

INTRODUCTION: STATE, REPUBLIC, AND COMMONWEALTH

The name that we most commonly use today for political organization, “the state,” is ambiguous, meaning either the nation or the administrative staff. The early modern predicament was far worse. The Latin terms *civitas* and *respublica* had many more meanings. John Case wrote in the *Sphaera Civitatis*, the most extensive work of political theory in Elizabethan England, that *respublica*, translated then and now as “commonwealth,” could mean four distinct things: the public use of goods, the multitude of citizens, the union of the multitude, or the order and organization of government.¹ The confusion was apparent to him in 1588, and the concept has become only blurrier in hindsight. He thus stipulated that what he meant by *respublica* was what we would call the state in the narrow sense, namely, the organization of sovereignty and the magistrates.² But he fully recognized that most of these other meanings were acceptable, reflecting in part the usage of his day, where the English words “commonweal” and “commonwealth” corresponded to his “public use of goods” and to the “union of the multitude.”³

If everyone had only agreed with Case’s recommendations to use *respublica* for the state, *civitas* for society understood as a community, and *multitudo* for society understood as a collection of individuals, the history of state and society in early modern England would be far easier to tell. Instead, “commonwealth” in English and *respublica* in Latin were frequently used for all of the meanings and often in contexts that blended them. The scholarship on the period has traced the stories of some of these meanings, though not often in connection with each other. The story told here builds on the multiple meanings to tell the double history of the commonwealth as state and society in early modern England, such that the state, understood more narrowly

1 Case, *SC*, 228; Case, “*Sphaera Civitatis*,” 3.4.4.

2 Case, *SC*, 228–9: *ordo & descriptio imperii*.

3 Case was uncomfortable with the use of *respublica* for the “multitude of the citizens,” which presumably was insufficiently communal to be thought of, in his view, as a *respublica*. And for the community or union of the multitude he preferred *civitas*, presumably in order to keep his definitions straight. *Ibid.*

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as the order of magistracies and their activities, is viewed against the background of the broader understanding of the commonwealth as a whole.

The early modern usage of “commonwealth” that has been most fully explored is its meaning as a union or community of the people. Over the centuries the classical *respublica* had become identified with the medieval society of orders and was said by the theologians to be sustained by the virtues of charity and justice.⁴ The commonwealth in this sense was a normative vision of society as a cooperative whole composed of harmonious interrelated parts. As the Henrician propagandist Thomas Starkey wrote in his *Dialogue between Reginald Pole and Thomas Lupset*:

in a cuntrey, cyty, or towne, ther ys perfayt cyvvylyte, ther ys the true commyn wele, where as al the partys, as membrys of one body, be knyht togyddure in perfayt love and unynte; every one dowyng hys of fyce and duty, aftur such maner that, what so ever state, offyce, or degre, any man be of, the duty therto perteynyng wyth al dylygence he besyly fulfyl, and wythout envy or malyce to other accomplysch the same.⁵

Geographically, there could be communities or commonwealths of this sort at the level of “cuntrey, cyty, or towne,” as Starkey said. The term “country” could mean various things by the sixteenth century, but probably referred here to rural communities in opposition to the urban communities of the city or town.⁶ Starkey and others often did not distinguish clearly between the sense of the commonwealth as a community and as an order of offices. The country and city commonwealths of the period understood office holding to be woven into the fabric of society. Governing was thus said to be the social role of the nobility and gentry in a rural commonwealth. William Tyndale explained that the reason that there were landlords and that tenants paid rent was so that landlords would keep order among tenants. “If thy tenant shall labour and toil all the year round to pay thee thy rent and when he had bestowed all his labour, his neighbour’s cattle shall devour his fruits, how tedious and bitter shall his life be?”⁷ Starkey noted that the nobility and gentry were responsible for “the admynstratyon of justyce to the hole commynalty.” Thus they were supported “in pompe and plesure” by the “labur and travayle of the pore commynalty.”⁸ In exchange for being

4 Jones, *Tudor Commonwealth*, 7–9; Wood, *The 1549 Rebellions*, 144–5.

5 Starkey, *Dialogue*, 37 (Cowper, 54–5). Starkey’s *Dialogue* is quoted throughout the book from Thomas Mayer’s edition and cited as *Dialogue*, but the page numbers in Cowper’s edition have been provided for ease of reference.

6 Hughes, *Politics, Society, and Civil War*, 112.

7 Tyndale, *Obedience of a Christian Man*, 62–3; Jones, *Tudor Commonwealth*, 18.

8 Starkey, *Dialogue*, 37 (Cowper, 55).

guided by the nobility, the commonalty were “wyth commyn quietness” to “apply themselfys to theyr laburys and paynys,” being sure to give “reverently to theyr pryncys and lordys al humbul servyce and meke obedyence requyryd to theyr state and degre.”⁹ The growth in the incorporations of towns in England from the mid-sixteenth century led to a parallel but distinct sense of what it meant to live in a commonwealth. The citizens of the urban settlements developed an increasing self-consciousness of a political culture of “civility” and a notion of their towns as “city commonwealths.”¹⁰

Talk of commonwealth ballooned with the coming of the Reformation to England. Thomas Cromwell, the secretary of the Privy Council under Henry VIII, encouraged the appeal to the ideal of commonwealth by his propagandists in order to justify the sweeping changes brought by the government’s declaration of supremacy and the beginning of the Reformation of England.¹¹ Commonwealth took on the overtones of the national Reformed or Reforming community, as it had for continental Reformers like Philipp Melanchthon and Martin Bucer. The Reformation in England and on the Continent was portrayed as consistent with the broader movement of social reform championed by Christian humanists of the previous generation, chiefly Erasmus and Thomas More. The commonwealth of the Reformers was thus part of a broader attempt to institute a Christianized vision of the classical *respublica*. This ideal of the commonwealth as Christian community was used strategically from above and below to further the interests of all sorts of people, featuring in the literature of agrarian complaint, in the programs of rural rebels, and in learned treatises and sermons on obedience.¹² The social and economic legislation of the period, whether initiated by the government or by business interests, often claimed to be furthering the “commonweal.”¹³ The commonalty insisted on it in a popularizing key, emphasizing that the common good should take into account the well-being of everyone, including the lower sorts.¹⁴ In response, the sermons on obedience exhorted them to heed the lessons of the book of Romans and bear in mind the “great chain of being.”¹⁵ The political uses of the language of commonwealth were extremely localized, and regional variants have begun to be identified.¹⁶

9 Ibid.

10 Withington, *Politics of Commonwealth*, 12.

11 Zeeveld, *Foundations of Tudor Policy*, 114–5.

12 McRae, *God Speed the Plough*, chap. 1; Shagan, *Popular Politics and the English Reformation*; Wood, *The 1549 Rebellions*, 146.

13 Elton, *Reform and Renewal*, chap. 5, esp. 111, 122.

14 Shagan, *Popular Politics and the English Reformation*, 273–80.

15 Cf. Fletcher and MacCulloch, *Tudor Rebellions*, 10–1.

16 These were determined by the particular hierarchies and political traditions of local communities, such as the “medieval social apartheid” longed for by the not quite elite rebels

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While it is widely recognized that “commonwealth” became a watchword for the cause of reform at this time in England, there has not been extensive study of the reception of the Reformers as readers of the classical idea of commonwealth in the double sense of state and society, of *respublica* and *civitas*, as Case would have put it. While this is changing, in the work of social and political historians, commonwealth has often been understood in the context of the rural community, in which government has been understood in the manner portrayed by the official preachers in their sermons and homilies on obedience.¹⁷ Government was, as Starkey said, the role of the landlords, and the obedience owed them as officials was just another reflection of a hierarchical society in which everyone “was expected to obey their immediate superior.”¹⁸ In this view, the emergence of the state as a bureaucratic, impersonal institution was one of gradual differentiation of officialdom from society, freed from the logic of hierarchy and obedience. The historians of political thought have told a very different story. Emphasizing the classical idiom of the textual treatment of commonwealth (*respublica*), rather than the social setting, has resulted in a more purely political treatment of commonwealth, in which the history of commonwealth *is* the story of sovereignty, of the impersonal unity and the specialized institutions that compose the state as opposed to society.

