

# A Cultural History of Tolerance

Covering the entire European system and its relations with the East and America, this first global history of tolerance in early modern Europe describes how the ideal of tolerance and its realisation transformed both the religious and political life of the modern world.

In the 16th century, Christianity was split apart by the Lutheran revolt, a fracture which would become a political one. Erasmus, Castellio, and the Socinians defended the freedom of conscience and of faith, and the right to belong to a heretical church. The violent political clashes in France, Holland, and Great Britain seemed to make the latter impossible, as the relationship between religion and politics was at the centre of those conflicts. The theory of a new politics was devised by Hobbes and developed by Spinoza and Locke: Sovereignty was not to be religious but secular, and tolerance would become civil liberty. *A Cultural History of Tolerance* shows how political power and religious doctrine together shaped both persecution and emerging ideas of tolerance, laying the groundwork for later debates.

This book is intended for professors, academic researchers, students, and general readers interested in early modern Europe, political ideas, and the history of religion.

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### **A Cultural History of Tolerance**

Ideas, Conflicts, and Protagonists

*Lucia Felici and Girolamo Imbruglia*

# A Cultural History of Tolerance

Ideas, Conflicts, and Protagonists

Lucia Felici and Girolamo Imbruglia

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# Contents

<i>Foreword</i>	<i>vii</i>
Introduction: background: the genesis of the idea of tolerance from the Gospel Age to the Middle Ages	1
<b>PART I</b>	
<b>The 16th and 17th centuries</b>	<b>5</b>
1 From Catholic unity to the multiplicity of worlds	7
2 Religious freedom and tolerance in the age of the Reformation and Counter-Reformation	39
3 Practising coexistence, theorising tolerance	55
4 The 17th century: from religious tolerance to modern freedom	96
<b>PART II</b>	
<b>From religious toleration to political freedom</b>	<b>125</b>
5 The 16th century: community, civic religion, and the need for toleration	127
6 The 17th century: the strength of faith	149
7 The 17th century: tolerance and sovereignty	170
8 The 18th century: Holland, Germany, and Empire	192
9 The 18th century: after the glorious revolution – Great Britain	200

vi *Contents*

10	The 18th century: France	211
11	The 18th century: the American Revolution and Diderot	232
	<i>Index of Names</i>	243

# Foreword

This book presents readers with a dual path of the 16th and 18th centuries: its *Part One* is the social and intellectual history of tolerance in Europe, seen above all from the side of heterodox elements, but with attention to their interaction with the Magisterial Churches and political institutions; *Part Two* is the history of the relationship of the notion of tolerance thus formed with the idea of sovereignty in which that dramatic event found resolution. This latter path was suggested by Delio Cantimori, the great historian of Italian heretics of the XVI century: ‘Studies on Socinianism could perhaps move away from investigations into the formation of the concept of religious tolerance to those on the formation of modern political thought, which would not mean abandoning the history of that concept, but moving it away from the abstract celebration of it’.<sup>1</sup> Cantimori developed it with a glimpse of a history of utopian ideas at the end of the 18th century; then strangely the suggestion made by him was either neglected, or developed in another, although quite interesting way.<sup>2</sup> By contrast, we took our cue from Cantimori’s idea. The sense of our research lies in the interweaving of social history and the history of ideas, which is necessary to understand how the need for tolerance lies at the roots of the modern idea of political freedom. It seemed to us that without recognising this ambivalence, it is impossible to understand the historical problem of tolerance and freedom in the modern age. It was dazzlingly expounded by Honoré de Mirabeau at the revolutionary *Assemblée Nationale*. He said that ‘liberty has never been the fruit of a doctrine arrived at by means of philosophical deductions, but out of everyday experience’. Nevertheless, as ‘only liberty matters to a people, and only by a people liberty can be maintained’,<sup>3</sup> the social fight for liberty had to find the strength of the ‘political truth’ of laws. In his speech *Sur la liberté des cultes* delivered to the Paris National Assembly on 22 August 1789, Mirabeau proclaimed ‘I do not come to preach tolerance. The most unlimited freedom of religion is, in my eyes, such a sacred right that the word *tolerance*, which would like to express it, seems to me to be in some way itself tyrannical, since the existence of an authority that has the power to tolerate attacks freedom of thought for the mere fact that it tolerates and therefore might not tolerate’<sup>4</sup>.

