power distributed to the members of a corporative state structure. Besold, working more firmly within the juridical tradition of constitutional forms, and faced more directly with the crisis in the Empire, instead introduced his distinction in order to give sanction to the distribution of sovereign power among different actors, thus providing a theoretical justification for the existing structure of the Empire.

²⁵³ Van Gelderen, 212, 210.

²⁵⁴ *PLD*, I.II.1. p. 53.

²⁵⁵ *ibid.*, I.II.7. p. 58.

Besold divided sovereignty in “real” and “personal” forms in the *Politicorum*, and the rest of his treatise developed from that key point. As the names suggest, the former represents the supreme authorizing power within a polity whereas the latter belongs to some particular figure within it. In Besold’s words, real sovereignty pertains to instituting (*constituenda*) a state, whereas personal sovereignty pertains to administering or governing (*administranda seu gubernanda*).²⁵⁶ He was clear that real sovereignty is prior to any other kind of authority and represents in a juridical sense the very existence of a state: “*Majestas Realis seu Imperii, Reipublicae est coeva; quamdiu corpus ejus durat permanet, et etiam sub interregnis et alterationibus persistit; quam ideo fundamentum reipublicae possumus nominare.*”²⁵⁷ In linking this form of sovereignty to the institution of the fundamental laws of any commonwealth, he cited approvingly three major Reformed political theorists of the previous generation: Danaeus, Althusius, and Keckermann.²⁵⁸

In contrast, he described personal sovereignty as a kind of *potestas* which confers the power to rule and govern a commonwealth.²⁵⁹ In this sense, he seemed to revive the medieval categories of *auctoritas* and *potestas* which were so important during the conflict between ecclesiastical and secular authorities. He did not, however, cite medieval scholars in this section, preferring references to Bodin, Clemens Timpler, and one Tobias Pauermeister — again, all members of the immediately preceding generations of scholars. He described the personal sovereign figure as the head of a commonwealth, or as a sort of animating force that directs the polity, giving it strength and order: “*Haec potestas, est quasi reipublicae caput. In hoc imperio, praecipua vis totius consistit civitatis. Imperium hoc, reipublici quasi obtinet arcem: omnia ejusdem membra movens.*”²⁶⁰ This is an almost Hobbesian image, although it was not intended to justify absolutism. Indeed, in his 1626 text he elaborated on this distinction within sovereignty by arguing that the supreme power lies with the people.²⁶¹ It is not clear, however, that this meant he fully endorsed republicanism; rather, it was a crucial theoretical move that would allow him to endorse the mixed constitution.

Besold’s defense of the mixed constitution was already present in the *Politicorum*, even though most of the modern scholarship focuses on his 1626 text. This is probably because of the putative republicanism expressed in the later work; in his 1618 *magnum opus*, however, the motivation was more empirical than polemical. The eighth chapter of the *Politicorum* is titled “*De Statu Reipublicae mixto,*” and it opens with a simple declaration: that is clear that not all existing governments are “simple.”²⁶² Whereas Keckermann had treated polyarchies as deviations from the normative simple forms of government, Besold sought to justify them based on their ubiquity. As he

²⁵⁶ *ibid.*, I.II.2. p. 54.

²⁵⁷ *ibid.*

²⁵⁸ *ibid.*, I.II.4. p. 55.

²⁵⁹ *ibid.*, I.II.7. p. 58.

²⁶⁰ *ibid.*

²⁶¹ Van Gelderen, 212.

²⁶² *ibid.*, I.VIII.1. p. 277.

wrote, “*Ego vero, nullum fere simplicem existere Statum, haud afferere audeo.*”²⁶³ In these states, he explained, the constitutive authority was shared among various actors — while Arnisaeus had argued that the administrative power of the state (the *majestas personalis*) could be divided, in this case it was the *real sovereignty* that was not divided but rather participated in equally by different bodies, whether a prince, senate, or people. According to Besold, this in no way diminished the sovereignty of a mixed state; so long as the constitutive authority of the republic acknowledged no superior, it could be shared.²⁶⁴

Besold’s argument for the mixed constitution was based on its descriptive-empirical nature, in contrast to Keckermann who had argued in favor of simple constitutions from a theoretical-normative standpoint. Rather than categorizing the various possibilities that could theoretically exist in a mixed constitution, Besold moved quickly to the point of his argument: that the Holy Roman Empire was itself a mixed constitution.²⁶⁵ He stated that the Empire was in his day a mixture of monarchy and aristocracy, in contrast to those who argued that the Emperor wielded the supreme power alone, a position which could seriously destabilize the political settlement then in force. This latter group, according to Besold, included Keckermann, Otto, and Clapmarius. He also refuted Bodin’s position that the Empire was an aristocracy ruled by the prince electors and other princes, with an ambiguous formulation alluding to the fact that the Emperor still possessed significant prerogatives.²⁶⁶ It might have seemed like limitations on the Caesars’ power — not least the fact that they were elected — were in fact a reflection of a traditional German opposition to absolute monarchy: “*Sane Germania, semper absoluti Imperii impatiens fuit.*”²⁶⁷ Because of their shared participation in the supreme power of the Empire, the constituent principalities and cities were not subjects of the Emperor, but something more: “*Principes, Comites, aliosque Imperii Status, non proprie dici subditos (solius) Imperatoris; sed potius & verius Imperii subditos & membra.*”²⁶⁸ Again, the organic metaphor for the state makes an appearance, as it did in Arnisaeus; here, the sense is of a body made up of different members and animated by the exercise of political authority.

Besold continued his humanistic-etymological project in outlining his vision of a kind of federalism based on tradition. In the ninth chapter of the first book of the *Politicorum*, “*De Statu Reip. subalterno*,” he devoted a lengthy tangent to the definition of a number of key terms and their German etymologies, and this is because, as he observed, “*Feudum... a nulla Latina voce denominationem habet; sed mere Germanicum est.*” He thus defines the terms *feud*, *vassal*, *investiture*, and *freehold* (*allodium*).²⁶⁹ It is clear that he was trying to bring the subject of feudalistic power

²⁶³ *ibid.*, 278.

²⁶⁴ *ibid.*, I.VIII.2. p. 280.

²⁶⁵ *ibid.*, I.VIII.5. p. 281.

²⁶⁶ *ibid.*, 284. “*Quam tamen opinionem refutat; quod quaedam Imperatoris, ab aliisque aliena sunt.*”

²⁶⁷ *ibid.*

²⁶⁸ *ibid.*, I.VIII.7. p. 286.

²⁶⁹ *ibid.*, I.IX.4. pp. 304-306.

relations into the higher register of legal theory. (Later on, he even discusses the gradations of various titles of nobility with copious citations, elaborations, and etymologies, something which is mostly absent from other political treatises of the time.)²⁷⁰ Indeed, throughout this section of the text, the Gothic script of German terms makes far more appearances than is normal for political treatises at the time. Besold was in this sense discussing the feudal political realities of Germany in a higher register — that of the *Politica* genre, with its disciplinary assumptions and natural law background. This had the effect of grounding existing realities within a rigorous theoretical framework, a process that could well define his political project as a whole.

This project of elevating German public law into the rarified air of academic jurisprudence revealed its implications when Besold wrote that the “*Principatus, Ducatus, Marchionatus, Comitatus et liberae in Germania Respublicae*” nearly have “freedom and royal power” within their own territories.²⁷¹ The authority that they exercised within their own dominions, indeed, was practically equivalent to that which the emperor exercises generally: “*Territorii, sive Superioritatis Jus, illud Imperium esse, quod Status in territoriis suis particularibus exercent: aequale illi Jurisdictioni, quam Imperator habet universim.*”²⁷² A hierarchy remains, not only in that the emperor is the feudal overlord to territorial sovereigns, but also because the emperor’s general authority is conceptually superior to the particular powers that the latter can exercise. Nonetheless, this was a strong position on the freedoms and powers of German princes, and was notable in its emphasis on the connection between territory and state power.

As Besold was himself interested in the language used to shape political life, a linguistic note is appropriate here: it is in this chapter of the treatise, as well as the preceding chapter on mixed constitutions, that Besold mainly makes use of the Latin word *status*. Normally he employs the usual term *res publica* to denote a polity — as do most other Latin-language treatises from the period, which is one of the reasons it can sometimes seem difficult to speak of the state as an object of political reflection. In any case, it is notable that he uses it here, specifically the term *status imperii*, in order to discuss the constituent entities that made up the German empire. It is as though this collection of political forms — including cities, archbishoprics, principalities and innumerable tiny noble holdings — could not be captured under the term *res publica*, and yet they each possessed the sort of authority over their territory that made them worth of treatment in political theory. It is just this sort of empiricism that had suggested to Besold that the simple forms of government were exceedingly rare and should not monopolize the attention of scholars. In this sense, ironically, the term we most associate with absolute political authority today was introduced by Besold to describe entities that seemed like a state but were not worthy of the esteemed title *res publica*, because they were subject to a higher power.

The upshot of all this was that Besold ultimately came down on the side of legitimating rights of resistance — so long as they were in defense of positively enacted rights or privileges. That is, princes had the right to defend their status with respect to

²⁷⁰ *ibid.*, I.IX.9. p. 310.

²⁷¹ *ibid.*, I.IX.5. p. 306.

²⁷² *ibid.*, I.IX.6. p. 307.

the emperor, should the latter violate agreements they had made, but at the same time they were not absolute authorities within their own territory. This position was crucially important to Besold's treatment of the religious question, as will be discussed below.²⁷³ What is all the more notable, however, is that Besold eschewed typical theories of rights of resistance, which were based more on the divine word and natural law than on positive law, and which generally had the effect of arguing for limitations on sovereign power. In this sense, Besold might be seen as continuing an arguably dormant tradition of Lutheran resistance theory.²⁷⁴ What is remarkable is that he was able to revive this position within a discourse on sovereignty — it required some contortions, as we have seen, but it allowed him to preserve the concept of supreme political authority while acknowledging the reality of conflict and difference within states.

Besold's defense of the German political settlement in the *Politicorum* was in a sense a contribution to the republican and natural law traditions, as van Gelderen and Franklin argue. In another sense, it represented an attempt to navigate a variety of both theoretical and practical tensions facing political philosophers in his period. The first was the most pressing: the competing claims of authority that were bringing the political settlement to a violent end. (While it is not exactly clear when Besold composed the treatise in relationship to events at the beginning of the war, he did write that Bohemia had the right to elect its own kings, and noted the earlier family quarrel among the Austrian archdukes over it, without mentioning the events of 1618.)²⁷⁵ The urgent need for a solution to these questions put increased pressure on the intellectual tensions faced by *Politica* writers. One was epistemological — the endeavor was based on the need for both empirical and theoretical grounds for the analysis of public life. Besold's argument for the mixed constitution and justification of the federal organization of the Empire epitomized the German academic attempt to resolve this tension through the production of disciplinary texts on politics. He was able to achieve this for two reasons: firstly, he employed many of the conceptual contributions of his immediate predecessors, who had made many of the natural law concepts more flexible and applicable to existing realities. Secondly, as a jurist, his disciplinary approach was well-suited to the resolution of the universal norm to the individual case. This ability was on display not only in his facility with the relevant scholarship and evidence, but also in his development of an argument for his position throughout the entire first book of the *Politicorum*.

The second tension faced by the *Politica* writers was between politics as the analysis of power relations and politics as a sphere of human activity viewed in moral terms. Besold only mentioned Machiavelli in the *Politicorum* in order to say that a prince should avoid his ideas about the amoral pursuit of power, "as much as he can."²⁷⁶ Nonetheless, he did include a chapter in the second book on the *arcana imperii*, where the passage on Machiavelli can be found. Besold's interest in the preservation of order, which was the *raison d'être* of *arcana imperii* literature, and which he discussed throughout the second book, was something he had in common with the other *Politica*

²⁷³ Von Friedeburg, 13.

²⁷⁴ Robert M. Kingdon, "Calvinism and Resistance Theory," in J.H. Burns, ed., *The Cambridge History of Political Thought, 1450-1700* (Cambridge, 2008) pp. 193-218.

²⁷⁵ *ibid.*, I.V.31. p. 210.

²⁷⁶ *ibid.*, II.V.21. p. 721.

writers. Indeed, the intellectual culture of the period was characterized by an almost compulsive desire to prevent social or political change. So, while his defense of the mixed constitution may have represented a contribution to the republican tradition, it must also be seen in this context.

For Besold, who was less steeped in Aristotelian notions of practical philosophies than other *Politica* writers, the ethical grounding of politics consisted of a comprehensive juridical framework which allowed human beings to live together. His ideas about the mixed constitution and federalism in Germany served mainly to articulate such a framework while acknowledging the reality that the Empire was a complex polity with multiple centers of power. While all his intellectual exertions did not succeed in saving Germany from the Thirty Years' War, his notion of a practical juridical framework for the practice of politics did serve Germany well enough for the rest of the Empire's lifespan. Thus, just as it is inaccurate to describe him as a republican, it is equally unfair to criticize him and his colleagues as participants in a sterile, doomed tradition of neo-scholasticism. Rather, Besold succeeded in finding new vitality in the tradition, articulating the stunning variety of possibilities that it could describe, analyze, and justify. If anything, the *Politicorum* reflected the complex, eclectic unity of the Empire in this period better than any retrospective could.

Religious Toleration

Besold followed a similar procedure when he confronted the topic of confessional disputes in 1626. That is, he found a way to ground the existing procedures of dealing with religious difference on a deeper, more theoretical basis. Up to that point, religious peace agreements had been *ad hoc* — demanded by the fact that neither side could win, and based on agreements that were provisional (and often revocable). It must be said, however, that on the topic of religion Besold went beyond a justification of the status quo and argued for something much more innovative, and arguably radical: a general toleration for certain forms of religion based on freedom of conscience.

Robert von Friedeburg has written about Besold's argument for freedom of conscience, basing his argument on a 1625 treatise on sovereignty, titled *De majestate in genere*.²⁷⁷ In it, Besold wrote, "*Juris naturalis est, conscientiam liberam habere & credere quicquid velis.*"²⁷⁸ This was certainly a radical sentiment, as von Friedeburg emphasizes in his paper. He places the statement within a long tradition of discourse about the role of government in religious affairs and claims that Besold's view was surprising, because it based the value of toleration on a subjective right.²⁷⁹ It was also surprising because, for such a radical position, it was placed inconspicuously in the middle of a sizable treatise full of the generic and moderate positions that characterized the *Politica* writers as a whole.

Indeed, looking at Besold's argument for toleration within the more narrow context of the *Politica* genre, his position does not seem quite so radical. As we have seen in the case of Keckermann, *Politica* writers did tend to make statements that could appear to have sweeping consequences, before walking them back under a flurry of

²⁷⁷ The edition used in this chapter is a reprint from 1642.