THE HISTORY OF POLITICAL THOUGHT AND THE EARLY MODERN STATE IN ENGLAND

Commonwealth as a Theory of the State

In the history of political thought, the official Tudor use of commonwealth has been treated as a theory of the state, rather than of society or of state-society relations. Quentin Skinner argued that the commonwealth theories of Cromwell’s and Somerset’s day could be understood as part of a reconstructed history of the foundations of the modern state, which was at once participatory and modernizing. This was in keeping with the work of Hans Baron, who described a civic humanism in Quattrocento Italy that provided an alternative to the history of the state as a forward march to the “Prussian” model, the bureaucratic apparatus described by Max Weber,

in East Anglia in 1549. MacCulloch, *Suffolk and the Tudors*, 305–6. This is also suggested by Withington’s account of Ludlow and Cambridge. It seems, for instance, that the university community had quite a different view of civic participation than the corporation of the town and presumably than both factions in Ludlow. Withington, *Politics of Commonwealth*, chap. 4, esp. 92–3.

17 For the existence of an official view, see Wrightson, “Two Concepts of Order,” 22.

18 Fletcher and MacCulloch, *Tudor Rebellions*, 10–1.

or as a Whiggish struggle between absolutism and constitutionalism.¹⁹ In Skinner's elaboration of this alternative history of the state, developed since the 1970s, the commonwealth thinking of this period plays an important, if supporting role. Its importance is not so much that it is a perfect exposition of the ideal of the free state, the keystone of his theory of the neo-Roman or republican tradition, but that the Tudor use of commonwealth appears to combine clearly the statism of the Henrician royal supremacy, the Eltonian bureaucratic revolution of Thomas Cromwell, and the classical thinking about participation, which would support the notion of the continuities between Quattrocento civic humanism and European state formation on a grand scale.

For Skinner, the Quattrocento idea of the free state combined two ideas that are central to the idea of the modern state: the Weberian definition of the state as the monopoly on the use of legitimate force, which is equated with national sovereignty, and the impersonality of the state in which "governmental authority" is distinguished from "the powers of particular rulers or magistrates."²⁰ Skinner found support for his understanding of national sovereignty in Gordon Zeeveld's 1948 study, *Foundations of Tudor Policy*, which argued that Starkey's vision of the state combined the positivism implied by Melanchthonian adiaphorism with Marsilius's theory of conciliar church government to produce a more consensual theory in which statute was the product of the king-in-parliament.²¹ It was later argued that this embrace of indifferentism was not unique to Melanchthon or to Starkey,²² but the broader argument that conciliarism and adiaphorism combined in Henry's reign in such a way that the use of statute can be understood as a reflection of a modernizing national state, free to legislate for itself on the basis of some degree of popular sovereignty, was influential for both G. R. Elton and Skinner.²³ Taking a firm line on whether Parliament was to be seen as the meeting of the estates of the realm as a king's council or a genuine political institution, Elton argued that in the 1530s Parliament became a fully political institution. Despite being populated by landlords, Elton argued, it had been effectively representative of the entire political nation for a long time, but in the 1530s it became an effective political organization, an equal partner in the emerging understanding of the English state as king-in-parliament, which depended on the king, the

19 Hankins, "The 'Baron Thesis' after Forty Years."

20 Skinner, "From the State of Princes," 2:382.

21 Zeeveld, *Foundations of Tudor Policy*, chap. 6.

22 McConica, *English Humanists*, 160: "It is the 'adiaphoristic principle' attributed by Zeeveld to Starkey, which, however, was instinctive to the whole approach of Erasmus and his followers, including many others besides Melanchthon." Skinner, *Foundations*, 2:104, noted that the doctrine appeared before Starkey in the work of John Frith and Robert Barnes. Mayer, "Starkey and Melanchthon on Adiaphora."

23 Skinner, *Foundations*, 2:103–8; Elton, *Reform and Renewal*, chap. 4.

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Lords, and the Commons for the production of far-reaching statutes like the acts of supremacy, such that “for the first time, it could be truly said that acts of Parliament were omniscient in England.”²⁴ It was in this era that “the king was no longer in the position of a man who owned a court and could use it as he willed, but in that of a member of the assembly who had to manage things ‘politically.’”²⁵ Skinner agreed that this understanding of statute anticipated the omniscient parliamentary sovereignty of the modern state (he quoted Zeeveld’s summary of Starkey: “The voice of parliament had become the voice of God”).²⁶

For Skinner, there was no real break between Italian civic humanism and the new oligarchical form; he maintained that Starkey’s thinking was in keeping with civic humanism. His account of the mid-Tudor commonwealth’s men, perhaps in part because they served as a foil to the Italian republicans, implied that there was a conservative version of republican “political participation,” which he characterized as the “maintenance of ‘degree’” or “order.” For other scholars, like Whitney Jones, the maintenance of degree was a social and economic matter of vocation and the division of labor. Skinner’s interpretation was more overtly political; according to him, “order” amounted to a socially stratified vision of office holding, in which it was argued that the nobility should hold office and attain “honour, glory, and fame,” rather than those deemed to possess sufficient virtue, as in the republican view.²⁷ Just as an emerging territorial unitary sovereignty could be comprehended within the overarching philosophy of liberty in the Italian city-republics, where it took on the meaning of independence and self-rule,²⁸ so it could be understood in England (and elsewhere) under the overarching philosophy of hierarchical order.²⁹ In Skinner’s account broader structural ideas like sovereignty, the nation, or the common good were colored by these more specific ideologies. The idea of the sovereign nation that accompanied the legislative capacity of the king-in-parliament, for example, did not issue directly in the modern liberal nation understood as a democratic body but, in keeping with the “apocalyptic nationalism” of the day, as “the elect people of England.”³⁰

The interpretation of Tudor commonwealth in terms of citizenship and sovereignty represented a break from its treatment in earlier twentieth-century studies, where it was depicted as an ideal of Christian community

24 Elton, “Body of the Whole Realm,” 22–3, 33, 50.

25 *Ibid.*, 52.

26 Skinner, *Foundations*, 2:104; Zeeveld, *Foundations of Tudor Policy*, 155.

27 *Ibid.*, 1:234.

28 Skinner has articulated at great length how liberty could encompass various ideals; see esp. Skinner, *Liberty before Liberalism*.