The problem of tolerance and its relationship with otherness runs through the history of the modern world as a constitutive part of it. The year 1492, which conventionally marks its beginning, saw the opening of a global dimension with the discovery of America and, at the same time, the religious and identitarian closure of European countries, Spain in the lead, in the process of forming modern States. The tension between intellectual confrontation with otherness and political life of communities and States strengthening characterised Europe from the 16th century onwards, with different tones and aspects in relation to the historical events that marked its evolution – from the Protestant Reformation to the wars and revolutions of the 17th and 18th centuries – destined to transform the general cultural and social, economic, and political framework. A constant note was violence, physical and verbal, towards the Other. But it was precisely from this ceaseless conflict and its excesses that ideas and practices of tolerance originated in the religious, political, economic, and cultural spheres, which were foundational to our society's heritage of values and experiences.

Admittedly, it is a heritage that is continually threatened by discrimination, violence, and clashes that are still widespread and topical, and that call for its rethinking. The relationship between politics, society, and religion, and the link between the sacred and social violence have presented themselves in a different light in history. By imposing itself with the force of fanaticism, the centrality of religion in the political scene and in social life has profoundly altered structures and needs, and has called into question the historical and philosophical category of secularisation, which seemed to have asserted itself after World War II as an alternative to the traditional religious world. The new tensions, anxieties, and expectations of contemporaneity have raised questions that bring about new historiographic perspectives. The image of a religion that was increasingly internalised and less and less characterised by public value, which seemed to impose itself in historiographic reconstruction, was replaced by the appearance of a religious category characterised by the strength of belief pushed to the point of fanaticism, and its claim to its own political value pushed to the point of terror. The question of religious tolerance and intolerance has also been transformed. Recent research works on this subject do not fully grasp the objective because of a traditional consideration of the religious phenomenon. It is limited to a partial sphere, restricted on the one hand to conceptual and religious aspects, and on the other to the dynamics of multi-faith coexistence alone.<sup>5</sup>

Instead, this book proposes a different reading of the history of tolerance from the 16th to the 18th century, investigating the reflections and concrete implementations of the principles of freedom in both the religious and political spheres, in a complex and constantly redefining world. As legislations, cultural visions, social and economic dynamics, and geopolitical configurations changed, so did the ideas of religion and politics and their relations; the ideas of the individual and society also shifted. The links between these spheres are inseparable, just as it is indispensable to recognise the connection of tolerance

with contemporary history if we wish to reconstruct, in its complexity, the *actual* history of the affirmation of freedom in modern society. Ideas and practices were linked by reciprocal influences, in a relationship of circularity, albeit discontinuous and dissimilar; the religious and political conceptions represented the two sides of the coin, albeit according to a line of development that was not the same either in terms of manner or timing.<sup>6</sup> In those three centuries, the problem of freedom of conscience turned into a problem of civil and political freedom. The outcome was the secularisation of political culture, and the affirmation of a new value, modern freedom.

Precisely because of this development, the book presents a deliberate and visible discontinuity in the reconstruction of the modern problem of tolerance. In the 16th century and the first half of the 17th century, up to (but partly beyond) the Peace of Westphalia, the problem of tolerance and intolerance imposed itself with unprecedented and dramatic force in European societies, following the breakup of traditional spatial and religious unity and the affirmation of the plurality of cultures, religions, and States. Confrontation with the otherness became unavoidable, just as it was necessary to find ways and legitimations, including legislative ones, for coexistence in view of the survival of communities, which seemed threatened by the violence of conflict. The historical course of the 16th and to some extent 17th century was therefore interwoven with figures, ideas, experiments, conflicts that imposed the search for adaptations to that new plural dimension. A reality fought on many fronts and a source of wars, persecutions, controversies, but destined to become progressively constitutive of societies and states. The Thirty Years' War contributed to the turning point, seeking to impose the priority of politics in wars to the detriment of confessional motives; although always a source of tensions and discrimination, the latter were downplayed.

The debate on freedom of conscience changed shape and subject. On the horizon of the social and intellectual movements and conflicts around the question of tolerance, Part Two of the book analyses these theoretical discourses from the mid-17th century to the end of the 18th century, also giving ample space to those 16th-century thinkers who anticipated its motifs (such as Jean Bodin). Starting from the quest for religious tolerance, the new challenge was to conceive tolerance as a theme of political sovereignty. As Hume said, religious tolerance became the right of civil and political freedom and religious conflicts became conflicts of political parties.