²⁷⁸ *De majestate in genere* II.IV.IX. p. 109.

²⁷⁹ Von Friedeburg, 1.

provisions and qualifications. And Besold certainly did not seem interested in unpacking the implications of his statement that the right of nature was to believe what one wished. Rather, his argument was broadly in keeping with his overall political project, which was to provide the existing political reality with a sound juridical basis. As von Friedeburg correctly notes, in this period “the scene was set for attempts to provide toleration by way of providing technical legal provision.”²⁸⁰

The sweeping statements about natural law notwithstanding, most of the work of the argument was done in a way typical of the *Politica* genre: through the subtle modification of tradition to fit the situation at hand, and the marshaling of overwhelming bodies of evidence. The argument appeared in the fourth chapter of the second section of the treatise, which was about the rights of the sovereign respecting the church. The fourth chapter was about whether it was a good idea to persecute heresy; Besold argued, of course, that it was not. (It is worth noting that earlier in the section he had argued that atheists were not to be permitted — a position which would be shared by later theorists of toleration.) As von Friedeburg noted, there were three reasons to support this position, which was out of keeping with current practice: theological, legal, and pragmatic.²⁸¹

The theological basis of the argument was a tradition in Lutheranism which held that the state should not coerce individuals in matters of religion. In the beginning of the chapter, Besold gave hints of his personal views on religion, which celebrated the early Church and were ecumenical. As he writes, “*Omnes gentes adspirant ad arcana divini numinis,*” because God has inscribed veneration for him in the heart of every man.²⁸² For this reason, he continued, the early church had instituted the office of ministry as one of persuasion, rather than one of coercion, which belonged to the state. Heretics were avoided and refuted, of course; however, the weapons used against heresy was the propagation of sound doctrine.²⁸³

The duty of the state with respect to the Church was to promote its health, for example by offering it financial assistance.²⁸⁴ It was decidedly not the state’s responsibility to enforce doctrinal uniformity. In support of this claim, Besold quoted at length from Luther’s letter *Against the papists*, which included this sentiment: “*Doch soll kein Oberer seine Untertanen weder zu seinem Gottesdienst noch christlichen Glauben mit Gewalt zwingen oder mit dem Schwert und Blutvergiessen.*”²⁸⁵ Of course, Luther’s point was made against the Catholic Church, which was attempting to enforce their own orthodoxy at the time; Besold took him at his word and applied this principle universally, ignoring Luther’s later writings that would contradict it.

The legal basis of Besold’s position was a distinction he made between public and private worship. This was the basis for his claim of a natural right to believe what one wishes. Whereas public heresy could be punished (as was the case with atheists), the attempt to persecute individuals for private beliefs overstepped man’s powers. He

²⁸⁰ *ibid.*, 18.

²⁸¹ *ibid.*, 10.

²⁸² *De majestate*, II.VI.III. p. 106.

²⁸³ *ibid.*, II.VI.IV. p. 106.

²⁸⁴ Von Friedeburg, 10.

²⁸⁵ *De majestate*, II.VI.III. p. 107.

quoted Stephen Báthory, the Transylvanian King of Poland, who said that God had reserved three powers to himself: making something from nothing, knowing the future, and the domination of consciences.²⁸⁶ In this context, he made the statement about natural right, which appeared to be radical in its implications. But for Besold, the consequences of this position were more moderate: the following sentence merely stated that the prince could not take away, and therefore could not enforce it with the threat of exile.²⁸⁷ He concluded the more religious passages of his argument on an ambivalent note, saying that regardless of the hardships of the church, Christianity could endure despite persecution: “*Vera Christi Ecclesia semper exulat in hoc mundo.*”²⁸⁸

Finally, the pragmatic reason for tolerating religious difference was simply that other states had done it without suffering the ill effects that were supposed to result from the policy. For him, the implication of freedom of conscience was simply that the *ius emigrandi* should be amended. The Peace of Augsburg essentially gave imperial princes freedom of religion; in Besold’s mind, it should be extended to the rest of the population. This would have the effect of ending the tribulations of minority religious populations, which served as potent instigator of conflict, as princes sought to intervene in their neighbor’s affairs in the name of their coreligionists. Besold thus cited cases in Moscow and the Dutch Republic where the toleration of religious difference was allowed, without many ill effects. As he wrote, it is possible to live with those who disagree with you in matters of religion: “*pacate vivere possumus cum iis, qui nobiscum eadem sacra haud colunt.*”²⁸⁹ He therefore concluded that a pact of toleration could be entered into, and contrasted this with the negative case in Spain, where a strong secular interest in enforcing religious uniformity had led to far too many people being persecuted, with serious consequences for peace and tranquility in that kingdom.²⁹⁰ While von Friedeburg is correct in saying that his position contradicted that of contemporaries, who mostly held that religious difference was a source of political instability, Besold was in this case following his normal procedure: finding a justification for the existing realities in Germany with reference to juridical principles and the edicts of political prudence.

It is perhaps ironic that Besold’s defense of religious freedom, which one of the most radical positions that the *Politica* writers offered in the first decades of the century, was in fact motivated by a desire to justify and preserve the status quo. Besold did not think he was arguing for a revolutionary idea; rather, he wanted to provide an intellectual basis for the notion that people ought to continue living together, just as they had been already. His justification of tolerance fits in well with two recent large studies of the idea. While they present starkly different narratives, Perez Zagorin’s *How the Idea of Religious Toleration Came to the West* and Benjamin Kaplan’s *Divided by Faith* both find beginnings of the concept and practice of toleration had their beginnings previous to the Age of Reason. Zagorin locates the roots of toleration in an imminent

²⁸⁶ *ibid.*, II.VI.IX. p. 109.

²⁸⁷ *ibid.*

²⁸⁸ *ibid.*, II.VI.XI. p. 110.

²⁸⁹ *ibid.*, II.VI.XIV. p. 111.

²⁹⁰ *ibid.*, II.IV.XV. p. 111.

critique of Christianity's notion of heresy from the more radical members of the faith, and argues that this rejection of the imposition of uniformity by force slowly spread by osmosis throughout Western society.²⁹¹ Against this whiggish narrative, Kaplan suggests that the practice of toleration preceded any systematic theoretical elaboration of the concept. Toleration did not "rise" in the West, but rather was the result of localized religious conflicts around the continent, none of which had predetermined outcomes.²⁹² What Besold did was not necessarily to promote a new, radical subjective right based on natural law — rather, he provided a technical legal justification for the existing reality. This was on a slightly larger scale than Kaplan described — he focused more on small-scale practices of coexistence, like mixed marriages. Nonetheless, the Empire might be envisioned as a very large mixed marriage, which was sustained by a number of corollary agreements and compromises aimed at keeping the union alive. Besold's desire to maintain the union was informed by pragmatic considerations, but it was also substantially informed by religious concepts. As in Zagorin's narrative, Besold's position was developed through the modification of religious concepts.

Besold's defense of the right to believe what one wants does show that the conservative *Politica* tradition could produce novel concepts which implied the possibility of new political formations and social change. It is necessary, however, to understand these innovations within the context of the academic culture that created them. Besold's ideas about religious freedom, as well as his defense of the mixed constitution, were both the product of tensions inherent to the project of articulating disciplinary treatments of politics. The subjective right to a free conscience did not represent a positive value for Besold; rather, it was a mechanism by which he could displace the irreconcilability of religious difference out of politics. In his formulation the natural rights of humans did not make a claim on the public sphere, but were transferred to the privacy of the conscience. This allowed the logic of reason of state to take over, resulting in the prudential acceptance of existing religious difference.

²⁹¹ Perez Zagorin, *How the Idea of Religious Toleration Came to the West* (Princeton, 2003).

²⁹² Benjamin Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Harvard, 2007).

Chapter 4
Civil Exegesis: Jesuits and the Counterreformation Political Theology of
Adam Contzen's *Politicorum Libri X*

*When all is done, divinity is best:
 Jerome's Bible, Faustus; view it well.
 Stipendium peccati mors est. Ha! Stipendium, etc.
 The reward of sin is death: that's hard.
 Si peccasse negamus, fallimur, et nulla est in nobis veritas;
 If we say that we have no sin, we deceive ourselves, and there's no truth in us. Why,
 then, belike we must sin, and so consequently die:
 Ay, we must die an everlasting death.
 What doctrine call you this, Che sera, sera,
 What will be, shall be?*

Previous chapters in this dissertation have tracked how academic political thought developed in Germany out of a desire to exert control over an unruly and high-stakes intellectual sphere. Relying on their own disciplinary backgrounds, scholars worked to shape politics into an readily available body of useful knowledge. Lurking under this endeavor was the anxiety that political ideas were open to interpretation, that the “archive” of political knowledge in the form of authorities and history was obscure and contentious in many areas, and that these intellectual challenges had a direct relationship with the conflicts that raged around them, often impacting their lives and careers. Through the rigorous application of disciplinary methodologies, this unwieldy and even dangerous archive could be domesticated and put in service of preserving the status quo — and could even result in increased social standing for the practitioners of a highly specialized form of analysis. I have argued that, ironically, the conservative disciplinary inclinations of political scholars served to articulate, defend, and in many cases anticipate the most dynamic and destructive force in the seventeenth century, the modern state.

This chapter is about Adam Contzen, a figure who was different from the other *Politica* writers in many ways. He was a Jesuit theologian, and was much more seriously committed to his confession than the other subjects of this dissertation. His text reflects the depth of his commitment, as well as a confidence about the righteousness of his cause. The object of his study was not necessarily the administrative state as a tool for managing human affairs, but rather the Counterreformation state as a vehicle for the salvation of all mankind. As a result, he was a cheerleader for religious conflict, instead of a defender of the confessional settlement. For him, the rise of the state was not at all an ironic result of his conservatism, because he clearly perceived the utility of state power and celebrated it. In this way, his political thought marked a sharp departure, and even a rejection, of the work of his predecessors and colleagues.

Nonetheless, his thought built upon the tradition of *Politica* writing, and reflects many of the same preoccupations and techniques. Although the administrative state

may have not been the *telos* of his political imagination, it still served a central role in his thought, as the means by which the Catholic faith could restore its rightful place in Europe and resume its pastoral mission. He also continued the *Politica* tradition of employing his disciplinary background in giving shape to his civil philosophy. In a sense, Contzen may be seen as a figure who first perceived that the *Politica* project could be forward-thinking, rather than a rearguard against the general trend of decadence and conflict.

Adam Contzen's early years were spent in the west of Germany before he migrated to Bavaria.²⁹³ Like Besold, he was much closer to the power centers of life in Germany. Contzen was born in 1571 in Monschau, in the Duchy of Jülich—the region, now directly on Germany's border with Belgium, was strategically significant at the time and was the center of a succession crisis in the years before the Thirty Years' War.²⁹⁴ (Other sources give his date of birth at 1573 or 1575.) After converting to Catholicism, he began his Jesuit education in Cologne in 1588, earning his M.A. there, and in 1595 he entered the Society of Jesus at Trier. He continued his tour of Jesuit educational institutions at Mainz, where he earned a doctorate in theology and was ordained. He also studied philosophy and biblical languages in Cologne and Würzburg in this period.

In 1509 he was named professor of biblical studies at Mainz, succeeding the exegete and church historian Nicolaus Serarius. Most of his significant writings—firstly religious polemics and later political works—were produced during his time at Mainz. He was made confessor to the Bishop of Bamberg and Würzburg in 1622, which was in a sense a political position because the bishopric was a significant territory within the empire. In any case, the bishop died shortly thereafter, and Contzen was sent in 1624 by the direct order of Mutio Vitelleschi, the sixth Superior General of the Jesuits, to Munich where he had been requested by the Elector of Bavaria, Maximilian, to serve as his confessor. He remained in the Munich court until his death in 1635.

This chapter has three interrelated goals in seeking to understand Contzen's political thought. Firstly, his work is interpreted as an example of the *Politica Christiana* genre of political writing, in which the church and state work closely together and the end of all political endeavors is salvation. This explains his strong defense of the political activities of the Jesuits and can be seen in the context of the history of his order generally and of the counterreformation in southern Germany specifically. Secondly, I look at his texts as works of political theology, wherein political concepts find their ground in religious ideas. Lastly, I look at how his disciplinary background as a biblical exegete and religious controversialist informed his approach to politics as a subject of academic writing. It is this third aspect of Contzen's life that perhaps best explains why his works were so different from those of his contemporaries. It also, as I will argue, informed the triumphalist tone and maximalist claims that he adopted. Finally, in spite of the evident differences between Contzen and the other subjects of this dissertation, I highlight one way in which his work substantially mirrored those of his peers: in his

²⁹³ For Biographical information, see Robert Bireley, *Maximilian von Bayern, Adam Contzen S. J. und die Gegenreformation in Deutschland 1624-1635* (Göttingen : Vandenhoeck und Ruprecht, 1975).

²⁹⁴ Peter H. Wilson, *The Thirty Years War: Europe's Tragedy* (Harvard, 2009).

attempt to establish control over the discipline of politics, he wound up articulating a broad vision for the administrative state. In fact, because his political imagination was more confident than those of his peers, he was able to elaborate the most comprehensive version of the administrative state in the *Politica* genre.

As writers in the *Politica* genre broadly defined, all of the subjects of this dissertation tried to control the unwieldy and dangerous topic of politics in ways that were informed by their own intellectual background: Keckermann sought to discipline the subject, Arnisaeus medicalized it, and Besold juridicalized it. It would be too much, however, to say that what Contzen was up to in his *Politicorum* was the sacralization of politics, which is what one might expect from a work of political theology. For Contzen as with the others, the civic sphere was not precisely an arena imbued with sacred significance, although he went much further than others in emphasizing the religious stakes of political life. Indeed, unlike the others, he was hardly attached to the status quo, and wrote about politics with an aggressive counterreformation monarchy in mind, envisioning states as playing a similar role to his own Jesuit Order as foot soldiers of Christ. He did, however, seek to bridle the unruly, messy world of politics by making it legible, in the sense of producing an understandable and usable body of knowledge. In this, he employed his disciplinary background, and wrote about politics in the same way he wrote about religion. For Contzen, writing about politics was a form of exegesis and apologetics.

Political Theory as Controversial Exegesis

Jesuit political thought was formed in the crucible of incessant conflict with other religious groups (both within and without the Catholic Church) and honed through the application of their traditional rigorous erudition. At the heart of their project was the assertion that the Bible plainly and consistently supported their own viewpoint on matters of church and state. At the same time, they opposed the *sola scriptura* doctrine of the Protestants and held that the biblical interpretation must be buttressed by tradition.