29 Skinner, *Foundations*, 1:235–42.

30 *Ibid.*, 2:107.

and a corresponding social program championed by clergy and government men alike. For some interpreters, the ideal was the very modern product of the Reformation in England, while for others, it represented the continued force of the communal obligations of the Middle Ages. In 1900 A. F. Pollard argued that there had been a “commonwealth party” of preachers and administrators surrounding Edward Seymour, the Duke of Somerset, who were concerned above all with implementing a progressive social vision.³¹ Approximately twenty-five years later, R. H. Tawney addressed commonwealth in the context of the debate over the modernity of the social teaching of the church.³² Even after Zeeveld’s interpretation of Cromwell’s embrace of commonwealth as a slogan for the project of Henrician supremacy, Jones continued to carry the standard for the interpretations of Pollard and Tawney, arguing that the commonwealth agenda was not a radical expression of a new kind of national sovereignty, but an increasing shouldering of the burdens of the traditional norms of a universal morality, which had been handled by the church prior to the Reformation.³³ He argued that while Cromwell’s propagandists may have used commonwealth as a cover for the centralization of power under Henry, the commonwealth party that surrounded Somerset in 1548–9 offered a social vision sympathetic to the poor and oppressed. Like Tawney, Jones treated the question of whether such views were modernizing or not with some care and attempted to identify which bits of legislation were nostalgic and which forward-looking. He concluded that, regardless, it was empathy with the poor that defined their approach: “Whether their ideals and ideas be interpreted as looking back nostalgically to medieval values and assumptions or forward to mercantilism, all those who would check the unbridled operation of private profit to the common hurt were denounced as rabble-rousing Anabaptists by those who felt their interests to be opposed.”³⁴

Elton was impatient with what he took as a naive socialist idealization of traditional economic life and a grasping for a prehistory of the welfare state. Elton was completely unconvinced that there was a “commonwealth party” around Protector Somerset and argued that the heroes championed by Pollard and company needed to be treated far more critically.³⁵ In Elton’s view, they scarcely had a political analysis, let alone a coherent program. They had, by and large, a poor grasp of economic realities and were more interested in railing against sin than in ameliorating the plight of the poor. Hugh Latimer’s preaching, for instance, was “at best only a general outburst of grieved

31 Elton, “Reform and the ‘Commonwealth-Men’ of Edward VI’s Reign,” 235.

32 Tawney, *Religion and the Rise of Capitalism*.

33 Jones, *Tudor Commonwealth*, 13, 29, 277.

34 *Ibid.*, 39.

35 Elton, *Reform and Renewal*, 7; Elton, “Reform and the ‘Commonwealth-Men’ of Edward VI’s Reign.”

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spleen, devoid of either a reforming programme or any rational understanding of what had gone wrong. . . . Lechery, he argue[d], leads to covetousness because lechers need cash. So that [was] what was wrong with England.”³⁶ Like M. L. Bush, Elton praised what he took to be the more objective or rational analysis of England’s economic problems and favored Sir Thomas Smith’s analysis to those of Latimer, Thomas Lever, and John Hales.³⁷ “It is this line of thought and action that now merits better attention: the succession of men who thought coolly, secularly and constructively about the problems of the common weal and who faced the practical tasks involved in turning aspiration into action. They, rather than the laudators of a glorious past that had never been and the lamenters over man’s fallen nature, were the true reform party of the sixteenth century.”³⁸

That the ideal of commonwealth represented a new way of thinking of politics, rather than a conservative version of civic humanism unaltered in its essentials, has been argued by Thomas Mayer in his study of Starkey. Mayer depicted Starkey’s thought as representative of an Italian perspective that had already broken with the spirit, if not quite the language, of civic humanism: “Starkey was in Padua precisely when Florentine refugees and Venetian patricians on the defensive blended their two distinct civic humanisms into a new oligarchical form which could suit English circumstances much better than older republican varieties.”³⁹

The mind-set of the Venetian patricians and some of the Florentine refugees after the Venetian defeat at Agnadello in 1509, which Starkey exemplified, is extremely rich:

Ultimately, the strain produced a complex reaction known variously as Italian Evangelism or the party of the *spirituali*. It was born in the circles in which Pole moved during Starkey’s two residences. In the course of his first visit, this group wove concern for personal salvation (symbolized by belief in *sola fide*), humanism in the narrower sense of linguistic method, and various varieties of republicanism into something new, which then came to define a broad party of reform by the time of Starkey’s second stay in the early 1530s. Evangelicals like Con tarini who chose to remain in the world continued to espouse loyalty to republican or civic humanist ideals, but often in muted form. In Padua, where public life was no longer the arena for the exercise of *virtù* it had once been, republicanism was first transmuted into new theories of courtly behaviour and then went underground once more and

36 Elton, “Reform and the ‘Commonwealth-Men’ of Edward VI’s Reign,” 241.

37 Bush, *Government Policy of Protector Somerset*, 40.

38 Elton, “Reform and the ‘Commonwealth-Men’ of Edward VI’s Reign,” 253.

39 Mayer, *Thomas Starkey and the Commonweal*, 44.

emerged in the form of conciliarism, as it had done already in the fifteenth century. Republicanism or conciliarism also frequently reinforced the call for reform of the institutional church generated by a quest for a more personal religion.⁴⁰

Starkey's politics in Mayer's description thus have a particular class character; Starkey's idea of commonwealth was a thinking through of what government by the nobility would require institutionally and educationally. Mayer's account nevertheless shares elements with Skinner's "aristocratic republicanism."⁴¹ Starkey, like Pole, was republican on this view, in the strict sense of opposing tyranny, and Mayer associated his circle with Baron's tradition of new Guelphism: they showed their hostility to the large imperial monarchies through their opposition to Caesar in their classical scholarship. Starkey's account of citizenship, aristocratic or not, still meant participation, the choice of the active life versus the life of retirement. Precisely what this sort of participation meant, and even what retirement was, however, changed, and for Mayer this was much of what the lessons of Agnadello were about. The celebration of courtly life by Castiglione was in part a compromise between the poles of retirement and participation, while conciliarism was the more active approach, the reform approach.

The extent to which there was an English state differentiated from society in the sixteenth century, and thus whether the civic humanist understanding really could have constituted a theory of the state under the Tudors in practice, has been a matter of some debate. On the one hand, it has been argued that such idioms were employed in the self-understanding of one of Elton's "points of contact" at the very heart of the Tudor centralizing government: the Privy Council. Building on the work of John Guy, who argued that the practice of counsel was valorized and idealized in Tudor England, Stephen Alford examined closely the counselors of Edward VI, many of whom became Elizabeth's counselors as well. In a number of studies, Alford found that the counselors to Edward VI and to Elizabeth early in her reign were deeply influenced by the classical heritage.⁴² Alford has argued that the "Cambridge connection"—that is, the leaders who had studied and taught in Cambridge, including John Cheke, Thomas Smith, Roger Ascham, Walter Haddon, Thomas Wilson, and Richard Rainolde—thought of their work as counselors in terms of the ideal of the *vir civilis* described by Skinner.⁴³

40 Ibid., 45.

41 Ibid., 56.

42 Alford, *The Early Elizabethan Polity*, 20–3; Alford, *Kingship and Politics in the Reign of Edward VI*, 44–5; Alford, *Burghley*, 16–18, 142.

43 Alford, *Kingship and Politics*, 203.

There are several difficulties in identifying the republic with the political institutions and practices of the Tudor state. The central institutions, as Alford explained, functioned as much like personal rule as like an impersonal state, and the classical idioms were used in the contexts of both personal service and impersonal office holding. Thus William Cecil freely used the neo-Roman language of the *vir civilis* when he and Sir Thomas Smith were serving the young King Edward in a personal rather than in a public function. Alford correspondingly distinguished between the institutionalized *council* of Elton's Tudor revolution and the informal *counsel* of the king's household.⁴⁴ In keeping with Patrick Collinson's analysis of monarchical republicanism, the spirit of the institutionalization was not that of an oppositional project bent on popular sovereignty, but in Alford's eyes was a remedy for the evident weaknesses in the English monarchy and a hope to secure a Protestant England from those weaknesses, especially the threat of a succession crisis.⁴⁵

It may be for reasons such as these that Skinner seemed to be more comfortable with thinking of republicanism as an oppositional philosophy until the Interregnum. While Skinner acknowledged the use of classical sources in the Elizabethan era, the full Roman ideal that he reconstructed pointed ahead to the modern state; the ideal of citizenship in the free state was not simply marked by the consciousness of a national community, a realm, combined with some level of intersubjectivity through counsel, a combination that many historians of monarchical republicanism have settled on.⁴⁶ On the contrary, it included features that have customarily been attributed to the liberal nation-state: the protection of individual liberties,⁴⁷ the promotion of popular sovereignty,⁴⁸ and the articulation of a distinction between state and society.⁴⁹ It was thus in the context of civil war and commonwealth that Skinner argued that these neo-Roman ideas came alive, albeit only as a full-blooded statement of the ideal.⁵⁰

Court and Commonwealth

At first glance, the language of commonwealth seems to have faded from view under the Stuarts. As Phil Withington showed, the overt classical language of commonwealth had come to be seen in Jacobean court circles as

44 Alford, *Kingship and Politics*, chap. 3.

45 *Ibid.*, 64.