This thematic organization, in line with the historical development of the problem, entailed choices in the narration: the distribution of stories and themes in the different parts of the book, without a chronological *continuum*, but instead on the basis of the centrality of the phenomenon at a given time, with anticipations, projections of events and notions; sometimes the repetition of characters and contexts already treated, in a manner functional to the analysis. In the case for example, of France, the reconstruction focuses on 16th-century events, crucial for the country and for Europe, which ended with the affirmation of biconfessionalism in a unitary state after the

devastating wars of religion, and then extended to 17th-century libertinism. England is dealt with in the chapter on the 17th century in relation to the English Revolution, from which the first parliamentary monarchy and the *Toleration Act* emerged, but also illustrating the preceding Tudor age; and so on. Giving unity to the reconstruction is the attention paid to the actors, thoughts, conflicts, practices, in short, to the complex of factors that marked the tortuous path of tolerance and made it the flywheel of modernity. In a remarkable essay, John Dunn presented four questions ‘that appropriately arise in attempts to understand the history of political ideas’. They concern the meaning of a text, its relationship with its context, and with us, today; the third question is: ‘What has this text meant to others, reading it then and subsequently, and why has it meant that and not something else?’ Of course, we answered the first two questions, but the latter have been our problem.<sup>7</sup>

The historical account unfolds in three movements. Showing how the ideal of religious tolerance arose and how it changed is an area on which much is being investigated by social and intellectual historiography. The 16th century was a scene of violence: American and Eastern peoples were conquered *religionis causa* (when possible); persecution and civil wars were waged in Europe *religionis causa*. This history is the first aspect of the problem, defining the two terms of the question, the religious doctrines at stake, orthodox and heretical, and the strategies of power and conflict both with non-European societies and between Christian societies. But the category of religion itself varied: in the representation of its genesis, by diffusionism of biblical doctrine or by universal anthropological causality, such as the passion of fear; in the definition of belief and worship, of idolatry and superstition; in the concept of Christianity and atheism. Within these debates, the theories of tolerance between the 16th and 17th centuries argued the right of an individual and a community to express their faith. They were extraordinarily important because they defined in conscious and dramatic opposition what religion was, who was the individual who turned to one belief rather than another, and what belief was. Their story represented one of the highest moments of modern intellectual events in which the voices of Erasmus and Castellio, Grotius and Bayle stand out. They were speeches that transformed the mentality and hopes of Europeans, and that matured the awareness of the right to erroneous conscience, freedom of conscience and speech. These values were elaborated in deeply religious contexts, in which religious beliefs were very much alive, and the weight of biblical and theocratic tradition very strong. Tolerance did not demand that people gave up their belief.

The second movement of research can be indicated by the two terms *tolerance* and *toleration*. The latter exists only in British lexicon, but has had a precise and innovative historiographical meaning in recent decades, because it has been linked to a new theory of secularisation and of its history.<sup>8</sup> With *toleration*, studies have indicated the ways in which communities divided into at least two religions managed to find a temporarily peaceful arrangement. Rather than opposition to persecution, as was done with the ideal of

*tolerance*, it was the result, perhaps unintended, of weariness and violence. It was the sign of a contradictory condition of coexistence and exclusion, hatred and trust, closeness and distrust.<sup>9</sup> But there was always the fear, if not the certainty, that a sudden decision by the political power would put an end to that religious concession and peace. The practices of toleration lacked the objective of tolerance; it was the arbitrary choice of power. It was the political solution, or rather the *police* solution to the conflicts of toleration: the way in which a State, whether monarchical or republican, decided whether to grant toleration to religion or minority religions. However, the negotiation desired by the reason of State did not represent a condition of freedom.

The mid-17th century saw the emergence of the third movement of this history, driven by the assessment Pierre Bayle drew from previous history: 'This is why the dogma of Tolerance is no more useful against the temporal evils that schisms cause than if no one supported it'.<sup>10</sup> Bayle damned the violence upon consciences but while building a theory of tolerance he ended up 'with something that looked very much like a justification of violent forcing of consciences if it was conscientious persecution'.<sup>11</sup> The forms of coexistence were precarious and treacherous, as demonstrated by the revocation of the Edict of Nantes (1685). But Bayle recognised that the Christian religion was sectarian by nature and that, alongside the belief of faith, it had an ineradicable political value; consequently, the State had the need and the right to intervene and curb the heretical dynamic. Tolerance as a category of concord managed by the *police* had no effective force and left the way open for intolerance. In Bayle's words 'there seems to be nothing left but ruins. One wonders if even the idea of tolerance remains'.<sup>12</sup> To provide a solution to that dramatic dilemma, a new kind of sovereignty was conceived. To make tolerance effective a new constitutionalism was developed as a form of the new desire for civil and political liberty.