The frontispiece of the *Politicorum Libri Decem* is remarkable in itself. The illustration serves primarily as an embellishment, and demonstrates that it is a work fit for kings (or indeed emperors, as the dedication to Ferdinand II makes clear). As the baroque churches then being constructed all over Europe attest, however, Catholic beauty was produced not only for its own sake but to celebrate the majesty of the Church and to recreate in the physical world the heavenly sublimities only it could offer believers.²⁹⁵

The imagery of the frontispiece conveys this counterreformation ideology. The title and usual publication information is in the center, written on a piece of drapery

²⁹⁵ Cynthia Osowiec Ruoff, "Baroque and Classical Aesthetic Visions," in Anna-Teresa Tymieniecka, ed., *The Aesthetic Discourse of the Arts: Breaking the Barriers* (Boston: Kluwer, 2000) p. 183.

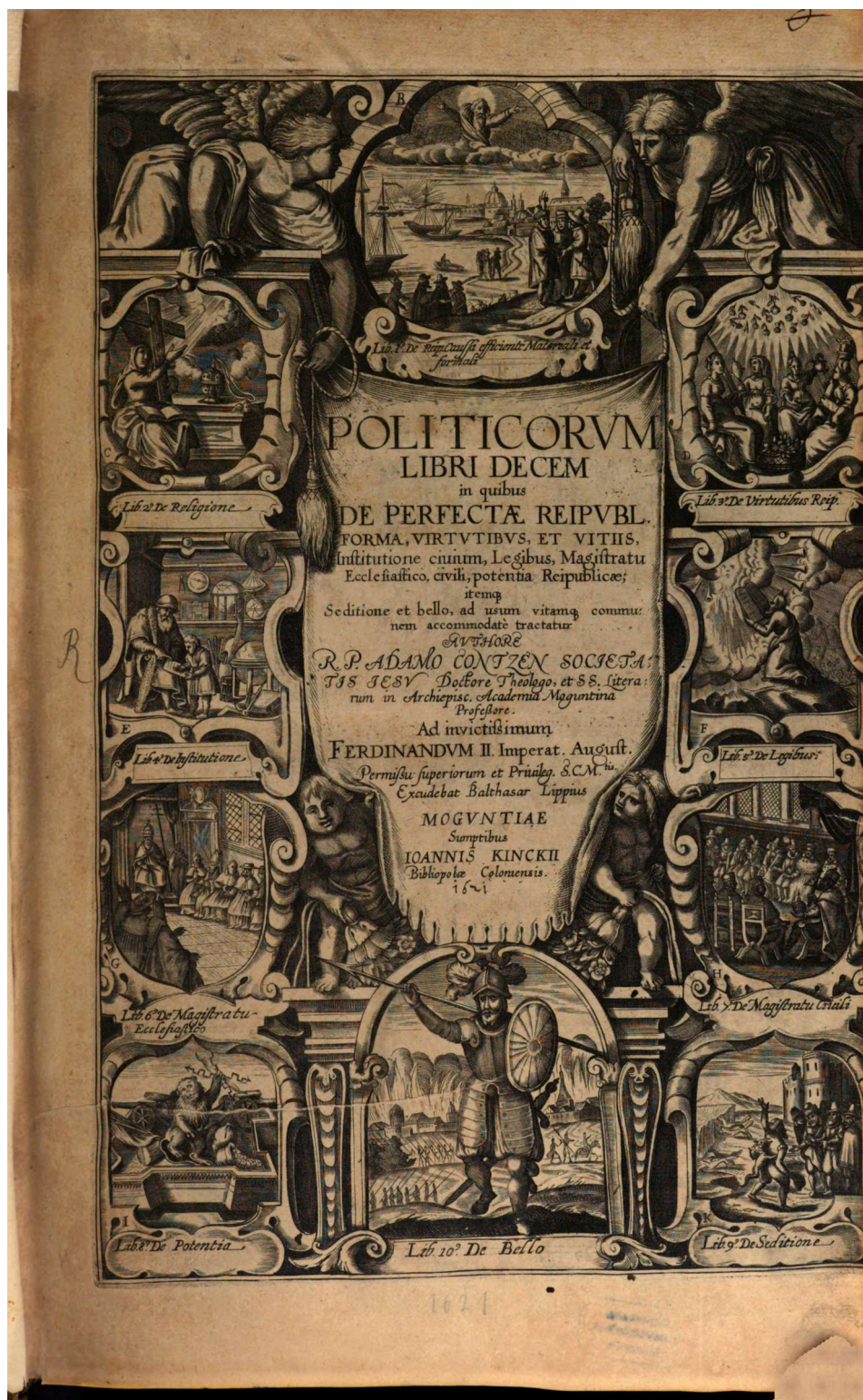


Figure 1: Frontispiece of Politicorum Libri Decem

held up by two angels. Surrounding the title are small illustrations for each book of the work, most of them rendered as though they were frescoes painted onto columns flanking the center scroll. At the top, between the two angels, is the illustration for the first book, “Of the efficient, material, and formal causes of the republic.” It depicts groups of men (in contemporary dress) gathered on a shoreline in front of a small coastal city, a church rising prominently above them, while God the Father looks down from the heavens with both arms raised, giving sanction to the civic scene below. The prominent depiction of ships suggests, perhaps, the global scale of the Order’s ambitions. At the bottom stands a massive soldier, spear raised, with an army in the background and a city engulfed in flames — this is the illustration for the tenth book, “Of War.” (What’s more, the architectural embellishments surrounding the picture suggest a fireplace.)

Down the sides of the central text are smaller illustrations for the rest of the books, with religious chapters on the left and secular topics on the right. It is reminiscent of the most famous frontispiece from the seventeenth century, that of the *Leviathan*, but it conveys an entirely different message. Whereas Hobbes’ image powerfully suggested that spiritual and temporal authority should be united in the person of the sovereign, Contzen’s suggests that the two realms are related but distinct, and in a clearly hierarchical relationship with one another. The fact that the religious chapters are grouped on the left side implies a sense of priority. (In addition, while they are to the left from the reader’s perspective, they appear underneath the right hand of God the Father depicted at the top.) Moreover, the book on laws, while grouped with secular topics on the right, is illustrated with an engraving of Moses receiving the Ten Commandments from God at Sinai. Finally, the ninth book, on sedition, is grouped on the right, opposite the previous book on “power” (*potentia*). The implication is that all legitimate political authority comes ultimately from God, whereas political disturbances result from all-too-human flaws.

The frontispiece visually dramatizes the tensions at work in political theory in Contzen’s period and suggest the ways in which he sought to resolve them. The political sphere is here envisioned as a small piece of a larger order ordained by God. Crucially, the Church itself is depicted as a natural element of this order. The state does not exist in order to provide worldly stability within which citizens and subjects can seek their salvation; rather, religious truth and political virtue work hand-in-hand to give men all they need to establish peace and justice on earth — so long as they are willing to listen and obey. While this overview does suggest a preeminent role for religion with respect to politics, it also valorizes the latter by establishing it firmly within a transcendent order of being — a theme which would be further developed in the text. This places Contzen firmly within the tradition of Jesuits as modernizers, rather than defenders of an anachronistic vision of politics with an all-powerful Pope at its center.

The textual qualities of Contzen’s work stand out sharply against those of the other subjects of this study. It is clear from the text itself that the intellectual culture which formed Contzen was entirely different from that of his Protestant compatriots, one marked by rigorous erudition and pronounced combativeness. (Although this might suggest that he does not belong in a single study alongside figures like Arnisaeus, most scholarly overviews of German political thought in the period do include thinkers from all confessions and regions of Germany.) Of course, as is the case with all academic

political thought from this era, the work is excessively dense and discursive. Nonetheless, it is fair to say that Contzen's language is the most refined and rhetorically forceful.

Each of the ten books is divided into chapters, usually numbering in the dozens, which deal with particular topics. The chapters are likewise divided into sections, and each paragraph has its contents summarized in marginal notes. His normal procedure was to open a chapter with a series of definitions outlining the parameters of the topic under discussion, followed by a series of normative assertions concerning either different intellectual understandings of a certain topic or practical political advice, and usually ending with a number of citations, which are often lengthy quotations offered with minimal commentary.

A typical chapter is titled "Privileges (are) to be granted, but to those deserving, and moderately."²⁹⁶ Once again, we are firmly in the tradition of mirror-of-prince literature, where each section of the text is some small and specific piece of advice to the ruler. This procedure is similar to that of Keckermann, but the emphasis of each chapter is markedly different for the Jesuit theologian. The opening section, where Contzen delineates the topic under discussion ("*Privilegium est quasi lex privata, seu privato concessa*") and then introduces a variety of distinctions within the general definition (ecclesiastical/secular, affirmative/negative, perpetual/temporary, etc.) is perfunctory. Contzen's goal was not to produce an easily legible *system* of politics but rather to offer his readers readily available and useful arguments in defense of the counterreformation worldview. After this introductory section, he lays down some rules, indicating essentially that privileges should be bestowed upon subjects for their service to the republic, especially military service, in order to encourage devotion and self-sacrifice. He uses the Roman Republic as an example of this, and then produces an extensive and dry excerpt from Pierre Gregoire on the subject of military privileges, a citation which deals with some technicalities on the subject and also includes quotations from Juvenal and the Epistle to Philemon.²⁹⁷ He then explains why the profligate bestowal of privileges can be harmful because it can cause social conflict. He then warns specifically that if princes give too many privileges to nobles and cities he will be made destitute, and will lose control over things that properly belong to the public sphere — in particular, the army. He concludes the chapter with a few decrees from Roman emperors regarding their private property.

What is important here is not so much the argumentative content of the chapter — it generally tends toward a pro-Imperial view of the German constitution and seeks to identify the power of the monarch with the public good — but rather to demonstrate Contzen's style of writing. He makes less use of citations because he is not interested in viewing a problem from multiple points of view, nor of resolving some conflict by mitigating the differences among perspectives. He only occasionally refers to contemporaries or recent scholarship, usually to deal with technicalities that don't greatly concern him, as is the case here with his use of Gregoire, a Catholic authority on jurisprudence whose works would have been near at hand. For Contzen, politics was not a body of knowledge that had to be marshaled for the public good, but a series of arguments to be had about problems facing the commonwealth. And what is more, he

²⁹⁶ *Politicorum libri decem* (Mainz, 1621) V.XVIII. p. 300.

²⁹⁷ *ibid.*, 300-301.

felt that the questions generally had straightforward answers, and the authorities were usually relatively univocal on them. Disagreements about them therefore must stem from some sort of malign influence. (It would be easy for a modern historian to chide Contzen for this irredeemably archaic attitude — it is a common stance when discussing religious thinkers — but it is worth noting that his vision of politics is still utterly typical today across the political spectrum.)

Contzen's motivations for writing about politics were manifold — he was offering a public defense of counterreformation political aims, producing a textbook that could train Jesuit students how to engage in debates over the political role of their order, and advertising his own qualifications, a la Machiavelli, as a political advisor.²⁹⁸ But it is not necessary to speculate about his private motivations in order to observe the intention that is present in the organization and formal qualities of his text. The *Politicorum* is a work of political theology not only because its purpose was to buttress and defend orthodoxy against a variety of threats (to be enumerated in the following section), but also because it was structured on both larger and smaller scales as a work of controversial theology. While Contzen was consequentially less interested in the technical aspects of the science of ruling than other political thinkers from different disciplinary backgrounds, he keenly perceived the heightened stakes of the subject matter in its entirety. That is, his project of defending the central role of the Church and the Jesuit Order in public life entailed a reevaluation of the state in all its attributes and responsibilities. This required the accommodation of recent advances in the scientific treatment of politics within a theological framework. In other words, he had to explain how the growth of state power could prove salutary from a religious standpoint. As has been shown in earlier chapters, the shift in focus from virtue to the state as the object of political inquiry was widely seen as having released an unprecedented level of immorality into public life. Contzen's first step in accomplishing his task was therefore the reassertion of classical and religious virtues as the central organizing concepts of political philosophy, a task which he approached mainly through his critique of Machiavelli.

Political Ethics: Machiavelli and Christian Kings

Contzen's critique of Machiavelli was a crucial element of his thought, because for him the ideas of the Italian were the source of so many of the challenges to a previously pious and orthodox European political sphere. As he wrote in the second book, "*Verum hoc peculiare malum est nostri saeculi, habere publicum vitiorum doctorem, & suffragantibus multorum moribus etiam celebrem. Ille est Machiavellus.*"²⁹⁹ Orthodoxy is a fortress that is always under attack, but the "peculiar evil" of Contzen's age was the public presence of Machiavelli's pernicious doctrines. His ideas were therefore to be confronted and refuted, just as heretics would be.

Contzen attacked the ideas of Machiavelli throughout his work, and the first sustained critique comes in the first book during his discussion of monarchy. In keeping

²⁹⁸ Robert Bireley, *The Counter-Reformation Prince: anti-Machiavellianism or Catholic statecraft in early modern Europe* (Chapel Hill : University of North Carolina Press, 1990). p. 32.

²⁹⁹ *PLD*, II.IV.I. p. 64.

with his methodology, he devoted a single chapter to a discussion of Machiavelli's view and a refutation of it. This would have been more helpful for students who might want easily to find a succinct and comprehensive treatment of the matter when called for. This chapter is in the middle of his treatment of the forms of government, in which he outlines his mostly generic views — that all governments of his time are mixed, that the best form of government is monarchy tempered by aristocracy and democracy.³⁰⁰

Contzen then turned to Machiavelli, who had written about political virtue in a way that, unacceptably for Contzen, linked the concept to republicanism and criticized the way in which Christianity had sapped citizens of their civic virtue. After a lengthy quotation of Machiavelli, Contzen summarized his central six points, which he refuted successively. The most important of these arguments are that that in their age there were fewer free peoples than previously, that a city is not free if it is ruled by another, that monarchy is generally advantageous only to the prince and not the people, that the “rule of common good” cannot exist except in free republics (“*Non habere rationem boni publici nisi in liberis civitatibus*”), and lastly that the Christian religion had detracted from the patriotism that was at the heart of civic virtue for Machiavelli. The Italian was dangerous not only because he criticized monarchy, which was Contzen's favored form of government, but also crucially because of his view of civic virtue's relationship to forms of government, and finally because of his notorious critique of Christianity.³⁰¹

While the debate over forms of government was not as important to Contzen as it was for someone like Besold, whose juridical concerns directed him to the question, Machiavelli's republicanism thus brought together a number of interrelated problems that Contzen was trying to confront with his work of political theory as controversial theology. His response to Machiavelli focused on the welfare of subjects under Christian monarchy, and re-centers political virtue on the sorts of qualities that would engender a peaceful existence under such a system.