46 For the relevant literature, see McDiarmid, "Introduction," 3–4.

47 Skinner, "Classical Liberty," 320–2.

48 *Ibid.*, 332–42.

49 Skinner, "From the State of Princes," 382: "the republican theorists no longer equate the idea of governmental authority with the powers of particular rulers or magistrates"; and 386: "they constitute the earliest group of political writers who speak with full self-consciousness of a categorical distinction between states and governments."

50 Skinner, *Liberty before Liberalism*, 9–16.

vaguely absurd, the discourse of city officials who were overly impressed with themselves. Such talk was satirized by Ben Jonson in his *Bartholomew Fair*, in the character of Adam Overdo, “the Cicero-quoting citizen-magistrate.”⁵¹ In its place, there was a “new humanism” at the court that drew more heavily on Tacitus, Machiavelli, and Guicciardini than before, though also on new commentaries on Aristotle, as I argue here.⁵² It has also been suggested that there was a new language of “improvement,” which reflected a market-oriented attitude at odds with the traditional talk of commonwealth.⁵³ Nevertheless, there were by all accounts “survivals” of the language of commonwealth.⁵⁴ Not all of the courtiers were self-conscious about its use, and Archbishop Laud, as has been long recognized, used it widely.⁵⁵

That the old classical idiom was still used to describe the state has been argued above all in the case of Francis Bacon. Markku Peltonen wrote that there was a “continuance of the classical humanist vocabulary” in this period and that the theory of the state retained its participatory character. He concluded that it was thus “misleading to describe this shift, as many scholars have done, as a complete change from a Ciceronian humanism to a Tacitean one.”⁵⁶ Bacon, he noted, used the Machiavellian language of civic greatness, *grandezza*, in the context of Anglo-Scottish union and stressed the superiority of the “armed citizen” over the professional soldier.⁵⁷ Richard Serjeantson argued that Bacon’s understanding of *grandezza* was very much that of the expanding state, linking it to his plans for an English empire ranging from the archipelago of the “British” islands to the Netherlands on the Continent.⁵⁸ On the other hand, Johann Sommerville challenged the notion that classical political thought amounted to a participatory theory of the state under the Stuarts. In his view, the various Latin tags were not meant as an idealization of Roman politics, but rather served royal government. “Virtue is the true nobility” (*Virtus vera nobilitas*) “was not a republican party slogan. Indeed, if anything it had anti-republican or at least anti-aristocratic connotations, suggesting that old noble families could not expect rewards or power except for service to king and country.”⁵⁹ When considering the expansion of the fiscal-military state in the 1630s, Sommerville insisted that it be understood in terms of a conflict between the ideologies of absolutism and of limited government (i.e., accountability to the people, the ancient constitution).

51 Withington, *Politics of Commonwealth*, 60–1.

52 Cf. Tuck, *Philosophy and Government*; Salmon, “Seneca and Tacitus.”

53 McRae, *God Speed the Plough*, chap. 5; Wrightson, *Earthly Necessities*, 203–15.

54 Wrightson, *Earthly Necessities*, 202.

55 Tawney, *Religion and the Rise of Capitalism*, 170–5.

56 Peltonen, *Classical Humanism and Republicanism*, 7–15.

57 *Ibid.*, 309–10.

58 Serjeantson, “Francis Bacon, Colonisation, and the Limits of Atlanticism.”

59 Sommerville, “English and Roman Liberty,” 209–10.

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For Sommerville, contributing to the postrevisionist view of the causes of the civil war, this participatory view of the Stuart state would occlude the mounting sense of ideological conflict, which led to the war. The structural weakness of the state—the dependency of the center on the localities—rose to the level of political conflict because it was understood in ideological terms. The English state was envisioned by the lawyers as a community of free Englishmen insisting on traditional common-law rights. Absolutist ideology, by contrast, failed to describe the reality of government and in so doing contributed to the crisis. “Whatever the theoretical merits of absolutist doctrine, it misdescribed English political practice, for the king and his subjects were in fact bound together by mutual dependencies.” As a matter of fact, “the king could govern effectively only with the assistance of the nobility and landed gentry.”⁶⁰

The ideological account offered by Sommerville emphasized the weakness of the state as much as its strength. For scholars interested in tracing the development of the modern state, like Richard Tuck, and who see it as emerging in the “English Revolution,” among other sites, this account of conflict over the constitution fails to explain how the idea of the state became adapted to the growth of the fiscal-military state—including the power to tax and spend at will. In Tuck’s view such expansion required successful justification of the state’s authority to decide what was required in moments of necessity. This in turn depended on three innovations: a new sense of the self, that of the Renaissance skeptic and the “scientific” postskeptic who was ready to give up his own judgment in favor of that of the state; a new understanding of how the state was related to society, representation, and unitary sovereignty; and a new sense of what the state was for, namely, self-preservation, necessity, or interest. Historically, these innovations were driven, respectively, by Renaissance skepticism, a rejection of Calvinist ecclesiology, and a new reason for the state, but they all merged (and were translated into juridical language) in the early Enlightenment “modern natural law” of Grotius and Hobbes. Tuck called this abdication of private judgment for the judgment of the sovereign “representation.”⁶¹

Though it was in the English Revolution that Tuck found a practical expression of the principle of representation (in the arguments of Henry Parker and Nathaniel Bacon on the non-presbyterian side of Parliament in the 1640s and in the insistence by John Lilburne and the Army Council that the Parliament be representative and elected on a regular basis), it was in the philosophy of Thomas Hobbes that he found the most sophisticated account of it as a theory of the state.⁶² The full recognition of the threat of private judgment

60 Sommerville, *Royalists and Patriots*, 55.

61 Tuck, *Philosophy and Government*.

62 *Ibid.*, 235, 243.

implies that collective judgment can only be secured through a “political” transformation of society, not through a direct mirroring of society in the state. The common designation of a person or an assembly as the sovereign, as the representative of the people in Hobbesian language, transforms the underlying body from a “multitude” to a “people.” It is the transference of decision-making power that is crucial to Hobbesian representation (Tuck called it “the cession of judgement”) rather than the representation of particular interests. It has long been maintained that the way in which Hobbes understood this transition from the “multitude” to a “people” and the erection of a sovereign expressed his way of thinking about the relationship of state and society. Tuck has continued to argue for representation, even suggesting that Hobbes found classical inspiration of his own sort for this end in Aristotle’s description of extreme democracy. He thus traced a parallel Hobbesian history of the reception of classical thought in which this sort of extreme democracy became identified by French and Italian sixteenth-century scholars with the plebiscitary voting assemblies of the Roman republic and then with Hobbes himself.⁶³