The need for a political foundation of toleration turned the tables on the religious doctrines of tolerance.<sup>13</sup> It is pointless to juxtapose practices of toleration and theories of tolerance, but it is useful to see how they intersected and how they ended up. The question was no longer seen as inherent either to the church or to the relation between religious and political power. The *enjeu* now was the foundation of political order, which no longer descended from divine *potestas* but rested upon the natural law of the individual.

It was Hobbes who founded a new political sovereignty, a problem already partially seen by Bodin in the later 16th century. The struggle for religious tolerance was one of the forces behind Hobbes's idea of indivisible sovereignty. Hobbes distinguished the charismatic structure of the religious community from the rationalistic political structure of the State and saw spiritual power as the central category of sovereignty. Theocracy was no more the inner structure of the modern State. After Hobbes and Spinoza, Locke explained: 'there is absolutely no such thing, under the gospel, as a Christian commonwealth'.<sup>14</sup> Sovereignty was not limited to military force; its foundation lay in the consciences of citizens and its exercise lay in their education in

*civil worship*. In turn, sovereignty guaranteed the autonomy of the individual conscience. According to Hobbes it could be freely practised only in the silence of conscience, but Spinoza and Locke recognised the citizen's freedom of speech, provided that religions did not endanger the State. The final step was taken in the Enlightenment, by Montesquieu and Rousseau, who transformed this sovereignty into the republican theory of democratic freedom. It was not tolerance that produced freedom, but republican political freedom that ensured civil and religious freedom. Political freedom constructed the area of relations between individuals, parties, government and the legislature. Monist sovereignty regulated the conflicts of which it was made; not *Gemeinschaft*, but civil society was discovered as the area of social life.

This concept of sovereignty is now being questioned in the name of its pluralist model. The impact of globalisation on community institutions has resurrected a strong communitarian dimension, one that is skeptical of the notion that conflicts are the substance of political freedom. The sovereignty of the French Revolution is now questioned, prompting reflection on whether pluralism, rather than monism, should be sought –, though obviously not that of late medieval Christian communitarianism.<sup>15</sup>

By investigating an important aspect of our world of yesterday, we hope to have made a contribution to the discussion on today's world.<sup>16</sup>

## Notes

- 1 D. Cantimori, *Eretici italiani del Cinquecento e altri scritti*, A. Prosperi (ed.) (Torino: Einaudi, 1992), p. 414.
- 2 See S. Mortimer, J. Robertson (eds.), *The Intellectual Consequences of Religious Heterodoxy, 1600–1750* (Leiden-Boston: Brill, 2012), esp. the Introduction, pp. 1–46, and S. Mortimer, 'Human and Divine Justice in the Works of Grotius and the Socinians', p. 94.
- 3 H. G. de Mirabeau, speech at the Assemblée Nationale, on August 17, 1789, *Archives Parlementaires de 1787 à 1860*, t. VIII (1789–99), J. Mavidal, E. Laurent, E. Clevel (eds.), (Paris: Paul Dupont, 1873), p. 438.
- 4 de Mirabeau, *Archives Parlementaires de 1787 à 1860*, p. 473. The problem was seen by F. Ruffini, *La libertà religiosa. Storia di un'idea* (1901) (Milano: Feltrinelli, 1967).
- 5 E. Bonora, 'Quale Controriforma? Roma e l'Europa multiconfessionale', in *Studi storici*, 64 (2023), pp. 21–52.
- 6 F. Quatrini, *I sociniani. Una chiesa ereticale in lotta con la cristianità (1563–1638)* (Napoli: Bibliopolis, 2023).
- 7 J. Dunn, *The History of Political Theory and Other Essays* (Cambridge: Cambridge University Press, 1996), pp. 24–5.
- 8 This is especially clear in the case of Habermas. J. Habermas, 'Religious Tolerance: The Pacemaker for Cultural Rights', in *Philosophy*, 79 (2004) has observed that 'In English, the word 'tolerance' as a form of behaviour is distinguished from 'toleration', the legal act with which a government grants more or less unrestricted permission to practice one's own particular religion', p. 5, and accordingly he has looked at secularisation "as a twofold learning process that compels the traditions of the Enlightenment and religious teachings to reflect on each other's limits," while examining "what cognitive attitudes and normative expectations the