In refuting Machiavelli's first point — that there were fewer free peoples in the modern period — Contzen referred to ancient and sacred history, pointing out the prevalence of monarchy even then and deemphasizing the importance of the Romans. He cast doubt on Machiavelli's historicized view of civic ethics in this way, although he was not interested in developing one of his own. Indeed, he was more interested in interrogating the categories and concepts employed by Machiavelli — for example, he wrote that “truly many people have misapplied the name of liberty,” suggesting that in many cases the majority of citizens are either ruled by a nobility (as in Venice) or subject to vicissitudes of government.³⁰² On the other hand, he wrote, we find many free cities in his time, saying that liberty comes in many forms. He did not elaborate on these forms, but given the following condemnation of democracy (“*Hanc Romana plebs ad exitium sui libertatem extorsit.*”) it can be assumed that he means that liberty can be found under other forms of government.³⁰³

³⁰⁰ *ibid.*, I.XIV.III. p. 29, I.XXI.I. p. 88.

³⁰¹ *ibid.*, I.XXIII. pp. 50-53.

³⁰² *ibid.*, I.XXIII.III p. 51

³⁰³ *ibid.*, I.XXIII.IV. p. 52

If the first book of the *Politicorum* was an attempt to formally link an Aristotelian analysis of political life to God, the following two books, on religion and civic virtue, articulate the operations of virtue that make the practice of politics possible. His goal in these books is to establish, *contra* Machiavelli, an intimate connection between virtue and the fates of various political formations. He made a telling choice, therefore, in discussing the goal of politics in the second book, where he wrote, “*Beatudo singulorum hominum, atque Universae Reipublicae finis est.*”³⁰⁴ The first book established God as the ultimate ground of political authority, while the second book imagined the everyday practice of politics as oriented toward the goal of individual and collective salvation. The state, therefore, is similar to the Church, in that its legitimacy is based not only on its institution by God, but also by its status as a medium through which its members are saved.

Contzen echoed Keckermann (and many other thinkers of the period) in asserting that salvation is the ultimate end of politics, and his work also mirrored his Calvinist predecessor in imagining the state as a disciplinary institution whose role was to shape subjects through a variety of legal and social interventions. But whereas Keckermann was relatively indifferent to the actual theological content of political life — he was interested in keeping the peace, creating conditions under which subjects could practice the true religion — Contzen was serious about the state’s role in producing Catholic subjects.³⁰⁵ Throughout the second and third books of the *Politicorum*, he elaborated a vocabulary of public life that mixed classical and Christian virtue, using historical arguments to suggest that the cultivation of these qualities are the key not only to political stability but also glory and prosperity.

As he wrote in his third chapter on religion, “In the republic, virtue must necessarily be cultivated.”³⁰⁶ This is another rebuke to Machiavelli — a refutation of his “impious” and infamous argument about the simulation of virtue, which formed the ethical center of *The Prince* and which so exercised his later critics, came next. Indeed, the rest of the book in its entirety reads as an argument against the idea that a prince might find vice useful and virtue a burden. In other words, it refutes the notion that politics is a world apart, where the politician might flout ethical norms in the interest of the state, or even his own position within it. As we have seen, all German political

³⁰⁴ *ibid.*, II.II.I. p. 63.

³⁰⁵ One can speculate about biographical explanations for these differences — Keckermann was an instructor at a relative backwater, and a member of a religious minority surrounded by Lutherans, whereas Contzen worked in the central strongholds of a resurgent Catholic Germany. In any case, Keckermann had clear intellectual reasons for wanting to preserve the autonomy of politics vis-a-vis theology, which had implications for the content of his articulation of the state’s role in cultivating virtue. Contzen, on the other hand, was less interested in disciplinary boundaries, with the effect that he could reintegrate the church into the state. It is probable that this reflected at least a greater level of epistemological confidence on the part of the latter — it is no coincidence that the two editions of the *Politicorum* were published in the 1620’s, a high-water mark for the German counterreformation. Whereas Keckermann’s opening warning about the dangers of error suggested that he was aware of his own capacity to make mistakes, for Contzen the source of false doctrine is always exterior: not Catholics, not Jesuits, and certainly not him.

³⁰⁶ *ibid.*, II.III.I. p. 65.

thought in this period was a response to the “reason of state” tradition to some extent. Contzen distinguished himself by confronting its supposed central figure head-on; in doing so, however, he had to counter Machiavelli’s arguments about the success of vicious and impious rulers by inverting them. The *Politicorum* is thus not only inflected by an orientation toward the world to come, but also by a renewed interest in glory, wealth and power in the here and now.

This tendency was also present in Contzen’s earlier critique of Machiavelli’s ideas about republicanism and monarchy. There, he celebrated the “opulence” of cities under monarchs, such as in France, Britain, and Spain, and said of ancient peoples like the Samnites and Latins “I would truly rather call them barbarians than free men.”³⁰⁷ There, he questioned the idea that monarchy benefits the prince whereas republicanism benefits the people, turning Machiavelli’s concepts of glory and worldly success against him. In his religious criticism of Machiavelli, he employed similar tactics, marshaling the evidence of history to argue that virtuous commonwealths are always more prosperous and stable than those where virtue is absent or simulated.

But first, he had to call into question Machiavelli’s own argument. He did so by claiming that Machiavelli argues against his own doctrine in the *Discourses on Livy*. First, he quotes from the fifteenth chapter of *The Prince*, which argues that it is permissible to sometimes commit vice, so long as it does not severely harm one’s reputation. He likewise notes the arguments of the following three chapters of the book, which elaborate on Machiavelli’s theory of princely amorality. After deploring these ideas, and declaring them pernicious to any commonwealth, he quotes extensively from the section of the *Discourses* which discuss the connection between liberty and virtue. If morality is central to the health of the republic, Contzen asks, then how can we take seriously his ideas about ethics in *The Prince*?³⁰⁸ He continues, almost incredulous at the impious doctrine of Machiavelli, that “Experience aids reason.”³⁰⁹ Reason and nature tell us that vice cannot possibly lead to a flourishing commonwealth: “*Non stant loco vitia, sed usu, et impudentia fiduciam capiunt, egena sunt vitia, non nisi aliena iniuria aluntur, procedunt, augenturque, donec divina vindicta opprimantur.*”³¹⁰

Contzen used the rest of the two books articulating his vision of a commonwealth that cultivates all kinds of religious and classical virtues, and warning against the dangers of ignoring or simulating them. As was typical of him, the argument itself is iterative, bringing a variety of evidence to bear on the topic. One chapter uses the Hebrew Bible — both the law in the case of Deuteronomy and history in the case of Kings — to show that a sinful commonwealth will be punished by God.³¹¹ Another quotes the words of the Christian Fathers linking the happiness of commonwealths to their virtue, while the next shows that “pious kings” agreed with them.³¹² He made similar claims based on the written law, on nature, and on the evidence of history both ancient and recent. He switched freely between discussing classical and Christian forms of

³⁰⁷ *ibid.*, I.XXIII.IV. p. 52.

³⁰⁸ *ibid.*, IIIV. pp. 67-68.

³⁰⁹ *ibid.*

³¹⁰ *ibid.*

³¹¹ *ibid.*, II.V. pp. 68-70.

³¹² *ibid.*, II.VI,VII

virtue in both books. The goal was to build up an edifice of Christian politics that was buttressed by the concord of the sacred and secular, of ancient and modern, experience and reason.

This edifice, according to Contzen, was threatened by false doctrine stemming from either pure malignancy or a misreading of the evidence at hand. He identified sources of these false doctrines in the fourteenth chapter of the book on religion, where he described atheism and superstition as the Scylla and Charybdis which menace the ship of state.³¹³ Atheists are dismissed out of hand; he quotes a dubious saying of Frederick II about Moses, Christ and Mohammed being impostors, and adds that many rulers even today lack all religion, with the effect that they bring their realms to ruin.³¹⁴ Superstition, however, is of more interest to Contzen, because it indicates an excess of belief rather than a deficit. This allows him to introduce a theological basis for his critique of false political doctrines that is more substantial than merely condemning their immorality.

Contzen continued a long tradition in arguing that superstition is not only a epistemological error but also leads to vice: “*Magna sunt vero superstitionis detrimenta, primo, quia ipsa est affetrix, et interpolatrix verae religionis, et errore mentis, quasi vinculis captivas tenet.*”³¹⁵ He continued, saying that superstition makes men into children, leading them to “disappear into vanities, absurdities, horrors and disgrace.”³¹⁶ A lengthy quotation from *The City of God*’s famed critique of theatrical spectacle indicates the political valence of superstition by linking it to tyranny and furor.³¹⁷ It is also dangerous because it can collapse the distinctions in society, and lead to the political class being influenced by the politically inexperienced populace: “*Maximi itaque periculi est superstitio, si in senatum, in regem, in principes imperita multitudo moveatur.*”³¹⁸ A veritable survey of world history followed, linking all sorts of political calamities to the practice of fraudulent religion. This picture of history stood in stark contrast to Machiavelli by restoring an unbreakable link between political morality (on the part of both rulers and citizens)³¹⁹ and the fate of commonwealths.

This survey of the political effects of superstition is one of the longer chapters of the entire text, making up for its lack of theoretical complexity with the copiousness of its evidence, and indicating that the matter was of great importance to Contzen. The following chapter continued Contzen’s critique of Machiavelli, suggesting that the idea was to set up his case that the Italian’s political thought was not only immoral but also “imprudent and superstitious.”³²⁰ His main quarrel in this section of the text was with the section of the *Discourses* which discussed the ways in which early Roman leaders, in particular Numa, used feigned religion in order to give their new political institutions divine sanction. His goal was to show that this was not only an instance of rank superstition (i.e. encouraging the people to believe in specious religious concepts) but

³¹³ *ibid.*, II.XIV. p. 82. Literally, he describes them as two stones which threaten a ship.

³¹⁴ *ibid.*

³¹⁵ *ibid.*

³¹⁶ *ibid.*

³¹⁷ *ibid.*, II.XIV.V. p. 83.

³¹⁸ *ibid.*

³¹⁹ Bireley, *The Counter-Reformation Prince*, 139.

³²⁰ *PLD*, II.XV. pp. 87-90. “*Machiavelli imprudentia & superstitio demonstrata*”

was also politically imprudent. Quoting extensively from chapters 11-14 of the first book of the *Discourses*, he showed how Machiavelli celebrated the effects of political cynicism on the part of Roman elites. In these sections of the *Discourses*, Machiavelli essentially collapsed the question of politics and religion into one of pure utility (e.g. Roman religion undergirded the practice of oaths, auspices were useful in legitimating political decisions, etc.), a move which close readers noticed gave greater weight to his more cautious direct criticisms of Christianity's role in political life elsewhere.

Contzen was determined to not let Machiavelli get away with his use of pagan antiquity as a cover for his endorsement of strategic impiety. Indeed, this was one of the animating impulses of the work itself, along with his defense of the counterreformation Church and his order's place within it. Fortunately for him, he could refer back to the early Christian Fathers, who had a much less sanguine evaluation of Roman religious practices. For example, he quoted the entirety of the twelfth chapter of the third book of *The City of God*, in which Augustine sarcastically enumerated the profusion of Gods that the Romans introduced to their city, and their inability to protect them from disaster and misery.³²¹ He also argued for the falsity of Machiavelli's claims through reference to history, for example showing instances where the Roman religion was not enough to enforce the sanctity of oaths, which was a key point of the Italian's argument.³²² Indeed, he went further, citing Augustine's argument that the pagan practice of oath making served simply to add perjury to the long list of crimes committed on behalf of their false gods.³²³ Rather than a source of discipline and patriotism, as Machiavelli saw it, Contzen depicted Roman religion as a corruption, which introduced social strife in immorality into the public sphere.

He concluded that Machiavelli's impious celebration of Roman religion was imprudent because "no false religion is lasting." Without immutable truth, moreover, no commonwealth can be stable, because religion constitutes the sinews of public life through the inculcation social discipline and harmony.³²⁴ The specific techniques through which these goals would be achieved in a Catholic commonwealth, as well as the importance of material wellbeing to Contzen's political thought, will be explored in following sections. Most important here is to note that Contzen's political thought was animated by a polemical spirit. A major theme of this dissertation is that of comprehensiveness — the idea that works of political theory had to be exceedingly thorough in order to act as a bastion against the vexed and perilous sphere of public life. In Contzen's case, this tendency manifested itself as a drive to comprehensively disprove the harmful doctrines that were corrupting a pure tradition of Christian politics through the use of a wide variety of techniques, including critical textual analysis, biblical exegesis, historical argument, and appeals to authority. The idea was to show that no matter what avenue one took in exploring a particular question, the answer was always the same. This was a striking contrast to the caution of figures like Keckermann and Besold (and to a lesser extent Arnisaeus), and reflected Contzen's position at the center of a confident German counterreformation. Contzen's critique of Machiavelli was not only one of his central concerns in writing the *Politicorum*, but also illustrates key

³²¹ *ibid.*, II.XV.IV. p. 88.

³²² *ibid.*, II.XV.VI. p. 89.

³²³ *ibid.*

³²⁴ *ibid.*, II.XV.X. p. 90. "*nullam religionam fictam esse diuturnam.*"

aspects of his vision for political theory as well as the developing confidence among practitioners of a discipline that had found its footing.

Church and State: The Ecclesiastical Magistracy in a Godly Commonwealth

The centrality of religious ethics in Contzen's political work raised many institutional questions. If the morality of rulers and the ruled were crucial to political stability, then how was this morality to be inculcated? The perhaps obvious answer for Contzen was that the Catholic Church would play this role as a matter of course. But this stance brought with it a large amount of baggage, having to do with debates over the relative status of the church and state which had vexed Western political thinkers for centuries. Previous generations of German political thinkers had insisted on the conceptual distinction between the political and the religious in order to mitigate the power of the institutional question. Not so with Contzen.

What was notable about Contzen's political thought is not that he gave all aspects of the state a religious character, but rather that he subsumed the entire business of ruling under the spiritual goals of his Church and Society. Like others — in particular Keckermann — he made use of Aristotelian teleology in order to make sweeping assertions about the importance of his work, although with entirely different implications. As he wrote in the first chapter of his work, “all human matters both private and public are to be directed towards the highest good and ultimate object,” i.e. salvation.³²⁵ As Höpfl notes, this position is the bedrock foundation “for a work which left untouched virtually no topic which any previous or subsequent political writer, lay or clerical, thought pertinent to the ‘science of ruling.’”³²⁶ If the Church was the primary medium through which individuals could achieve salvation, then that institution had a large role to play in public life indeed.