Reflecting on this material, scholarly work in the history of political thought has begun to question the idea that the relationship between state and society was understood either as the product of the intersubjectivity stemming from active participation or as the decisionistic unitary sovereignty of representation. Kinch Hoekstra questioned the idea that the formation of the state in Hobbes amounts to the decisionistic union of wills of this kind and thus that the state constitutes a distinct unified will completely apart from society. He argued that the basis of Hobbes’s union is the voluntary subjection of individuals to the de facto powers that be, in keeping with their natural will to preserve themselves.⁶⁴ De factoism allows for an understanding of the state in which interests (albeit of a quite basic kind) are taken into account in the formation of the state. Such bare interests, I think it is fair to say, concerned with security and stability, are still essentially of a political kind. The extent to which the political represents a transformation of the social or a reflection of it in early modern political thought has been explored by Annabel Brett, who has reconstructed a range of early modern views in which society (*civitas* or *multitudo*) was understood to be related to the state (*respublica*). She showed that there was a tension between those who understood the state to be the “order of command and obedience” and those who maintained that “order just *is* the commonwealth.”⁶⁵ For most of the sources she examined, order meant “ordination to a head” or the erection of a political power. The thinkers of the second scholastic, such as Suárez

63 Tuck, “Hobbes and Democracy.”

64 Hoekstra, “Lion in the House.”

65 Brett, *Changes of State*, 122.

and Soto, imagined that society was composed of individuals endowed with natural liberty, but society was only given form as a body politic through the subjection of the individuals to a common political power. On this account, the social is quickly absorbed into the political, and the original form of the body politic was a pure democracy, but the political power of the people was often transferred to a more restricted government. This transfer did not entail a full transformation of the people, since “the body of the people continues to play a regulatory role in the commonwealth even if it has totally alienated its power.”⁶⁶ Hobbes, in Brett’s reconstruction, was “deeply opposed” to this view. He adopted the juridical way of understanding the transfer of natural liberty to a government from the second scholastic, but made the moment of transfer also the moment of union, the creation of a people who did not exist prior to that moment. In Brett’s summary, for Hobbes, “The city *is* the state.”⁶⁷

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The prevalence in the history of political thought of a more political interpretation is in part a natural outgrowth of its subject matter, since it is focused on explaining the nature and legitimacy of the specialized institutions of the state. This was reinforced by the focus in the historiography on the central institutions of the state, Parliament and the Privy Council. As the focus on the early modern state in England has shifted increasingly to the character of local administration, historians of political thought have begun to examine how classical texts informed practice.⁶⁸ Yet the sources in the history of political thought seem to fit uneasily with the portrait of local government being drawn by the social and institutional historians, in which offices were thought to be “envisioned as broader social roles.”⁶⁹ In a summary of the work of many scholars on the tensions between state and society in local office holding, Braddick defines the delicate balance between the exercise of authority understood as an officer of the state and as a member of a community:

Office not only reflected social status but also confirmed it and this was a motive, sometimes perhaps the chief one, for seeking office. Clearly, administrative tasks would be undertaken assiduously when and where assiduity would enhance local social standing. Where im-

⁶⁶ *Ibid.*, 127–8.

⁶⁷ *Ibid.*, 138–41.

⁶⁸ This is above all the case for Markku Peltonen’s pioneering exploration of the 1576 *Safegarde of Societie* written by John Barston, the town clerk of Tewksbury. Peltonen, *Classical Humanism and Republicanism*, 59–73. See also Goldie, “Unacknowledged Republic.”

⁶⁹ Braddick, *State Formation*, 77.

plementation of an administrative task was likely to be unpopular, active officeholders faced the prospect of losing rather than gaining prestige. Officeholding could become counter-productive, perhaps even wholly so. . . . These more informal expectations shaped the way in which offices were perceived and set limits to administrative action. In this way, the legitimation of offices gave political force to wider social values, such as neighbourliness, and local standards of order.⁷⁰

It is my contention in this book that a detailed examination of the reception of the classical commonwealth in the wake of the Reformation in England will explain more clearly how these tensions between state and society were understood in their day. Given the extent of serious study of the classics at the time, the relevant source material is almost limitless. Rather than attempting a broad survey, I have chosen to study five cases in depth: the Reforming Christian commonwealth of the counselors who surrounded Edward VI; the vision of England as a society of orders in Thomas Smith's *De Republica Anglorum*; the Aristotelian monarchical republic of John Case's *Sphaera Civitatis*; the exploration of private and public in Jacobean England, especially in the *Essays* of Francis Bacon; and the penal state and the commonwealth of conscience in Thomas Hobbes's *Elements of Law*. The works studied were chosen for their importance to the scholarship in either social history or the history of political thought in the hopes of bringing the textual basis of the two fields into a single conversation while sketching a rough narrative arc across the period.⁷¹ While I argue that the Reformers' understanding was deeply influential and set the terms in which commonwealth was discussed throughout the period, their works were often not the immediate sources for writers on the subject, and the models offered here are by no means straightforward rehearsals of their views. The works studied here are variations on a theme rather than instances of the same pattern.

In the early sixteenth century, the classical commonwealth seemed to offer a solution to the tensions between state and society. The elimination of self-love and the creation of a community based on the love of one's neighbor was the target of the Christian humanists, like Erasmus, Colet, and More, who hoped to realize a Christian version of the classical commonwealth in the years before the Reformation.⁷² By the late 1520s, as Protestant and some

⁷⁰ Ibid., 35.

⁷¹ As the review of the literature above shows, Smith and the "commonwealth party" of Edward VI's reign have long been important for social history in England, while Bacon and Hobbes have been at the heart of many accounts of the idea of the state in the history of political thought. John Case has been emerging recently as an important source for understanding how the Aristotelian tradition was applied in England. See Brett, *Changes of State*.

⁷² For an overview, McConica, *English Humanists*, chap. 2; Skinner, *Foundations*, 1:196–201, 213–21.

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Catholic Reformers, like Melanchthon and Gasparo Contarini, considered the social and political implications of the doctrine of salvation by grace, there was an increasing sense of the inadequacy of political arrangements for the regeneration and sanctification required for genuine neighborly community.⁷³ Considering not only the coercive elements of social and political organization, but also the classical teachings on the voluntary social processes of virtue, the pursuit of honor, and friendship in light of this doctrine, the Reformers concluded (in line with Augustine and others) that all of these mechanisms for keeping order were similarly tainted with a concern for self-love.⁷⁴ The hope remained that people would come to love one another through reflection on the grace of God, but in the ordinary course of life the “hypocritical” conformity with the law, in which people often felt internally opposed to conformity, could be replaced by a spontaneous feeling of identification with the community by making it possible for “affection to overcome affection,” in Melanchthon’s phrase. The theologians identified the voluntary attachment of this somewhat lower sort with the kind of attachment the citizenry of the classical city-republics felt, as described by philosophers and historians of antiquity.⁷⁵ The process of overcoming affection by affection meant that the private and the public were not simply related in opposition; conformity with the law, if only of the “hypocritical” sort, could be achieved through the satisfaction of private needs.

The relevant categories for understanding the relationship between state and society were by the close of the sixteenth century the public and the private. The order of magistracies, the *ordo politicus*,⁷⁶ was certainly understood to be conceptually distinct from the populace, the *civitas*, and the theory of sovereignty played as important a role in the Reformers’ struggles against imperial reaction as it did in the struggle of the Italian city-states for independence.⁷⁷ Yet, it was office used “indifferently” or publicly that really

73 There are other indications that elements of the relationship between state and commonwealth developed here may have been shared by Counter-Reformation thinkers. That both “Aristotelian” and “juridical” ways of approaching the state cut across the Protestant and Catholic divide has been explored by Brett, *Changes of State*. The summary of Jesuit social thinking in Höpfl, *Jesuit Political Thought*, chap. 12, suggests several important parallels, including on distributive justice (284), price stability and sumptuary laws (285), and the distribution of offices (288). These parallels will need to be kept in mind as broader attempts to synthesize the various accounts of the early modern state are undertaken.

