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Thomas Fitzherbert's reason of state

Harro Höpfl

Essex Business School, University of Essex, Wivenhoe Park, Colchester CO4 3SQ, UK

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ABSTRACT

Thomas Fitzherbert's two-part *Treatise concerning Policy and Religion* (1606, 1610) was a rebuttal of unidentified Machiavellians, statists or politikes and their politics and policies. The work was apparently still well-regarded in the following century. Fitzherbert's objections to 'statism' were principally religious, and he himself thought the providentialist case against it unanswerable. But for those who did not share his convictions, he attempted to undermine Machiavellism on its own ground. Like both 'Machiavellians' and their opponents, he argued by inference from historical examples, but with a particularly copious knowledge of historians ancient, medieval and modern to draw on. Equally, however, he deployed the principles of speculative (principally Aristotelian) 'political science,' as well as theology and jurisprudence, to demonstrate that the kind of knowledge that Machiavellians required to guarantee the success of their 'reason of state' policies was simply unobtainable. A particularly striking strategy (perhaps modelled on that of his mentor and friend Robert Persons) was Fitzherbert's attempt to demonstrate, on the Machiavellians' own premises, that they advocated policies which were very likely to fail, and would be visited with divine punishments sooner as well as later, whereas policies that were compatible with faith and morals were also much more likely to succeed, even judged in purely human and 'statist' terms.

The literature on Machiavellianism and reason of state often intimates that some thinkers of the long sixteenth century – Machiavellians and theorists of reason of state – recognized what was really going on in the political world (the *veritá effettuale*, so to say), whereas others did not, fighting a losing battle with a mixture of incomprehension, misrepresentation, dogmatism, platitudes, and (worst of all) religious and moral 'absolutism'. The latest in this tradition is Sydney Anglo's splendidly opinionated *Machiavelli: the First Century,* invaluable despite its recurrent animadversions on conventional moralists.[1] But at least he is as caustic about Machiavelli and Machiavellians (and for that matter commentators) as he is about their critics. Along the same lines is the admirable Michael Stolleis's loaded description of reason of state as 'setting free political thought and action from religious and moral ties (or constraints, *Bindungen*),'[2] implying that this was necessary, right and *zeitgemäss*; or Foucault's usual blend of perceptiveness and gratuitous generalization, unsourced except for the risible reference that 'Meinecke ... published a most important book on this', to the effect that reason of state, which he describes variously as a 'doctrine' or an 'art', is the reflectively self-aware rationality of state power.[3] Those not *au courant* with this reflective and self-aware rationality have presumably missed the boat.

It can be agreed without discussion that this time saw the acceptance into most European vernaculars of an entirely new political vocabulary, including 'state' and 'reason of state' (which were even Latinized as *status* and *ratio status*, unlike the immemorial practice of vernacularizing Latin terms), 'statecraft', 'matters (or affairs) of state', even 'statism' and 'statist', and the entire 'politics', *politique* or *politike* (noun and adjective), 'politician', 'policy', 'polity' family of terms. The newness of these terms went largely unrecognized at the time except that Germans,

E-mail address: hmh@essex.ac.uk.

[1] S. Anglo, *Machiavelli: The First Century* (Oxford, 2005), e.g. the prejudicial comments on pp. 86–7, 136, 149, 169. The tendentiousness of his account is disclosed in his referring, in the grand *leyenda nera* tradition, to 'the Jesuit' (here Ribadeneira) and his denying (p. 394) that he is 'suggesting a simple, unilinear relationship' between Gentillet, Possevino, Ribadeneira and Fitzherbert'; this implies a recognition on his part that his account *did* indeed suggest such a relationship.

[2] M. Stolleis, *Staat und Staatsräson in der frühen Neuzeit* (Frankfurt, 1990), 7.

[3] M. Foucault, '*Omnes et Singulatim*: Towards a Criticism of *Political Reason*' (Tanner Lectures on Human Values, Stanford University, October 10 and 16, 1979), available on-line at http://foucault.info/documents/foucault.omnesEtSingulatim.en.html: 'The striking thing is that the rationality of state power was reflective and perfectly aware of its specificity. It was not tucked away in spontaneous, blind practices. It was not brought to light by some retrospective analysis. It was formulated especially in two sets of doctrine: the *reason of state* and the *theory of police*.' *Polizei* is much later and unconnected; the fact that Romance language (say, Seyssel in 1518) and English writers wrote of 'police' is no evidence whatever for his thesis about 'surveiller et punir'.