The key to understanding the supremacy of religion in Contzen's thought thus lies not only in the methodology of his work and the intellectual underpinnings of his politics, but also in the functional position that Contzen envisioned for the clergy in the public realm. This matter also concerns, of course, the position of the Jesuit Order within the Catholic Church. It is here where Contzen split most decisively with his Protestant contemporaries. Whereas many Protestant thinkers, particularly Reformed figures like Althusius, did foreground the importance of salvation in the functions of the state, Contzen went further by conceiving of the state as a mere element of a larger hierarchical structure of authority with the Pope at the head. Rather than denigrating the day-to-day operations of the state as unimportant in relation to the grand spiritual office of the church, however, Contzen exalted the science of governance as an integral component of the quest for salvation.

Contzen articulated his position on the role of the clergy in the very first chapter of the *Politicorum*, saying that “the duty (*officium*) of the priest is to teach (*docere*)

³²⁵ Harro Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c. 1540–1630* (Cambridge, 2004) p. 63, *PLD*, I.I.I-IV.

³²⁶ Höpfl, 63.

subjects and magistrates.”³²⁷ Because of this, he wrote, “our Society is in no way alienated from” the entire business of rule, including the mutual duties and obligations of rulers and the ruled, and the governance of commonwealths.³²⁸ He then transitioned into a critique of the reason of state tradition — a topic covered in the previous section — with the implication that religious experts are needed as a corrective element in the political sphere. He wrote that the qualities and talents of the clergy were particularly useful in his age, when so many erred in interpreting the lessons of history, the law, and other sources of political prudence. The worst of these, he wrote, were impious atheists, the “*pseudopolitici*” represented above all by Machiavelli. The source of their error, he writes, is in mistaking the end of politics as the interest of those who govern, rather than as the salvation of all.³²⁹

In other words, the business of writing about politics was inextricably linked with religion, because the true religion provided an immutable prudence free of error, not to mention the individual moral practices that sustained political stability. Therefore, if the role of the clergy was to instruct rulers and magistrates on religious doctrine and personal ethics, then their vocation was in essence a political one. This stood in stark contrast to Protestant thinkers like Arnisaeus, who insisted on two absolutely discrete spheres of activity for clergy and politicians, whose division was based on Aristotelian philosophy and enforced by strict juridical separation.

While Contzen did appreciate the division between ecclesiastical and civil magistrates — this was the vocabulary normally employed in texts of this type in the period when scholars wanted to discuss the institutional relationship between church and state — he emphasized that both belonged properly to the sphere of politics. On the one hand, this reflected Contzen’s own confessional and political commitments. At the same time, however, it also indicated the extent to which political philosophy, having attained stable footing as an autonomous academic discipline, was beginning to subsume other topics within its domain. This tendency was present in earlier generations, as seen in the metastatic qualities of Keckermann’s Ramist tables. Bavaria in the early stages of the Thirty Years War was fertile ground for its extension in the complete conflation of both civil and ecclesiastical magistracies within one grand hierarchy of rule, oriented toward salvation as the ultimate end of all human activity.³³⁰ Again it can be seen that the development of political philosophy was not simply a function of confessional and constitutional positions, but also manifested as general cross-confessional trends which resulted from scholarly practices.

Contzen focused his discussion of the Church in the sixth book of the *Politicorum*, titled “Of the Ecclesiastical Magistracy.” With 48 chapters and spanning 130 pages, it was among the longest books in the text, just one indication of its importance to Contzen. While much of the book is given over to a discussion of various theological controversies — to be discussed in the final section of this chapter — a great deal is also about the importance of the clergy in public life. Indeed, Contzen was making it clear that the confessional strife then roiling the West (both between the

³²⁷ *PLD*, I.I.III. p. 3.

³²⁸ *ibid.*

³²⁹ *ibid.*, I.I.III. p. 4.

³³⁰ Peter H. Wilson, *The Thirty Years War: Europe’s Tragedy* (Harvard, 2009) pp. 199-200.

confessions and within Catholicism, especially relating to the status of the Pope) should in no way be seen as separate from the civil sphere.

After a chapter arguing that magistrates should not be flatterers, Contzen wrote that magistrates are necessary to any commonwealth because they give life to the law (a topic which he covered in the previous book.)³³¹ His interest in the chapter, however, was entirely religious, focusing on the role of the prophets as interlocutors (occasionally antagonistic ones) of kings in the Hebrew Bible.³³² He continued in the next chapter, establishing the distinction between the civil and ecclesiastical magistracies; following nature, which has given humans both corporeal and spiritual existence, political power (*potestas politica*) is oriented toward “the health of the body, peace, and honorable living” while spiritual power (*potestas spiritalis*) “bears the soul up to divine and supernatural things.”³³³ This vocabulary suggests a distinction between the two, with mutually exclusive spheres of competence, and harkens back to the medieval debate over the relationship between temporal and spiritual authority. Indeed, Contzen soon made it clear that he was interested in creating a hierarchy between the two which privileged religious over secular power.

He wrote that “The rivalry (*aemulatio*) between the priesthood and the royal power is old (*antiqua*).”³³⁴ He even quoted Jesus’ famous saying to Simon Peter in the Gospel of Matthew that “whatever you bind on earth will be bound in heaven,” which was a key piece of evidence in the conflict between spiritual and secular authority going back centuries.³³⁵ He repeated the by his time well-worn arguments about the priority of the clergy, given their special role in anointing and crowning kings — yet more evidence that the spiritual authority of the church is the foundation of the political power of the state. Again, it seems that he was attempting to set up a dialectic between to powers that must remain distinct, as Arnisaeus had done in his work on clergy, but Contzen was after something else: he wanted to show that the clergy and civil magistrates worked together as auxiliaries, working together to “make good citizens.”³³⁶ The use of “citizens” rather than “subjects” is key to this move. Contzen’s political thought presumed a truly Christian commonwealth where the benefits of good rule would not be enjoyed by pagans, heretics, or schismatics. This not only exalted the work of the state as an auxiliary of the Church’s spiritual mission but also dignified subjects by assuming them to be members of the Christian body, a move which allowed Contzen to refer to individuals without any political rights as “citizens.” The City of God — in Augustine’s formulation an invisible and partly transcendent community of true Christians — had found existence on Earth for Contzen, in the form of Catholic kingdoms.

The question remained of defining precisely the way in which the spiritual power was superior to the civil. Contzen answered this question thusly: “*Potestate absolute dignior est, et praestantior civili. Est enim architectonica, cui subordinata est civilis, cum finis sacrae potestatis sit multo praestantior, quocirca et Christus rex filia Sion,*

³³¹ *ibid.*, VI.II.I. p. 334.

³³² *ibid.*, VI.II.I. pp. 334-7.

³³³ *ibid.*, VI.III.I. pg. 337.

³³⁴ *ibid.*

³³⁵ *ibid.*

³³⁶ *ibid.*

*rex mansuetus, eam semper, politicam vix unquam exercuit.*³³⁷ A number of important points were raised by this passage. Firstly, Contzen employed the Aristotelian term “architectonic” to justify the subordination of the civil power to the spiritual, demonstrating the ease with which he switched between theological and philosophical registers. Secondly, although he insisted strongly on the superiority of the office of the clergy, he indicates that the difference in excellence (sacerdotal power is “*multa praestantior*” than the civil) is so great that the distance between the two should mitigate any real conflict. The clergy are not older brothers to politicians, jostling for achievements and attention from Father, as it were. Rather, the clergy is similar to Christ, who was a “gentle king” to his daughter Israel, and hardly had to intervene in politics at all.

As such, Contzen enumerated the many ways in which the clergy were exempt from the worldly *imperium* of princes and kings in the name of their spiritual mission. Nonetheless, the separation was far from complete. Indeed, Contzen’s idea of the church as a “gentle king” to the secular realm quickly became more involved in the everyday business of the state. The right of excommunication was of course asserted, although this represents a case of religious intervention in political affairs *in extremis*. Importantly, one of the prerogatives of the clergy is to give “rebukes” (*inreptiones*) to kings, and Contzen offered a letter from Pope Gelasius to Emperor Anastasius as an early articulation of the right.³³⁸ This would agree nicely with his later role as the politically-involved confessor to Elector Maximilian of Bavaria. It also recalls the first chapter of the book, which argued that magistrates should not adulate their kings, and discussing the role of Hebrew prophets as occasional opponents of kings. Given the need for advisors who would not be flatterers, the priestly right to rebuke kings, attested serially throughout the Hebrew Bible and ancient history, positioned members of the clergy as ideal advisors to the political class.

Admittedly, most of the discussion of the clergy in the sixth book of the *Politicorum* concerned the high moral standards expected of them and the discipline they should be subjected to in order to ensure they can fulfill their essential sacramental and educational function. Contzen spilled much ink on drunk priests, corrupt priests, and fornicating priests, as well as the question of what should be done with them. Nonetheless, he insisted throughout that there was a political valence to the role of priests, returning to the idea that politics is essentially a moral activity which concerns not only rulers but also subjects. Therefore, it is only reasonable that the arcana of canon law and monastic orders should be discussed within the context of a text on political philosophy. The priesthood helps create a spiritually healthy population that will fulfill the ultimate end of political life, and therefore its function is essentially political. For this reason, he wrote, it is useful for a king to have many priests, and to ensure that they are well-endowed and given useful tasks. (He also warned against the presence of too many idle priests.)³³⁹ Their parishes should be enlarged and enriched, in order that this basic unit of the church may engage in its difficult labors without undue hardship.³⁴⁰

³³⁷ *ibid.*

³³⁸ *ibid.*, VI.III.XIII. p. 340.

³³⁹ *ibid.*, VI.XLIV. pp. 442-444.

³⁴⁰ *ibid.*, VI.XLV. p. 444.

While Contzen did not discuss the role of priests as advisors to rulers in his book on the ecclesiastical magistracy, it did come up elsewhere, although obliquely. In the following book, Contzen covered the civil magistracy, and the thirteenth chapter asserted the importance of the Senate as a legislative and advisory body. In it, he enumerated a lengthy list of virtues that advisors to rulers should possess, another passage which recalls Keckermann. At the end of the chapter, he argued that the council of the Spanish monarchs was better constituted (*prudenter constituta*) than even the Roman senate. The basis of the comparison is that both polities ruled over vast empires with a variety of peoples represented. Unlike in Rome, Contzen explained, the Spanish kings have separate councils for each of the peoples that they rule over. Thus, he can receive advice from Neapolitans on Neapolitan matters, and so on.³⁴¹ A second reason, he offered, is that counsel concerns the soul as well. (He employed a rare first person statement in this moment: “*ego puto consiliorum animam esse.*”) Because of this, he continued, the Spanish monarch has not only princes and magnates on his council, but also archbishops and other clerics (*antistes*).³⁴² While a minor point in a massive treatise, the passage indicates Contzen’s commitment to the involvement of the clergy in secular affairs.

Indeed, his own Society of Jesus was the lightning rod for debates over the role of clerics in political life. As Wolfgang Weber has asserted, Contzen placed trust in the political importance of counterreformation zeal, and based this trust on the “culture and mentality forming power of his Order,” with the growing role of Jesuits as educators and counsellors to princes taken as proof.³⁴³ While the *Politicorum* was by no means designed as a work of Jesuit apologetics, Contzen could not resist arguing on behalf of his brethren.³⁴⁴ The index of the *Politicorum* contains some 17 entries on the Society of Jesus; thirteen of them focus on the educational role of the Society, while the other four see Contzen defending the Jesuits from their calumniators and justifying their battle against heretics.

The Economy of Salvation: *Potentia* and the Administrative State

Far from reducing the role of the state, Contzen’s political thought lent greater urgency to its functions in all aspects of life, both public and private, by orienting it towards the “ultimate good” of salvation. His thought stood somewhere between the sacralization of politics and the politicization of religion. This section explores the implications of that position on the civic sphere. As mentioned earlier, the work itself touched on almost all aspects of human life, as they could all be seen as relevant to the end of politics. This allowed Contzen to call for state involvement in all of these spheres,

³⁴¹ *ibid.*, VII.XIII.XII. p. 459.

³⁴² *ibid.*

³⁴³ Weber, *Prudentia Gubernatoria: Studien Zur Herrschaftslehre in Der Deutschen Politischen Wissenschaft Des 17. Jahrhunderts* (Niemeyer, 1992) p. 119.

³⁴⁴ Contzen had written a work of apologetics for the Society in 1617, titled *Disceptatio de Secretis Societatis Iesu*. The short work mainly argued that Jesuits were not responsible for unlawful killings of “tyrants,” for example Henry IV of France, and that Jesuits were on the whole spectacularly loyal subjects of their monarchs. Contzen’s anti-tyrannical position was largely preserved in the *Politicorum*. For more on this topic, see Höpfl, 321-332.

with a greater articulation and clarity than Keckermann could, with his mitigating and cautious tendencies. This articulation of the state was substantially informed by the Jesuit vision of the church as a unitary, hierarchical and universal institution whose concerns and jurisdiction were extensive. These aspects of Contzen's work also raise the question of whether he can be seen as a contributor to the absolutist tradition of political thought.

Many scholars have remarked that Contzen's work was notable for the extent to which it called for the growth of the bureaucratic state, which would both make increasing disciplinary demands on its populace but also take greater responsibility for its health and well-being. There has been some debate, however, as to whether this constituted a move toward the "absolutism" that would define later generations of monarchist political theory. The state was not necessarily to take a radically new form in order to follow this trajectory; that is, he was not a prophet of the centralizing absolutist state, *per se*. The state was to grow in size under existing structures of social and political domination, in order to carry out its subsidiary role of providing a peaceful population that would provide fertile ground for the educational and sacramental functions of the Church. The Seils dissertation discusses the practical expansion of the state in Contzen's theory mainly in terms of the growth of princely authority, although Seils uses the term "absolutism" only with qualifications.³⁴⁵ Weber describes Contzen as an essentially religiously-driven thinker, who made space within his Catholic framework for an "unheard of strengthening of *politisch-machtstaatlich* formulations."³⁴⁶ Bireley, on the other hand, emphasizes that Contzen did indeed aim to limit the powers of the estates — although not because they would prevent the state from playing its role, but because these were often sources of disorder, Contzen's great fear. Indeed, he also argues that Contzen reduced the King to a subject of conscience and bound by law, hardly a Louis XIV figure. In any case his weakened view of the rights of the estates were predominant at the time, although Contzen did go further than his Spanish scholastic colleagues in denying categorically the right of political actors like these to resist a tyrant.³⁴⁷

The goal of this dissertation is always to look at the texts from a disciplinary perspective. That is, it asks how the authors tried to constitute political philosophy as an academic discipline: how the utility of political writing should be understood, how it should be organized, what topics it should include, and so on. It is clear that on the last question, Contzen had the broadest conception of what subjects politics should handle. Perhaps, this might be seen as a simple development of the genre over time. This is true to an extent; Contzen was working after several decades worth of German scholars (not to mention Contzen's Catholic colleagues from other countries, as well as universally known masters like Gregoire and Lipsius) had spent their lives organizing the raw materials of politics into increasingly comprehensive works. Contzen's tome is certainly not a culmination or even a record of their exertions, however; it barely engages with contemporary works of political philosophy in its pages. Rather, he chose to introduce

³⁴⁵ Ernst-Albert Seils, *Die Staatslehre des Jesuiten Adam Contzen, Beichvater Kurfürst Maximilian I. von Bayern* (Lübeck: Mattheisen, 1968) p. 136, 179.