74 Augustine, *City of God*, bk. 5.

75 See chapter 1 in this volume.

76 Huschke, *Ordo Politicus*, 109, 119.

77 This is perhaps most visible in the work of Bucer, who explained in his commentary on Romans that it is the possessor of *merum imperium* who ought to be respected as the authority in question in Romans 13. He specifically noted that this does not mean just the emperor in the case of the Holy Roman Empire, but also the cities and subordinate powers that

constituted the exercise of public authority. “Private” did not have the connotations of “individual” that it does today; it did not mean the closed domestic sphere in the bourgeois sense of the nineteenth century, our usual sense of the word.⁷⁸ Depending on the author, the understanding of the category of the private was individualized or identified with a group to various extents: some authors stereotyped “private” needs and associated them with occupational and status groups (Smith, Case); others thought of the interest of particular patronage networks or factions as private (Bacon); while still others saw the pursuit of private aims as genuinely more individualized, the concerns of particular people with their own salvific histories (Hobbes). In a more fundamental sense, however, all of the authors agreed that the private concerns were social, since they mostly consisted of externalized needs, requiring the recognition, esteem, or dignity provided by others.

Following the Reformation analysis of the classical commonwealth as an order of self-love, classical ethics and politics increasingly became a science of keeping order and a social psychology. Aristotelian distributive justice came to be understood as a means of maintaining order by distributing goods in accordance with the different degrees of the people. In Aristotle’s analysis, treating people how they believed they deserved to be treated led to stability. These claims were in turn understood to be relative to one’s particular class, as one’s ideas about desert were informed by self-love, which magnified the significance of whatever qualities one already possessed. Thus the wealthy believed that goods should be distributed according to the criterion of wealth; the poor, according to the equality of persons; the aristocrats, according to virtue.⁷⁹ There was thus not one standardized psychology but a set of psychological profiles differentiated by class. By the late sixteenth century, the attitudes toward what one felt that one deserved were not only understood to be socially differentiated by social class, but in some accounts were thought to depend on one’s attitudes toward what others deserved and were being given. The stability that was supposed to come with distributive justice was now understood to depend on whether one had cooperative or competitive attitudes toward the satisfactions of these needs. If attitudes were understood to be competitive and the goods positional, their satisfaction could not be approached straightforwardly without consideration of envy.

This disenchanted view of the classical commonwealth also meant that the Reformers were open to embracing the reconstruction of the particular

exercise such authority, “no less the ruler of a little town, than the prince of a great realm, as much in a small town and the greatest city.” Bucer, *In Romanos*, 484: non minus regulus unius oppiduli, quam princeps ditionis ingentis, aequae exiguum municipium, atque civitas amplissima. Kroon, *Studien*, 4.

⁷⁸ Habermas, *Structural Transformation*, 10–12, 36–7.

⁷⁹ Aristotle, *Politics*, 4.11, 1295a35ff., and 7.8, 1328a36.

and very worldly ways in which the classical commonwealth worked. The Reformers showed great interest, for instance, in how the penal codes of antiquity were used to further conformity in religion and to further social policy, and they studied Roman law, Athenian law, Plato's *Laws*, and Cicero's forensic oratory in this connection.⁸⁰ The mid- to late sixteenth-century studies by Carlo Sigonio on the institutions of Rome and by Piero Vettori on Aristotle's *Ethics*, *Politics*, and *Rhetoric* added still more detail to their understanding of the institutions of the ancient world and how classical ethics fit into that setting.⁸¹ This amounted to a rich account of the classical *res-publica* in all of its senses, where distributive justice was institutionalized in Roman hierarchical social structures, such as clientage, the system of orders, and the *cursus honorum*.

All of this empirical detail was reduced to two master strategies for achieving conformity with the law: reward and punishment, the honor system and the penal code. Outside of the household, the distribution of punishments was reserved to the state alone, and one of the central tensions in thinking about the use of classical commonwealth beginning with the Christian humanists was the consideration of whether the enforcement of the penal code by magistrates was preferable to the social processes for the maintenance of order. On the one hand, the use of the penal apparatus was in principle preferable since it was thought to be public, insulated from private quarrels and concerns. It was also held, for the same reasons, to be more effective and rigorous. On the other hand, it was widely recognized that in practice magistracy was often used for private purposes, and it was felt that incentivizing citizens to conform to the law through rewards was more in keeping with the Christian values of charity and brotherly love than using the fear of punishment.

Reward could mean material benefit, but it usually meant recognition, honor. Where the application of punishment was premised on the opposition of the private affections and the public good, the bestowal of reward assumed that the two could be reconciled in the satisfaction of private desires. This coordination between private needs and the public good depended on the unusual qualities of honor, "the most precious of all goods external."⁸² Honor as a source of public acclaim or recognition was the rare good that both pleased the beneficiary and reflected the pleasure of the benefactors. It was conducive to social solidarity because it reflected the preferences of society at large. It was understood that in practice this depended on maintaining a meaningful economy of honors, in which the distribution of official

80 See chapter 1 in this volume and the footnotes to Bucer, *De Regno*, where the parallels to Plato's *Laws* are documented.

81 See McCuaig, *Carlo Sigonio*; Tuck, "Hobbes and Democracy"; and chapters 2, 3, and 4 in this book.

82 Peltonen, *Duel in Early Modern England*, 37, citing Romei and Kepers, *The Courtiers Academie*.

recognition, whether through titles or offices, was thought to reflect broadly held values and in which everyone felt sufficient recognition for their role in society.

In practice, it is extremely difficult to ensure that a desirable good will not be the source of competition rather than cooperation and thus of disunity rather than unity. In the literature on honor in early modern England, it has been shown by Anna Bryson and Markku Peltonen that the impact of the Italian courtesy literature in England was to introduce an honor culture in which “extreme outward politeness was merely covering the intense rivalry between courtiers.”⁸³ Bryson saw this two-sided nature of courtesy as a reflection of urbanity, an anonymous culture that is deeply competitive but also committed to the graces necessary for living together.⁸⁴ The rivalry for courtly honor often seemed like a parody of the commonwealth ideal, and Peltonen showed that “many aspects of the Elizabeth chivalric revival . . . should be seen rather as a partial reaction against this Italian culture in general and the private duel of honor in particular than as arguments in its favor.”⁸⁵ Similar arguments about the rehabilitation of a more martial code of honor under Charles have also been made.⁸⁶ I show in this book that the battles between the chivalric and courtly theories of honor were but one aspect—though one of the most significant—of the broader coming to grips with whether the distribution of reward could be maintained in the wake of a greater and greater appreciation of the social psychology of competitive behavior.

“Reward” was, in sum, another way of saying a well-functioning social order, and the two were combined in one of the most frequently cited adages at the time, *honor alit artes*, “profit or advancement nourishes every faculty,” in Thomas Smith’s contemporary translation. A well-designed and well-maintained social order was the key to both stability and productivity, and the theorists of the classical commonwealth studied here understood from the wealth of scholarship that they were consuming and producing that there was nothing inevitable about it. The use of classical sources for the description of social order has often been thought to be idealizing, abstracting from the real economic and social forces of the day. Keith Wrightson has distinguished the “theorists of gentility,” who defined the qualities of being a gentleman in terms of the “renewed classical ideals of citizenship,” in opposition to a new approach under Elizabeth, where the society of the people was divided into degrees distinguished “less with function than with place, less with vocational and occupational differentials than with the

83 Peltonen, *Duel in Early Modern England*, 75.

84 *Ibid.*, 68.

85 *Ibid.*, 93.