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who as ever preferred their old currency, objected to 'reason of state' as un-German; *Machiavellian* (or -ist) and *Machiavellism* were obviously neologisms. All these terms referred explicitly or implicitly to the religious conflicts of the time, although the 'state/church antithesis' did not, I think, emerge in the sixteenth century. Acceptance of such a plethora of new terms into the language of even theatres and hostelries is very rare, and certainly suggests changes in the way the world was seen, at the level of explicit recognition, or just below. The historical question is *what* was recognized and *how* it was responded to.

I have argued elsewhere that the confrontation between 'Anti-Machiavellians' and 'Machiavellians' was in considerable measure a rhetorical ploy.[4] The political thinking of orthodox Catholics and Protestants largely accommodated and rationalized the emerging state form: normally 'absolute' monarchies, weighed down by the cares of foreign policy and war, the administration and management (both terms already familiar) of an indeterminate range of 'affairs of state', especially the appointment and control of state-servants, and attending to legal systems, public works and arts patronage, taxation to pay for it all, and, last but not least, consolidating the hegemony of a single religion closely integrated into the political order wherever possible, with toleration of dissenting religious minorities as an awkward *faute de mieux*. Orthodoxy also went out of its way *not* to impose moral burdens on princes that they would be unable or unwilling to bear.

Here I want to explore the contentions and argumentative techniques employed by Thomas Fitzherbert (1552–1640). He was an able critic of Machiavellism albeit not of the first rank, because he severely restricted his potential audience by writing in English, although he was fluent in Latin, Spanish, Italian and French.[5] He was to my knowledge the first author to include 'Policy and Religion' as well as 'statist' in an English book title, an aspect of his general sensitivity to language: he for instance noted that 'politike' (i.e. politician) had already by his time acquired malodorous connotations – like the originally neutral terms 'tyrant' and *latro* (originally a prince's bodyguard, later generically a brigand) – by virtue of the conduct of those who bore the title.[6] No doubt to wrong-foot the heretics, his book-title described him as 'Squire and Catholic Priest', but the book was addressed to his *son*. He in fact became a priest only some time in the 1590s (in 1602, according to Pullen), after the death of his wife around 1587, and a Jesuit in 1614 before the publication of the second edition of *Policy and Religion*, a detail he omitted to mention.[7] He had top-level political experience as the English Secretary of Philip II, as one of Cardinal William Allen's coterie, a long-term servant of the Duke of Feria and more briefly of Catherine de' Medici in the 1580s, an adviser to popes, and the life-long friend, associate and posthumous defender of Robert Persons, most notorious of the 'Machiavellian' Jesuits.[8] Fitzherbert added ecclesiastical and academic politics to his curriculum vitae once at Rome, as administrator and agent for the English clergy, and then as rector of the English College for more than twenty years until his death at the age of 88.[9] He was seriously considered for a cardinal's hat, according to Anthony à Wood and Dodd. All commentators noted both his exceptional degree of learning and his generous spirit.

Nothing is known about the circumstances of the composition of his *Treatise concerning Policy and Religion.*[10] The book was certainly not intended principally as a gift to his son (Edward, a recusant in England of whom even Wood knew nothing more) or as instruction for young aspirants to public office ('statists'). Its dates of publication (in two parts, 1606 and 1610, respectively, then both parts together, virtually unaltered, in 1615) are unrevealing, and Fitzherbert's only oblique reference to any event or controversy of the time is to 'our dread' James VI/I's escaping the Gunpowder Plot as a singular sign of God's providence.[11] Anglo's description of the *Treatise* as an 'immense expansion' of the *Defence of the Catholike Cause's* ideas of Protestants as Machiavellians, heretics and therefore (and foolishly) persecutors, suggests only an improbable and remote reason for its writing and publication.[12] Fitzherbert's master and mentor Robert Persons had made a polemical point against the English government, and indeed against Anglicans generally, that reason of state was their only reason for not casting in their lot with Lutherans or Calvinists. Fitzherbert had however already repeated this point directly and *in extenso* in 1602, and specifically deferred any further discussion of it to the *Second Part of a Treatise.*[13] Protestants *per se* were not by Fitzherbert's own account the main enemies of anti-Machiavellians, nor did he think they were atheists (Preface, s.2). Protestants being thus forewarned did not need even to look into this *Second Part*, assuming it did get published, and that they could get hold of or afford what was after all another illegal book. As far as I can see, Protestant commentators never regarded the *Treatise* as an anti-Protestant work.