³⁴⁶ Weber, 117.

³⁴⁷ Bireley, 34-35.

his own personal concepts which would integrate the expansion of the state within his theologico-political framework.

Contzen's own peculiar vehicle for the expansion of state power was the concept of *potentia*. Contzen defined the concept of *potentia* as "the faculty for conserving your own, or obtaining another's suitable (*idoneus*) things."³⁴⁸ This was a gloss of a concept that Contzen credits to Giles of Rome (*Ægidius Romanus* in Latin, whom he refers to as an "orator") a major figure in the debates over civil and ecclesiastical power in the 13th and 14th centuries.³⁴⁹ He elaborated that the "things" which *potentia* applies include "wealth (*ops*), arms, men, supplies, cities, strongholds (*arcs*), and the prudence to make use of all of these properly."³⁵⁰ It would seem that he was interested in comparing the relative strength of different polities, especially as measured in military capabilities. Indeed, he clarified that it is always a relative concept. However, he also made clear that *potentia* was something more subtle than a simple measure of power; he explained that large polities can lack *potentia*, while smaller countries can be imbued with it.³⁵¹ *Potentia* is therefore seen as a kind of vigor or animating force that gives a commonwealth vitality — in a word, potency. However, he was careful to point out that it is not lasting, and therefore the prince must seek to acquire and augment this essential quality of vitality in his realm.³⁵² In this second chapter of the book, he made clear that *potentia* indicates primarily the means by which a prince retains control over his territories — through reference to the conquests of the Ottoman Turks in Europe, he offers a grave object lesson in what happens to impotent Christian kingdoms.³⁵³

This all sounds awfully similar to the concept of sovereignty (*maiestas*), a fact that Contzen was aware of. In fact, he hardly discusses *maiestas* in the work at all, at least in its political sense. He moved in the following two chapters to explain how *potentia* is in fact a (starkly in his eyes, subtly in ours) different concept. In the short third chapter, he divided *potentia* into two forms: internal and external. The internal form is relative to sedition, conspiracy, and rebellion, while the external form is to do with neighboring commonwealths. It is clear that he was dealing here with the reason of state tradition, as well as his *bete noire* Machiavelli, as he wrote that domestic *potentia* is built of fear and love, both of which are necessary.³⁵⁴ Finally, he wrote quite forcefully that "it is damnable to want *potentia* for oneself."³⁵⁵ In other words, the potency of the commonwealth is not by any means an end in itself; rather, it is a potentiality that is only employed justly in a moral commonwealth consisting of pious rulers and subjects. Stability and peace — the goals of the reason of state tradition — can only be achieved,

³⁴⁸ *PLD*, VIII.I.I. p. 548.

³⁴⁹ Annabel S. Brett, "Political Philosophy" in A.S. McGrade, ed., *The Cambridge Companion to Medieval Philosophy* (Cambridge, 2003) 276-299. pg. 288. See also Charles F. Briggs and Peter S. Eardley, eds., *A Companion to Giles of Rome* (Boston: Brill, 2016).

³⁵⁰ *PLD*, VIII.I.I. p. 548.

³⁵¹ *ibid.*

³⁵² *ibid.*, VIII.II.I p. 550.

³⁵³ *ibid.*, VIII.II.IV. p. 551.

³⁵⁴ *ibid.*

³⁵⁵ *ibid.*, VIII.II.V. p. 552.

as Contzen had articulated in earlier chapters, through the cultivation of the true religion under the Church.

Contzen swiftly moved to modify the concept of *potentia* to fit it to the exigencies of the emergent state, while maintaining a hierarchical relationship between secular authority and the religious purpose it was established to serve. In the following chapter he explained that the strength (*vis*) of a commonwealth consists primarily of piety and virtue, and after that, “authority, or fame and majesty (*maiestas*), then the love of citizens.” Only after that come the material instruments of political power, such as cities, fortresses, and arms.³⁵⁶ He described authority as the “head” of *potentia*, and explained that it is similar (*affinis*) to sovereignty, but not exactly the same thing. Whereas sovereignty refers to the various rights belonging to a ruler (including passing laws, declaring war, etc.), authority is a quality of fame or admiration.³⁵⁷ This fame is not to be pursued for itself in neglect of the wellbeing of subjects, but should be earned by being a virtuous ruler — he specifically distinguished this quality from “glory,” which he dismissed as “shameful” (*inhonestum*).³⁵⁸ He therefore warned against practices such as the ostentatious display of wealth.³⁵⁹

Crucially, however, Contzen did not advocate for a quasi-monastic aversion to money in the name of building a Christian commonwealth. Rather, he keenly recognized the uses of the material aspects of the state in pursuing religious ends. Whereas others might have perceived a conflict between the presence of great wealth and the spiritual mission of the church and state, he found that history roundly affirmed his position. After all, the most wise kings the world had ever seen (*Regum omnium sapientissimos habemus ab orbe condito*) were the Old Testament figures David, Salomon, Jehoshaphat, Hezekiah, and Josiah, all of whom had assiduously maintained their treasuries for religious purposes. For this reason, he held that while greed was detestable, a kind of industry in seeking riches (*divitia*) was to be applauded.³⁶⁰

With that, he was off to the races, giving practical advice on all of the ways princes could augment their finances. He was careful to always couch this information in moral terms, constantly warning against overburdening subjects with onerous taxes, and maintaining that a prince’s income should always be put to use in building up the salubrious type of *fama* that would undergird the *potentia* of the commonwealth.³⁶¹ All the same, he held that the right of demanding taxes was given to the supreme power in the commonwealth. Whereas this authority belonged to the Senate in the Roman Republic, it belonged to princes in the monarchies of his time — this meant, crucially, that kings should not be expected to draw their income solely, or even principally, from their own demesnes.³⁶² Contzen therefore strongly supported the right of the state to raise taxes and condemned those who resisted them. The treasury, however, is not to be considered the patrimony of the prince himself, but is rather described as the “heart of

³⁵⁶ *ibid.*, VIII.III.I. p. 552.

³⁵⁷ *ibid.*, VIII.III.II. p. 552.

³⁵⁸ *ibid.*

³⁵⁹ *ibid.*, VIII.III.VII. p. 558.

³⁶⁰ *ibid.*, VIII.V. p. 554.

³⁶¹ e.g. VIII.VI.II., VIII.VII.XXII.

³⁶² *ibid.*, VIII.VII.I. p. 557.

the commonwealth.”³⁶³ While he was uninterested in the legal basis for the right of taxation — giving that responsibility to lengthy quotations from Justinian’s edicts — he was concerned with their political legitimacy. According to Contzen, three conditions must be present for taxation to be just: *potestas*, reason (*causa*), and proportion: “*Potestas* is in the supreme prince, the reason is public necessity; proportion so that the tax responds to the means,” that is, that it is not too burdensome.³⁶⁴ The implication is that Contzen was more concerned with the utility of taxation, as an instrument that rulers could use to strengthen their commonwealth.

This was borne out by the rest of the book. After the discussion of taxation, Contzen radically expanded his vision of politics’ role in the everyday life of subjects. The state is to intervene in order to promote commerce (Chapter X) and to regulate agriculture (Chapter XI). The use of sumptuary laws is strongly endorsed (Chapter XIV), and rulers are encouraged to enforce frugality in general (Chapter XIII). As Contzen explained, all of this is necessary because the *potentia* of the commonwealth lies particularly in “strong and populous citizens.”³⁶⁵ The use of *civitas*, which can mean city but here refers to citizens, rather than *subditi* (subjects), suggests that he saw individuals as important participants in political life even if they did not have political authority as participants in government. Indeed, he used the two terms interchangeably throughout his work, suggesting that the distinction was not essential to him.

Contzen’s expansion of politics into the daily economic lives of its citizens recalled Keckermann’s, although it was inflected in each case by their disciplinary commitments. In Keckermann’s case, it was a combination of the encyclopedic tendencies of his Ramist method, along with his modified Aristotelian idea that anything was the subject matter of politics so long as it related in some way to public life, that caused him to pursue subjects like forest management. He exhibited an almost neurotic desire to cover every subject and answer every question, because, as he wrote in the beginning of his text, the cost of erring in politics was so steep. In his desire to make politics more legible and therefore more useful, he ended up expanding its scope.

In Contzen’s case, there were also hints of compulsion. For example, he wrote that “agriculture must be attended to and honored before all else,” a sentiment that is difficult to take literally, especially as it arrives in the eleventh chapter of the eighth book of the text.³⁶⁶ Rather, it is likely that the rhetorical flourish is evidence of a desire to justify state interventions into a broader range of spheres of activity by emphasizing their importance. All of the subjects of this dissertation tended to rely on formulaic expressions that exaggerated the significance of whatever they happened to be discussing in that moment. This had the effect of flattening the field of study, transforming it into a collection of equally crucial propositions on a vast variety of subjects. The generic, iterative qualities of their texts, which allowed them to integrate so many topics into their purview, threatened to make a mess of things, particularly in cases like Keckermann and Contzen where seemingly insignificant topics like *Rotwelsch* were treated as politically important. They relied instead on the large-scale organization of their works in making sense of it all.

³⁶³ *ibid.*, VIII.VII.VII. p. 558.

³⁶⁴ *ibid.*, VIII.VII.XVIII. p. 560.

³⁶⁵ *ibid.*, VIII.XXII. p. 613.

³⁶⁶ *ibid.*, VIII.XI. p. 571.

The book *potentia* is best understood, therefore, in the context of the work as a whole. It is certainly true that he presaged the development of the welfare state, as others have noted, in his insistence that the state should take an interest in the wellbeing of its population. This predicted later developments in political thought that would come mainly in the eighteenth century, which treated political economy as a central concern of the state. Importantly, he was concerned with the economic life of normal subjects not because he saw them as political stakeholders, but rather because he perceived that their activities in the aggregate would contribute to the strength of the state. In this sense, Contzen was an important contributor to the German concept of the *Polizeistaat* and more broadly to the Enlightenment vision of the state as an instrument of economic management.³⁶⁷

Like Keckermann, however, any innovative concepts that Contzen arrived at were the result of an inherently conservative attitude toward politics. His aim was to articulate the political viewpoint of Tridentine, Counterreformation monarchs, furnish their partisans with arguments they could use to defend it, and to develop concepts that would undergird their political project. This was, once again, ironic; in attempting to elaborate a political position that was supposedly timeless, and entirely antagonistic toward the idea of change over time, he suggested that the state become a dynamic actor in society. In the case of his argument about a nascent “welfare state,” it is clear that he was not primarily concerned with advancing a novel vision of the state as such, but rather with providing rhetorical justification to the practices of Catholic monarchs who were busy rolling back the Reformation within their own territories and contending with Protestant neighbors (quite successfully, at the time he was writing) in the Thirty Years’ war and other conflicts. Thus, unlike Keckermann, for whom the economy was merely one branch on a sprawling tree of political philosophy, Contzen’s expansion of politics was an important piece of a relatively coherent argument that was developed throughout the entire text. This becomes all the more clear toward the end of the book on *potentia*, which he wrapped up with discussion on the usefulness of fortresses and allies.³⁶⁸ This is a clear transition into the final two books, which deal with sedition and warfare.

Heresy: Sedition, War, and the Counterreformation State

In general, the *Politica* authors featured in this dissertation viewed the dangerous side of politics in terms that reflected their disciplinary background. Arnisaeus, for example, the corruption that could destabilize established political order was conceived in explicitly medical terms. For Contzen, the danger confronting the state, which his political philosophy was meant to address, was for the most part spiritual in nature. Catholic monarchies were engaged in a righteous battle against their religious opponents, whether they were German Protestants, Turkish Muslims, or Italian atheists. His construction of political philosophy, moreover, allowed him to discuss political opponents in religious terms as well. Because a justly established Christian

³⁶⁷ Keith Tribe, “Cameratism and the sciences of the state,” in Mark Goldie and Robert Wokler, eds., *The Cambridge History of Eighteenth-Century Political Thought* (Cambridge, 2008) pp. 525-546.

³⁶⁸ *PLD*, VIII.XXIII. pp. 614-619, VIII.XXIV. pp. 619-620.

commonwealth was by definition sanctioned by God — mediated by the Church, and the Pope in particular — its opponents were in a sense sinful in their obstinate antagonism toward it. By wrapping up his political philosophy in a defense of Catholic orthodoxy, he was able to portray differing views as heretical. This in turn sanctioned strong and aggressive action on the part of Catholic monarchs against their own enemies.

Contzen's bellicose attitude was almost certainly a reflection of Catholic confidence in the early period of the Thirty Years' War, before the Edict of Restitution — itself a product of that same self-assurance — turned the tide in favor of the Protestants. It was also, however, a product of his own background as a controversial theologian. His convictions had been honed through years of defending his own positions. His attitude towards his opponents was correspondingly less accommodating; although he was similar to the other subjects of this dissertation in that he was attempting to defend a status quo and prevent significant change, he was less willing to be flexible in the face of disagreements that could destabilize the political order. Whereas others had sought to mitigate the intensity of political conflicts, or better yet avoid them completely, Contzen sought to win them. Whether or not this desire was simply a case of overconfidence in the high-water mark of German Catholic power, it was the only position available to him, given the way he had chosen to conceptualize the political world.