86 Cust, *Charles I and the Aristocracy*.

bald facts of relative wealth, status, and power.”⁸⁷ There were theorists of gentility in this vein, such as Sir Thomas Elyot, but I argue here that the understanding of society in classical terms was not in opposition to an appreciation of a broad range of economic or social forces. The visions of social order developed by Thomas Smith and John Case were at once idealizing—imagining England as resembling a particular golden moment of class harmony in the Roman republic—and realistic—imagining advances in the transition “from the language of ‘estates’ to ‘classes’” or from “an organic commonwealth with a traditional hierarchy of tenurial status” to a “social order which combines reference to economic circumstances with a system of esteem.”⁸⁸ This peculiar account of political development, which seems to point backward to classical citizenship and forward to a scale of esteem and wealth, was made possible by a view of legal history, popular among Protestants, that saw Roman history itself as marked by a development from a “curial” form of lordship to a freer society of citizens divided into orders. Emancipation from unfree tenure—the assurance of liberties understood as legal capacity—was thus coordinated with an account of classical citizenship.

Office, as already mentioned, could be both private and public, and in this analysis was at once responsible for meting out punishment to others while constituting a reward in the form of status for its occupant. The private use of office (and of the state more generally, such as the system of courts) has been emphasized by the social historians of politics who see the state as a “resource.” Building on the work of Gerald Harriss in medieval history, Hindle argued that “[s]tate authority was manifested not only in initiatives of control by central agencies, but also as a popular resource for the peaceful ordering of society, which might be employed and promoted at highly localized levels. The state was a reservoir of authority on which the populace might draw, a series of institutions in which they could participate, in pursuit of their own interests.”⁸⁹ Thus the state did not obviously serve one class or the other; it was rather a resource that could be used variously by different classes to different ends. Hindle showed, for example, that the court of the Star Chamber, usually thought of as one of the instruments of the king’s prerogative for disciplining recalcitrant subjects, could be used by tenant farmers against their more prosperous landlords.⁹⁰ The use of government in new ways, such as the poor law, was both modernizing and an instrument of distinction. The experience of implementing the poor law was thus said to have contributed to the middling sort’s “sense of social and moral

87 Wrightson, “Estates, Degrees, and Sorts,” 38–43.

88 *Ibid.*, 31; Cressy, “Describing the Social Order,” 33.

89 Hindle, *State and Social Change*, 16.

90 *Ibid.*, 70.

distance from the poor, excited their prejudices, bureaucratised the extension of neighbourly charity and taught them how to estimate the relative utility of the poor as an economic resource.”⁹¹

The account offered in this book is in many ways very close to this picture of the state as a resource, which captures much of what the authors studied here felt about the use of the state. Yet, it differs in that many of the authors (though not all) imagined that a transformation of the private into the public was possible, and it would be due to such a transformation that society would become (if only in the activities of certain individuals) the state. This is theoretically possible in a participatory model of the civic humanist or republican sort, and Braddick imagines such a transformation taking place in his application of Weber’s theory of legitimacy and Skinner’s account of the participatory state to England. For Braddick, political power at the time was exercised through “a coordinated network of territorially bounded offices . . . recognisable to us as a kind of state,” which he identified with Skinner’s “impersonal order.”⁹² Though Braddick understood legitimacy broadly in Weberian terms, his account, in keeping with the use of the republican paradigm, gave it a more communicative definition.

Legitimation in Braddick’s account depended largely on the deeper intersubjective or communicative understanding that was said to underlie the legal and procedural constraints at the heart of the operation of the central government’s courts and councils, the legal validity of the commissions of local office holders, and the neighborliness that moderated the implementation of policy by local office holders.⁹³ There was such a communicative aspect in the performance of office holding in the localities, which could be seen in the resistance to the implementation of particular policies “as officeholders responded to perceived challenges and opportunities with initiatives of their own.”⁹⁴

The sources take a variety of positions (summarized below) on the relationship between state and society, between public and private. They are sophisticated and eclectic, draw on detailed historical scholarship, and are engaged in heated contemporary debates. At the risk of oversimplifying, it can perhaps be noted that the positions roughly fall into the two camps of reward and punishment and that a pendulum movement of a sort can be discerned as the promise of the honor system seems to fade and penal law is embraced, after which there is a return to the honor system as complaints mount about the rigor of the penal law. These swings are accompanied by

91 Wrightson, *Earthly Necessities*, 220.

92 *Ibid.*, 19.

93 *Ibid.*, 22–9. This communicative understanding of the legal basis of legitimacy resembles that of Habermas much more closely than that of Weber. For Habermas’s critique of Weber’s understanding of legal rationality, see Habermas, *Theory of Communicative Action*, 1:302.

94 Braddick, *State Formation*, 24.

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similar swings between the sense of the inevitability of the opposition between private and public motives and a sense that the two can be coordinated. Both viewpoints shared a background understanding of the power of distributivist thinking; they divided on whether the satisfaction of such claims could really be the source of unity. Those who believed it was possible saw office holding less as the practice of communicative intersubjectivity than as the achievement of one's own consciousness of one's desert as filtered through a shared consensus on order and distributive justice as reflected in the social distribution of honor. This harmonization of one's needs with the recognition of others that the satisfaction of those needs was legitimate—for those who believed this was possible—established a commonwealth and legitimated the state.

This book picks up the story of state and commonwealth during Kett's Rebellion in Norfolk in the summer of 1549. For many writers, the rebellion marked a moment of crisis not only for traditional tenurial arrangements in the countryside, but for the popular commonwealth policies of Protector Somerset, who was governing during Edward VI's minority. In the first chapter, I argue that the commonwealth had already years earlier come to grips with the "realism" that some have portrayed as a turn to a more self-interested political economy. The Cromwellians had largely depended on the law, imagining a penal system that would ban idleness and maintain just relationships between the classes of people. Participation in the state was understood as serving in the magistracy and having the liberty to use the law courts. In these years, the work of the continental Reformers became progressively better known in England, and their understanding of penal law as the instantiation of divine law for a particular country was adopted in some quarters. As Protector Somerset's reforms failed to take hold, the Protestant analysis of the "hypocritical" participation of the nobility and gentry in government, who served for their own interests, threw into relief the differences between the state administration as a public office and as a private source of status. The motives for public service and for conformity with the law were well understood by the "Cambridge connection," including William Cecil, later Lord Burghley, a secretary to Protector Somerset; John Cheke, Edward's teacher; and Sir Thomas Smith, the clerk of the Privy Council and then secretary of state to Somerset.⁹⁵ The extent of their analysis, developed from their practical experiences, independent studies of the classical sources, and Protestant teaching, is unfortunately obscured by the bluntness of the propaganda efforts during the summer of crisis. But a

95 Hudson, *Cambridge Connection*.

fuller sense of it is reflected in Cheke's assignments to the young Edward and in Smith's *A Discourse of the Commonweal of This Realm of England*.

When the Protestants regained power after the short reign of Mary I (1553–8), many of Edward's counselors returned under Elizabeth, including Cecil, who became the secretary of state, and Smith, who became the ambassador to France, the chancellor of the Order of the Garter, the secretary of state, and the keeper of the privy seal. In the 1560s and 1570s, their commitment to the Reformation came under some pressure from Catholic criticism. Catholic propagandists abroad scoffed at the Protestant commitment to "liberty," which only seemed to result in periodic rebellion, and Catholics at home complained that the prosecution of recusancy showed that the Protestant leaders were not truly committed to liberty, but were rather "new men" committed to remaking the English government in their own image. It was in this context that Sir Thomas Smith offered a fresh account of political development in the form of a description of the Elizabethan state in his *De Republica Anglorum*, the subject of the second chapter. Most probably in his revisions in the 1570s, he suggested that England was a society of orders of the sort that Sigonio had described with reference to Rome. Smith carefully situated the "republic of the English" in a scheme of political development, drawing on Sigonio and the humanist lawyer Ulrich Zasius for background. Smith likened the English constitution to a moment of balance during the Roman republic after the curial institutions of the tyrants had faded away, but before the popular party gained the upper hand. This provided one of the most searching reconstructions of the relationship between the English state and society to date, largely collapsing the distinction between public, "indifferent," justice and private motivations for social distinction into the idea of fulfilling one's role in the *respublica* in keeping with one's order. He thereby offered an account of the "commonwealth" that was neither state nor society precisely and that depended on the active participation of a broad swath of the people, though in a differentiated way.