Not much is extant about its reception. Fitzherbert was certainly well-known, but the claim in the *Catholic Encyclopaedia* (entry *Fitzherbert* by J. H. Pullen) that the work was 'highly valued for its sound and broadminded criticism of the lax political principles professed in those days' is unsupported by any contemporary source.[14] The very well-informed Catholic (though anti-Jesuit) Charles Dodd says nothing of the *Treatise* beyond mentioning its various editions, nor does Anthony à Wood.[15] By contrast the anonymous author(s) of the *Biographia Britannica* (and the Presbyterian Alexander Chalmers, who drew extensively on it, and on Wood and Dodd) regarded Fitzherbert's polemical

[4] H. Höpfl, 'Orthodoxy and Reason of State', *History of Political Thought*, 23, no. 2 (2002), 211–37.

[5] His Latin *An sit utilitas in Scelere, vel: de Infelicitate Principis Machiavelliani, contra Machiavellum et politicos eius Sectatores,* [*Does Crime pay? or: The Misery of the Machiavellian Prince*] (Rome, 1610), despite its snappy title was not nearly as good a work, and was never republished.

[6] For the full title of his *Treatise concerning Policy and Religion*, see the bibliography.

[7] Dates directly or by inference from C. Dodd, *Church History of England*, 2 vols. ('Brussels' (in fact London), 1739), a very full entry on Fitzherbert pp. 410 and 413. Dodd, unlike Wood and Chalmers (below), had access to manuscript sources. The *Catholic Encyclopaedia* (1919) article's dates are uncited. The *Adioynder to the Supplement of Father Robert Persons* of 1613 did not mention it either, although it identified the author as Thomas Fitzherbert.

[8] On Person's role and reputation see H. Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c. 1540–1630* (Cambridge, 2004), 30, 67, *passim*.

[9] The published details of his life are rather sparse, though the entry in the new *Dictionary of National Biography* is considerably fuller than that in the old Oxford DNB.

[10] See bibliography for full title and editions. All references, unless otherwise indicated, are to *First Part of a Treatise*, in the 1615 edition, by chapter and paragraph numbers.

[11] Fitzherbert, *First Part of a Treatise*, 35.21.

[12] Anglo, *Machiavelli*, 394. *A Defence of the Catholike Cause* . . ., (Douai, 1602), Chs. XXII–XXIII.

[13] *A Defence of the Catholike Cause*, Ch. XXII, 42^{r}–43^{v}; Persons had argued this in, among other places, the anonymous *Newes from Spayne and Holland* (n.p., 1593), 23^{r}–32^{v}; his point was that it was bad policy even as purely Machiavellian reason of state.

First Part of a Treatise, unpag., Preface, section 6; see footnote 19. The *Second Part* did continue the themes of the *Defence*, but then it also contained bitterly hostile comments on Jews and Mohammedans, and again distinguished between the natural virtue of many Protestants and true virtue, i.e. natural virtue complemented by grace.

[14] Its claim that the *Treatise* was translated into Latin in 1630 is nonsense. The claim found e.g. in Chalmers that a *Third Part* of the *Treatise* was published is also groundless.

[15] Dodd, *Church History of England*, 412; See A. Wood, *Athenae Oxonienses,* 4 vols. (London, 1691), i, 537–8, for a careful and sympathetic article of almost two columns), who said that Fitzherbert was 'a person of excellent parts, had a great command of his tongue and pen, and was a noted Politician', which might mean either a political actor or a political thinker, but presumably Wood intended the latter.