He certainly presented a strident case for a maximalist version of Catholic claims and ambitions in the ninth book of the *Politicorum*. In the table of contents and frontispiece, the title is given as “*De Seditone*,” but in the text is titled “*De Internis Reipublicae Malis*,” giving his discussion of civil strife an altogether more spiritual inflection. Indeed, while he does open the chapter with the familiar analogy to the decay and death of the human body, he nonetheless refers to the topic (usually called corruption, or under the generic heading of “change”) as “*damna Rerumpublicarum*.”³⁶⁹ He writes that there are two kinds of damnation that the prince should concern himself with: the first which is born within the citizenry, and sticks (he uses the verb *haereo*, which is not related to the word heresy, although it is possible he thought it was) in the viscera, and second of which is war.³⁷⁰ Seditio was not only a great evil, according to Contzen, but was also a very frequent occurrence: it was so ingrained in human nature to be querulous that the ancient Hebrews, within only 15 months of being delivered from bondage in Egypt, conspired to rebel against God himself ten times.³⁷¹ To drive his point home, he spends several chapters enumerating the various monarchs who had confronted seditions and civil wars — he acknowledges that this problem effects democracies and aristocracies as well in a single sentence³⁷² — including Roman Emperors from Augustine to Pertinax, and Byzantine Emperors leading all the way up to the Turkish conquest. Later on, he specifies that the cause of sedition is “sin” (*vitium*) on the part of the prince, magistrates, the populace, or others.³⁷³ The references to the ancient Israelite kingdom, which are repeated

³⁶⁹ *ibid.*, IX.I.I. p. 621.

³⁷⁰ *ibid.*

³⁷¹ *ibid.*, IX.II. pp. 621-622, IX.III.I. p. 622.

³⁷² *ibid.*, IX.IV.I. p. 629.

³⁷³ *ibid.*, IX.VIII.I. p. 635.

throughout, also placed the current situation in Germany in the context of sacred history.³⁷⁴

Indeed, Contzen was less interested in analyzing the topic of sedition so much as adjudicating the Thirty Years' War. He identified the conflict as a sedition arising from religious difference, and it is clear that he viewed it ultimately as the wages of sin.³⁷⁵ He even provided an stunning survey of practically every single political figure in Europe, excluding the Ottomans, dividing them into Protestant and Catholic camps, followed by a list of sectarian leaders.³⁷⁶ His overall opinion of the religious state of Europe was that it was one of constant change — he perceived that many places which had become Protestant had changed back to Catholicism, and he clearly was of the opinion that all of Europe could be re-Catholicized. He called for religious unity not only on theological grounds, but also pragmatic — as he surveyed Europe, he perceived that religious difference was a central cause of conflict, and his call for strong monarchies was meant as a solution to the problem.³⁷⁷

According to Bireley, Contzen trusted Lutherans more than Calvinists, as he saw the latter as the primary cause of religious conflict. Nonetheless, he clearly saw the Lutherans as a problem. He described them as the branch from which various sects had sprouted, including outrages like the Anabaptists.³⁷⁸ His goal in solving the problem of religious difference was to reinstate Catholicism throughout Europe, in a process led by the state, wherein Catholic monarchs would promote the church through an exemplary devotion to the faith.³⁷⁹ This would slowly allow the true doctrine to be spread throughout the subjects of the Empire, resulting in the complete re-Catholicization of the realm.³⁸⁰ In stark contrast to Besold, Contzen perceived the difficulties in coercing individual consciences, but he encouraged it nonetheless. Quoting Augustine against the Donatists, he suggested that with some exterior pressure, people would eventually come around to the true faith.³⁸¹

Contzen's arguments in favor of re-Catholicizing Europe were notorious enough to be translated into an English treatise in 1641. It was a partial translation of the 18th and 19th chapters of the second book of the *Politicorum*, published under the title "*Looke About You. The Plot of Contzen, the Moguntine Jesuite, to cheate a Church of the Religion Established therein, and to serve in Popery by Art, without noise or tumult.*" An introductory note suggests that the translation was motivated at least in part due to anxieties in England over Arminianism.³⁸² The feverish, conspiratorial tone — captured both in the ominous title and the proclamation that the translation was done by a "Catholicke Spy" — is overblown, considering that Contzen was proclaiming his political program quite publicly. Nonetheless, the translation indicates the extent to

³⁷⁴ *ibid.*, IX.IX.IX. p. 643.

³⁷⁵ *ibid.*, IX.X.IV. p. 645.

³⁷⁶ *ibid.*, IX.X.I. p. 644. IX.XI.I. p. 641.

³⁷⁷ Bireley, 144. *PLD*, IX.XIX. p. 672.

³⁷⁸ *PLD*, IX.XI.IV. p. 641.

³⁷⁹ *ibid.*, IX.XVIII-XX. pp. 669-674.

³⁸⁰ *ibid.*, IX.XXII.III. p. 677.

³⁸¹ Bireley, 145.

³⁸² Anonymous, *Looke About You* (1641). Introductory note.

which Contzen made his mark as a political theologian. His vision of an absolutist state campaigning for the Catholic faith, as well as his argument for the participation in clergy resonated (even in a distorted form) decades after the high-water mark of the German Counterreformation.

Contzen's *Politicorum* represented not only the apogee of German Catholic confidence, but also presented the outer limits of what the *Politica* genre could achieve. As I will discuss in the conclusion, various aspects of the project lived on in German political thought, but only in a fragmented way. Contzen's optimism about the prospects for his confession were matched by his ability to subsume the entire business of politics — from the origins of political authority, to the business of rule, to the crucial questions of his day — under a single disciplinary framework. The ambitious nature of the text is surely in part evidence of Contzen's supreme confidence in his intellectual capabilities as formed in the crucible of controversial theology. His vision of the Church and state working together to promote the salvation of a religiously homogenous populace might seem like an anachronism to us, but it was a very real possibility at the time. Contzen wrote the *Politicorum* both in order to articulate and to help bring about this vision. He might not have succeeded entirely, but in the attempt he pushed forward a trajectory that was already evident in Keckermann's *Politica* text. This trajectory was one that led to the understanding of the state as the proper object of political reflection, with an ever-increasing role to play in the life of its subjects.

Conclusion: Trajectories of German Political Thought in the 17th Century

*These metaphysics of magicians,
 And necromantic books are heavenly;
 Lines, circles, scenes, letters, and characters;
 Ay, these are those that Faustus most desires.
 O, what a world of profit and delight,
 Of power, of honour, of omnipotence,
 Is promis'd to the studious artizan!
 All things that move between the quiet poles
 Shall be at my command: emperors and kings
 Are but obeyed in their several provinces,
 Nor can they raise the wind, or rend the clouds;
 But his dominion that exceeds in this,
 Stretcheth as far as doth the mind of man;
 A sound magician is a mighty god:
 Here, Faustus, tire thy brains to gain a deity.*

In the opening soliloquy to Marlowe's *Faustus*, the title character considers the four faculties of the Early Modern university in ascending order of prestige, and finds them all wanting. The goal of the arts faculty is to learn how to "dispute well," a final end that is too procedural for his liking. Medicine is a field in which he is already accomplished — but the resurrection of the dead and eternal life are beyond its capabilities. The law (importantly, Faustus discusses only private law as compiled in the *Corpus Iuris Civilis*) only deals in "petty case(s) of paltry legacies." Finally, theology is riven with contradictions on the question of sin and salvation, a problem he demonstrates easily with two short quotations from the Vulgate. In his view, even divinity leads to a fatalism which he desires to escape through his intellectual capacities. Seeking a discipline that will truly give him fame and power, he settles at last on necromancy, which will grant him godlike abilities.

Again, the power that Faustus identifies in magic is described in largely political terms. Then again, as he says, worldly sovereigns are "but obeyed in their several provinces," whereas the dominion of the magician far exceeds that, stretching to the corners of the earth. What he seeks is not simply authority and obedience in a specific place, but the secret to power as such. Unlocking it requires the mastery of arcane symbols and texts, not to mention the abandonment of traditional morality. The reward is not only personal prestige and honor, but the ability to exert control over the material world.

It is thus not much of a stretch to imagine that in Marlowe's telling, necromancy functions as an allegory for political philosophy. At least, it resembles a form of political thought which the *Politica* writers sought to avoid, in that it was undisciplined and lacking a strong moral center. It combined a Machiavellian lust for power with the technical complexity of high intellectual endeavors. This was a recipe for bad-faith arguments and erroneous conclusions, because it was motivated by self-interest. The fruits of Faustus' intellectual labor end up being his damnation, a fitting parallel

(explicit in Contzen's case) for political disaster. In short, this was the sort of political writing that they imagined their rivals to be doing. At the same time, however, they must have been aware that Faust's will to power was inherent to the practice of writing about political philosophy. If they were not careful, they could make the same mistakes as their opponents, or even Faustus. It was for this reason that they turned to discipline — which functioned as a set of constraints on their intellectual production— in order to establish a less personal control over a dangerous body of knowledge.

Political philosophy was similar to magic not only because it was powerful, but also because it was dangerous. Even if one mastered its subtleties and mysteries, one ran the risk of absolute ruin. The preceding chapters have, I hope, demonstrated that the German *Politica* writers were keenly aware of this fact, and that this awareness was central to their intellectual project. It colored not only their specific political positions and attitudes — which covered a spectrum, from Keckermann's fear of error, to Contzen's self-confidence, which focused on the errors of his enemies — but also their textual practices. Their prodigious methodological reflections, embrace of technicality, reliance on authorities, and drive for comprehensiveness are what make their texts so alien to us. Their inertness makes them seem inadequate to the task which they themselves had chosen. But these practices were in fact a response to the contradictions of their vocation. In a sense, they all knew that they were practitioners of the dark arts; this troubled them, so they attempted to demystify politics and strip it of its magical elements. They wanted to make political thought legible (if boring), rather than arcane, and the political world inert, rather than dynamic and destructive.

This concluding chapter surveys the most salient aspects of German political thought in the generations following the *Politica* writers. While the *Politica* genre did not endure, I argue that the questions they raised, and particularly the techniques they employed in answering them, did live on. One can say that the comprehensive political vision articulated in the texts was refracted into the various parallel traditions that would define German life up to the revolutionary period. These trajectories, discussed broadly in terms of their chronological emergence, concerned the rise of the territorial state, the development of administrative science, and the triumph of natural law as the preeminent medium of political philosophy.

The Autonomy of Politics and the Rise of the State

The rise of the territorial princes within the Holy Roman Empire was a long process, which culminated in the decades following the height of the *Politica* genre. As I have sought to show, this was no coincidence, as the *Politica* writers helped to articulate a vision of politics which centered on the territorial state. It was the state, with its sovereign power and administrative apparatus, which could be the real-world manifestation of their theories, which saw politics as a task of management. It was through the state that they could imagine a discipline of politics that was truly autonomous, and uncontaminated by rival fields of study. One of the figures who continued this trajectory was Hermann Conring.

Hermann Conring belonged to the generation of thinkers following Besold and Contzen, dying in 1681 as one of the most prominent intellectuals in Germany.³⁸³ He also represented a continuation of the Lutheran-irenic tradition of Arnisaeus, having worked at the University of Helmstedt in both the philosophy and medicine faculties. Only later in his career, in 1650, was he appointed to teach politics following his Helmstedt predecessor in another sense.³⁸⁴ Conring's work continued the project of the *Politica* writers in several important respects. Firstly, he continued Arnisaeus' project of developing Lipsian neostoicism and finding a middle ground between (in the words of Michael Stolleis) *Staatsräson* and *Staatsethik*.³⁸⁵ Secondly, he contributed to the juridification of political thought in Germany, a process which was already evident with Besold and which would reach its completion later in the century. Finally, and perhaps most importantly, he added to the overarching goal of the *Politica* project, which was to articulate an autonomous disciplinary basis for political philosophy.

Like the *Politica* writers, he was by definition an outsider to the discipline of politics, which allowed him to be creative while applying the intellectual resources he had to the task at hand. The main example of this was his decision to apply historical reasoning to his legal analysis. Put simply, he rejected the idea that the Roman Law as compiled in the *Corpus Iuris Civilis* represented a transcendent legal rationality that was applicable in all times and places. Rather, it was written in ancient times and suited for the purposes of governing the Roman Empire, but it had been imported to Germany by legal scholars who had studied in Italy. This had caused a legal confusion which was one of the main reasons for the Thirty Years' War. Conring's project was therefore, in the words of Constantin Fasolt, "to disentangle the history of the Roman Empire from the history of the German state, investigate the history of German law from its beginnings to the present, and thereby to reconstitute the foundations of the German commonwealth."³⁸⁶ Fasolt furthermore described this agenda as something that was not entirely new, but rather which produced innovation through the continuation of older traditions of learning.³⁸⁷ In this sense, he represented a strand of continuity for the *Politica* project in the years following the war. Ironically, because he used methods borrowed from the study of Roman Law for his inquiries in German Law, he ended up reshaping the latter in terms that the academy could understand, ultimately with the effect of ending legal supremacy over politics.³⁸⁸

Conring is the subject of *The Limits of History*, an ambitious book by Constantin Fasolt. It turns a study of the German jurist into a monograph-length reflection on the connections between history and politics, as well as the limitations of historical knowledge. (Whereas this study refers to politics as a dangerous science, Fasolt calls

³⁸³ Constantin Fasolt, "Hermann Conring and the European History of Law," in Christopher Ocker et. al., eds., *Politics and Reformations: Histories and Reformations. Essays in Honor of Thomas A. Brady* (Leiden: Brill, 2007) pp. 113-134. p. 128.

³⁸⁴ *ibid.*, 130.

³⁸⁵ Stolleis, "Lipsius-Rezeption in der politisch-juristischen Literatur des 17. Jahrhunderts in Deutschland." *Der Staat*, Vol. 26, No. 1 (1987) pp. 1-30. p. 27.

³⁸⁶ Fasolt, 131.

³⁸⁷ *ibid.*

³⁸⁸ *ibid.*, 133-4.

history a “dangerous form of knowledge.”) It would seem that Conring inspired such flights of philosophical fancy in Fasolt because of the profound alienation the historian experienced upon encountering his texts; their opacity sent him down a path of wondering how much we can really understand about the past, and whether we are simply projecting contemporary assumptions into history.³⁸⁹ It is easy to sympathize with his response to the texts. And the textual problems he confronts are important in particular questions of authorship and intent, which create confusion about Conring’s actual position on the relationship between the Roman Empire and Germany. (If the Roman Empire continued to exist in the form of the German Reich, then the Roman Law would still hold force.)³⁹⁰ Most of all, Fasolt’s study, though often confounding, effectively mirrors the epistemological caution of his subject. Conring was confronted by a tension between the theoretical dubiousness of the Empire on the one hand, and its practical usefulness on the other. As Fasolt says, when confronting his own difficulties in understanding his subject, “What Conring really thought includes an irreducible element of doubt.”³⁹¹

In spite of any confusion about Conring’s actual positions on pressing issues of his day, it is clear that he contributed to the growing autonomy of the study of politics, by continuing the Aristotelian project of Arnisaeus and by injecting it with a historical element which separated it from “moral philosophical derivations.”³⁹² The practical complement to Conring’s theoretical elucidation of the autonomy of politics was the rise of the territorial state in Germany, specifically as enshrined in the 1648 Peace of Westphalia. The settlement is generally not treated as a subject of intellectual history, instead standing as a totemic watershed moment which defined European political life until the revolutionary period.