Elizabeth, as is well known, refused to marry. The fear of a succession crisis led her councillors to other expedients, such as envisioning a resort to councils in an interregnum. The ability to think broadly about the constitution of England as independent from the person of the monarch amounted to a new sort of political thinking: monarchical republicanism. By the late 1580s, this approach took on a heavier monarchical emphasis as presbyterians argued for a more popular approach to government—or rather were portrayed as doing so by their episcopalist opponents. The theory of commonwealth was adapted to these trends in the form of John Case's *Sphaera Civitatis*, a monumental commentary on Aristotle's *Politics* and the subject of the third chapter. The *Sphaera* offered an Elizabethan conformist Aristotelianism that carefully plotted a course between the more absolutist theories of Jean Bodin and the republican sympathies of Sigonio and Vettori.

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To do so, it fell back on the older “natural law” reading of Aristotle, which portrayed social difference as the result of capacities rather than of the political distribution of goods due to the particular constitution. The idealizing and naturalizing of one’s “suitability” for office made the persistence of the private in the conduct of public office less obvious, and the implication was that once commissioned, one simply *was* a public authority. In the end, Case allowed for the broad participation of Englishmen in government, but ruled out any doubt that England was a monarchy. Using a distinction between the form of sovereignty and the administration of government probably drawn from Bodin, he argued that England was a monarchy with a broad-based administration.

The notions of the public and the private only grew more important after James’s accession in 1603, as the rivalry for place and the easy distribution of honors, including the sale of titles, threatened to undermine the view that the distinction was in line with distributive justice. Now, an office scarcely seemed like the reward for virtue. James had proposed—in line with the conformist theologians—a more hierarchical vision of the commonwealth, which nevertheless captured the aspirational and competitive desires of the lower sorts. He believed that the nobility as an exemplary class could model the correct behaviors of obedience and public service, which the lower sorts could emulate. Given the trials of Essex (and later himself and Buckingham) for corruption, the vogue for Italian-style courtesy that was sweeping the young nobility and gentry, and the general failure of the gentry to implement the commonwealth legislation that was put in place under the Tudors, Francis Bacon, whose work is the subject of chapter 4, was skeptical that a vision of state and commonwealth that placed its hopes in social distance and an exemplary class could really deliver the public-minded service and broader contentment needed. What he saw was envy, competitive and imitative behaviors of the wrong sort, and idleness. He argued throughout his *Essays* that the ideal type of behavior required true talent and the capacity to actually accomplish things; those who sought office to serve others, even if not from the nobility, were no less public-minded and their motivations no more private. The key was to devise systems of appointment and oversight that would ensure that office holders actually served to execute the laws necessary for the maintenance of the commonwealth, which would then ensure the contentment (and military preparedness and tax base) of the broader populace. The corresponding vision of the state was surprisingly open to both the private motivations of those seeking place and the private alliances of patron networks. In a monarchy, however, Bacon believed that stability required that those alliances be centered around the monarch and that the clients who served him be conversant with the law as far as possible.

The policies of Charles’s personal rule provided the greatest challenge to the commonwealth vision of state and society, in which the private desire

for the distributive good of honor was thought to generate sufficient voluntary compliance and contentment to maintain the society and provide for its defense. The functional breakdown of these years, when the idleness complained of during James's reign eventually became outright opposition but stopped along the way at the fairly widespread failure to comply with the orders of the council, meant that the premises of the commonwealth theory, especially with regard to the state, came under severe scrutiny. In the end, the theory survived civil war and continued as one of the explanations for public service well into the nineteenth, if not the twentieth, century. But during the personal rule, some commentators, perhaps Hobbes above all, came to believe that public behavior required exclusively the threat of penalty and that external conformity to the law could not be achieved through honor or material contentment, as had long been hoped and promised. Hobbes argued powerfully in a thoroughgoing critique that the pursuit of distributive justice would only result in discord rather than unity and that it was not true justice. True justice could only be achieved through a proper understanding of one's motives, which required a screening out of the motives for external conformity with the law, such as guilt or the desire to prove one's superiority, from those of spontaneous fellow feeling. Hobbes, I argue in chapter 5, thus drew on his understanding of the theory of sanctification and justification to develop a political theory that again split the difference between two rival groups, here between those supporters of the personal rule, who argued that the law was binding in conscience, and the puritan opposition, who believed that conscience provided a reason for noncompliance. Aside from emphasizing Hobbes's theological motivations, my account of Hobbes differs from the existing literature in emphasizing the importance for him of the conditions in the *respublica* after the transfer of power to the sovereign. While it would be impossible to deny the significance of Hobbes's formulation of his version of the juridical transfer of power in the history of political thought, I emphasize that, like Bacon, Hobbes understood the persistence of sovereignty to be a dynamic relationship between the state and society, requiring local (if perhaps not broad) participation. This vision of the state was continuous with Bacon's view; office holding was understood as a public service that needed oversight in order to ensure compliance. Yet, in the wake of the Petition of Right and of the extra-parliamentary levies, public service could no longer be represented in the factional way that Bacon had, and Hobbes's understanding of the state thus resembled that of Thomas Wentworth (the Earl of Strafford after 1640) and the country gentlemen (like his patron, the Earl of Newcastle) who wanted to be of service to the Crown. His vision of society was far less developed than his vision of the state, but I suggest that he thought of it as a sphere of voluntary relationships of the sort imagined by Reformed theologians in their revision of the Aristotelian theory of friendship. Yet, in

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his handling, these relationships were only made possible by the framework of the state, which ensured external conformity with the law and enabled one to evaluate one's motives in social relationships and approach others without the need to exert one's superiority or use others for one's own good.

The image of the state that emerges here, understood narrowly as the magistracies and the activities involving magistracies, was set firmly within a broader understanding of society, of commonwealth. The processes by which the state worked on the psychology of subject-citizens was not understood to be wholly different from those that worked on them outside of the state. All of these processes potentially mattered in the quest to achieve conformity with the law, social order, and the beginnings of sanctification. They could be said to differ inasmuch as fear differs from love, but they all fell under the greater heading of distributive justice, and they all attempted to work through an appeal to the emotions, affection overcoming affection. While the use of fear was reserved to the state, the use of love was not; rewards could be social or political. The state was thus understood to be impersonal and personal, as much the site of indifferent justice as personal patronage. The participation imagined here was not exclusively communicative, not always concerned with legislation or policy formation; it could be the bringing of lawsuits to enforce the conditions of one's lease or an avenue for exerting social distinction. It could be remarkably active in all the ways that the republicans noted, or it could be utterly vilified as a means for the poor to vent their ambition. It could be understood to be public or private or both simultaneously. It could be at once the work of a magistrate holding office and a client acting in the interests of his patron. And at times, the interests of the commonwealth, the community of the realm, meant not participating at all and leaving one's neighbor in peace. The offices of the state were public, but in the hope of keeping order, the state was in endless negotiations with the private lives of the citizenry. The state was still very much recognizable as the classical *respublica*, as *taxis* or *ordo*, the arrangement of offices in accordance with some view of distributive justice. But it was also the set of *formulae*, the legal actions that could call for justice from the magistrates, and the honors bestowed by the king in the Order of the Garter or on newly minted baronets. It was in the end a little bit of this and a little bit of that, all in accordance with the different sorts of people who lived in the commonwealth.