The Westphalian Peace has been the subject of some debate, but is generally seen to have established the European state system. This system regarded Europe as a collection of states which may have been different in terms of size and power, but which were equal in that they all exercised absolute sovereignty within their borders. This entailed both secularization — state governments would not share sovereignty with religious bodies — and territorialization, with “well-demarked, non-porous borders” marking the internal coherence of each state.³⁹³ The treaty dealt with the three most vexing problems that had first caused the war and then extended it. The first was the relationship among states in Europe, or at least all those that had at one point been part of the Empire. The solution was the mutual recognition of the sovereignty of all states. This would theoretically prevent governments from interfering in the affairs of their neighbors, for example to protect coreligionists from persecution. The second was the relationship of the various estates within the Empire; here, the territorial states composing the Empire were recognized as sovereign, and imperial institutions lost important powers over issues such as taxation and foreign policy. The final problem was

³⁸⁹ Constantin Fasolt, *The Limits of History* (University of Chicago, 2004) p. 41.

³⁹⁰ *ibid.*, 118.

³⁹¹ *ibid.*, 141.

³⁹² Ian Hunter, *The Secularisation of the Confessional State: The Political Thought of Christian Thomasius* (Cambridge, 2008) p. 43.

³⁹³ Peter H. Wilson, *The Thirty Years War: Europe’s Tragedy* (Harvard, 2009). p. 754.

of the religious settlement. On this topic, the peacemakers at Westphalia chose to include Calvinism in a slightly more permissive version of the Augsburg settlement, and reaffirmed the supremacy of princes over the churches in their territory.³⁹⁴

Clearly, all of these topics were to be re-litigated over the years, but the peace proved to be relatively durable, *bons mots* about the accuracy of the name “Holy Roman Empire” notwithstanding. The question here is less of its effectiveness than of its relationship to the work of the *Politica* writers. It would be easy to suggest that it represented a departure from their political vision, which was had been partially responsible for the disastrous war in the first place (or at least had reflected the stunted political culture which led to the conflict). Its solution to the religious problem certainly did not reflect the Catholic triumphalism of Contzen, to be sure. But scholars have also argued that the settlement represented the culmination of a process that began much earlier, rather than a watershed moment in history. For example, Harold J. Berman has suggested that the foundations of the peace lay in the Peace of Augsburg of 1555, which established the idea that the territorial princes were “the supreme source of law, both secular and ecclesiastical,” within their principalities.³⁹⁵ Likewise, Thomas A. Brady has described the peace as effectively making the “truce” of 1555 permanent.³⁹⁶

If the end of the religious and constitutional conflicts that raged in Germany as a result of the reformations of Christianity might be seen as the culmination of a process that had begun much earlier, then the work of the *Politica* writers might have not been a dead end after all. Rather, the peace settlement put into legal force a political vision that had been articulated by academic political philosophers, a vision which was conservative in that it relied heavily on precedent and authority, but which at the same time looked to the territorial state as the central object of a politics that was autonomous from other disciplines. It is perhaps in these practical realities that the intellectual contributions of the *Politicae* are better evaluated, instead of under the umbrella of a traditional history of ideas. Another area where this is evident, and will be discussed presently, was the development of administrative sciences in Germany, and the emergence of Cameralism.

The Science of Administration

One can trace the development of the German “Science of Administration” back to Veit Ludwig von Seckendorff, who emerged from the wreckage of the war as a leading thinker on the practical matters of politics. He was born in 1626 to a prominent and prolific Franconian noble family. In 1639, he was taken in as a protege by Ernest the Pious, ruler of Saxe-Coburg-Gotha, a prolifically-named state in central Germany. The small state would become a model for others in terms of efficiency and effectiveness, not least because of Seckendorff’s efforts. He filled many roles under Ernest, including *Hofjunker* (German equivalent of the *Valet de chambre*) at the court in Gotha, as well as

³⁹⁴ For information on Westphalia, see Joachim Whaley, *Germany and the Holy Roman Empire. Volume 1: From Maximilian I to the Peace of Westphalia, 1493-1648* (Oxford, 2012) pp. 619-631.

³⁹⁵ Harold J. Berman, *Law and Revolution, II: The Impact of the Protestant Revolutions on the Western Legal Tradition*. (Harvard, 2003) p. 62.

³⁹⁶ Thomas A. Brady Jr., *German Histories in the Age of Reformations, 1400-1650*. (New York: Cambridge University Press, 2009) p. 401.

ambassadorships, judicial positions, and finally the chancellorship. While enacting reforms on behalf of Ernest, he wrote the *Teutscher Fürstenstaat* (*The German Princely State*) in 1656, which served as a handbook on administration.

Seckendorff's text represents a continuation of one strand of the *Politica* project — that of elaborating the various responsibilities of the government with respect to its subjects. He outlined a method for the reconstruction of the various states of the Empire, just as the *Politica* writers had envisioned the theoretical reconstruction of politics. It was very popular, going through twelve editions by 1754. The model for princely behavior he elaborates is one that the *Politica* writers would recognize in themselves: the ideal prince is industrious and voracious for knowledge. He does not waste time in frivolous aristocratic pursuits, but devotes himself entirely to his calling, which is that of administering his realm:

Now, this personal exertion, or proper exercise of the office, is demonstrated above all in that the territorial lord strives, first, to know in detail the true makeup of his land and become acquainted with it; which is done through an exhaustive description of everything in the land that belongs to him or his territorial estates, in terms of land, cities and villages, people, subjects and servants, courts and justice, or because he knows these things from long experience and inspection, and thus knows how far and over what his power and government extends, and how he must keep measure therein toward the Empire, his friends, and the subjects themselves, on account of common decrees, treaties, and other authorizations.³⁹⁷

In this sense, Seckendorff succeeded in bringing about the vision of Keckermann, who envisioned that rulers would become like professors.

More important were Seckendorff's efforts to outline a rigorous and comprehensive study of administration. The goal was to create, in his words, a "lawful and well-ordered polity."³⁹⁸ He was certainly not interested in the imperial glories of Contzen's imagination. (He was also known for publishing a defense of Lutheranism, in 1692.) It is important to note that his work was written in German, rather than Latin; although he could and did publish in Latin, he chose the vernacular for this particular project. In this sense, Seckendorff represented a popularization of the *Politica* writers' ideas, or at least one aspect of them. It was a peculiarly German form of administrative science, which emphasized duty and industriousness.

The tradition would live on and spread in the form of Cameralism, a body of knowledge which primarily concerned state finances (something evident in early form in the *Politicae*) but which also dealt with other responsibilities of governments. It has been described by Philip Gorski as the German version of Mercantilism; it became prominent enough that chaired professorships of Cameralism were established around

³⁹⁷ Veit Ludwig von Seckendorff, *Teutscher Fürsten-Staat* Part II, Chapter V, Paragraph 2.

³⁹⁸ *ibid.*, II.I.2

Germany in the eighteenth century, following the lead of Frederick the Great.³⁹⁹ Oestreich viewed Cameralism as a “further systemization of what Lipsius and his imitators had begun with their descriptions of Roman administration and finance.”⁴⁰⁰ In this formulation, the *Politica* writers would be some of Lipsius’ imitators, and represent a connection between the Dutch theorist and German political history.

Keith Tribe has emphasized that Cameralism was a “form of academic pedagogy,” showing how it formed a kind of connective tissue between the theories of academia and the practices of political actors.⁴⁰¹ His description of how modern scholars view it is reminiscent as well: “cameralistic literature has appeared unexciting, ponderous, and without obvious relevance to the mainstream of European political thought.”⁴⁰² The general trend of this discourse was a transition from discussion of managing the ruler’s personal domain to the management of the economy of the *Land* as a whole. In other words, it continued a trajectory which the *Politica* participated in, where the state was slowly transformed from the personal status of the prince to an impersonal bureaucratic apparatus. The people staffing this bureaucracy would be highly trained and specialized, and would be expected to manage the state with a sober industry — indeed, they would hopefully be unexciting and ponderous. In Cameralism, we can see that the *Politica* writer’s vision of a truly boring politics did, in sense, come to fruition.

The Natural Law and Enlightenment

In terms of the development of “high” political theory, the story is marked by rather more departures than continuity. The most prominent political philosopher of the early German Enlightenment, Samuel Pufendorf, certainly did define himself against, and not in continuity with, his predecessors. Much of this was, as we shall see, a result of wider European trends. Indeed, one of the most salient qualities of German political thought in this period is that it became less provincial. It also became more secular and more critical. But most of all, it was defined by the prominence of natural law discourse.

The case can be made that Samuel Pufendorf was the most important European political thinker of his age; Daniel Roche’s survey of the French encyclopedists notes his influence on them, calling him “the political authority whose authority throughout the first half of the eighteenth century was unrivalled.”⁴⁰³ This kind of international reputation for a German political thinker would have been unthinkable a century earlier. But his own career indicates how this became possible, as it demonstrated the increasing prestige of political thought within German academic culture; after he

³⁹⁹ Philip S. Gorski, “The Protestant Ethic Revisited: Disciplinary Revolution and State Formation in Holland and Prussia,” *The American Journal of Sociology*, Vol. 99, No. 2 (Sep., 1993), pp. 265-316. p. 296.

⁴⁰⁰ Oestreich, 58.

⁴⁰¹ Keith Tribe, “Cameralism and the sciences of the state,” in Mark Goldie and Robert Wokler, eds., *The Cambridge History of Eighteenth-Century Political Thought* (Cambridge, 2008) pp. 525-546. p. 525.

⁴⁰² *ibid.*, 526.

⁴⁰³ Daniel Roche, “Encyclopedias and the diffusion of knowledge,” in Mark Goldie and Robert Wokler, eds., *The Cambridge History of Eighteenth-Century Political Thought* (Cambridge, 2006.) pp. 172-194. p.190.

dedicated the *Elementa jurisprudentiae universalis libri duo* to Karl I Ludwig, Elector Palatine (and son of the Winter King, Frederick V), he was given a new chair at the University of Heidelberg, that of “the law of nature and nations.” It was the first such institution in the world.

It would be impossible to do justice to the entirety of Pufendorf’s political philosophy in this short survey. It is therefore necessary to focus on a few key points that are relevant to the overall trajectories of German thought in his lifetime. Take, for example, the secular nature of his politics. Pufendorf’s anti-clerical stance, so common among Enlightenment figures, may be marshaled as evidence that post-Westphalian German political thought marked a stark departure from the age of the *Politica*. However, the basis of his natural law theory was very similar to that of his forbears, even if he reached different conclusions from it. As Knud Haakonssen has explained, Pufendorf’s defense of the natural law from the Lutherans was based on “Luther’s own assertion of the rational and moral gulf between God and man.”⁴⁰⁴ As we have already seen, this stance opened up a space for the *Politica* writers, following the lead of Melanchthon, to articulate an autonomous science of politics based on Aristotle.

Pufendorf took this space and developed it further. Whereas the *Politica* writers (with the exception of Contzen) were exceedingly cautious about the capabilities of human knowledge to shape the world around them, Pufendorf was emboldened by the more muscular scientific rationalism offered by Descartes and Hobbes. Following up on those two thinkers, he produced the *Elementa* in 1660, which presented “the foundations for natural jurisprudence as a hypothetico-deductive system.”⁴⁰⁵ That is, he conceived of method as the means to produce a more secure, scientific way of organizing human knowledge, just as the *Politica* writers had. Pufendorf may have not continued the project of the *Politica* writers in any significant sense, but their common preoccupation with method is significant. It suggests that method can be seen as one of the central topics of political theory of the entire age, a through line which gives the seventeenth century some badly needed coherence. The major difference between Pufendorf and the *Politica* writers was that he had access to the methodological insights of Descartes and Hobbes, who had so disparaged the intellectual practices of their forbears. For this reason, Pufendorf’s texts look radically different from the *Politicae*.

Pufendorf’s overall project was to develop a theory of politics which was based on natural law — he located the basis of political organization in Hobbesian self-interest, to which he added a natural sociability. This was an obvious departure from the *Politica* writers, who had used Aristotelian formulations to establish the foundations of politics. It also put him into conflict with more religious thinkers of the day, because of its clear implications about the basis of morality.⁴⁰⁶ Pufendorf’s secular-critical project was continued by Christian Thomasius, a jurist and philosopher who managed to seriously

⁴⁰⁴ Knud Haakonssen, “Divine/natural law theories in ethics,” in Daniel Garber and Michael Ayers, eds., *The Cambridge History of Seventeenth-Century Philosophy, Volume II* (Cambridge, 2008) pp. 1317-1357. p. 1335.

⁴⁰⁵ *ibid.*

⁴⁰⁶ Thomas Ahnert, “The Prince and the Church in the Thought of Christian Thomasius,” in Ian Hunter and David Saunders, eds., *Natural Law and Civil Sovereignty: Moral Right and State Authority in Early Modern Political Thought* (New York: Palgrave, 2002) pp. 91-106. pp.98-100.

offend orthodox Lutheran authorities in the late seventeenth century. He also continued the trajectory of vernacularization of political thought, beginning to publish academic texts in German in a sign that the Enlightenment had truly begun in Germany.

Modern Politics and Premodern Thought

In the field of Early Modern Europe, it is typical that historians seek out inchoate forms of modernity that only later came to fruition and formed our contemporary reality. The very structure of the field calls for genealogy, because the suggestion is that before the Industrial Revolution and the French Revolution — and before Kant — Europe was not truly modern. At the same time, it was certainly not medieval either. The task of the early modernist sometimes seems to be that of breaking up various phenomena into their constituent parts and sorting them — this was modern and should be emphasized, this was premodern and can be cast aside.

The *Politica* writers labored in an intellectual culture that was in many ways totally alien to our own. At the same time, they participated in the large-scale trajectories that brought about political modernity in Europe. What I hope is that this dissertation has shown, in some small way, how modernity could emerge out of a premodern context. Often, this was a familiar process: new challenges forced thinkers to stretch and shape their concepts to their needs. This eventually resulted in innovation, even under conditions that discouraged it. But it was also occasionally an ironic process: philosophers, in trying to preserve the only world they could understand, ended up articulating a vision of the modern state, one of the main institutions that would soon utterly transform European society.

They were quintessential early modern figures in that sense. The field of Early Modern Europe was formed out of the recognition that modernity was not simply inaugurated by radically transformative men such as Luther and Machiavelli. The societies which eventually became modern were too complex and durable to be substantially changed by individual thinkers. So, Europeans muddled around for a few centuries, occasionally progressing towards — but mostly shrinking from — a world that was just beyond the horizon. Occasionally, they did both at the same time, as though some invisible hand of providence was pushing them to build the world we inhabit today.

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