- liberal state must demand of its religious and nonreligious citizens in their dealing with one another,” J. Habermas, *Between Naturalism and Religion* (Cambridge-Malden, MA: Polity, 2008), p. 102.
- 9 A. Walsham, ‘Toleration, Pluralism and Coexistence: The Ambivalent Legacy of Reformation’, in *Archiv für Reformationsgeschichte*, 108 (2017), pp. 181–90.
  - 10 P. Bayle, *Réponse aux questions d’un provincial*, IV, 1, in *Œuvres diverses*, (La Haye: La Compagnie des Libraires, 1737), t. III, 1011.
  - 11 J. C. Laursen, ‘The Necessity of Conscience and the Conscientious Persecutor: The Paradox of Liberty and Necessity in Bayle’s Theory of Toleration’, in L. Simonutti (ed.), *Dal necessario al possibile. Determinismo e libertà nel pensiero anglo-olandese del XVII secolo* (Milano: FrancoAngeli, 2001), p. 212.
  - 12 W. Rex, *Essays on Pierre Bayle and Religious Controversy* (Nijhoff: The Hague, 1965), 185.
  - 13 For a different perspective, L. Simonutti, ‘Tolerance: Toleration’, in D. Jalobeanu, C. T. Wolfe (eds.), *Encyclopedia of Early Modern Philosophy and the Sciences* (Basel: Springer, 2020), pp. 1–8.
  - 14 See Simonutti, ‘Tolerance: Toleration’, pp. 1–8.
  - 15 P. Costa, ‘Il pluralismo politico-giuridico: una mappa concettuale’, in *Quaderni fiorentini per la storia del pensiero giuridico moderno*, 50 (2021), pp. 29–117.
  - 16 To make the text as accessible as possible we have used existing English translations of texts; where no translator is indicated, the translations are ours.



# Introduction

## Background: the genesis of the idea of tolerance from the Gospel Age to the Middle Ages

After Humanism, the debate on tolerance was characterised by the realisation that the state and society produced by Christianity were radically different from those of the classical age, while also differing significantly from the models discovered in the East and West. Reflection on the world of late antiquity was therefore central.

Both the intolerant policy of the Churches and, conversely, the demand for freedom of conscience, could be justified by referring to the Holy Scripture and patristics.<sup>1</sup> The Old Testament constitutes a rich reservoir of laws and punishments against blasphemers, idolaters, and false prophets, the kind of deviants to whom heretics were equated from the Middle Ages onwards. Religious freedom, on the other hand, has a solid foundation in the New Testament, beginning with the fact that it asserts the primacy of spiritual law and conscience. There are numerous passages in favour of such freedom, especially by St Paul; ones that stand out are his statement that “It is necessary for there to be heresies” (*1 Cor.* XI, 18–19) and his defence of freedom of conscience in the epistle to the Galatians (*Gal.* III, 28). The Church of the origins, and later the Protestant reformers who sought to restore this institution in the 16th century, referred to this Gospel dictate.

The first centuries of Christianity were, however, marked by a clean break with the Edict of Milan. Considered the first public act of tolerance or full religious freedom, this 313 A.D. edict by Emperor Constantine granted equal dignity and free expression to all forms of worship, thereby ending the persecution of Christianity. The Church Fathers’ arguments in favour of tolerance – as well as their practices – were quite different before and after the edict. While at first those advocating tolerance – especially Lactantius, Tertullian, and Origen – clearly prevailed because of the anti-Christian policy in force at the time, later on the Fathers’ positions were more and more in line with the hegemonic role the Catholic Church acquired with the decrees of Thessalonica (380 A.D.) and Constantinople (392 A.D.): Christianity became the sole and official religion of the Empire. The expression ‘*extra ecclesiam nulla salus*’ (‘outside the church there is no salvation’), attributed to Cyprian, effectively sums up the outcome of this evolution. The Fathers’ writings reflected this process of building ecclesiastical power, a process

## 2 A Cultural History of Tolerance

accompanied by a lively blossoming of religious sects. The patristic texts thus represent a veritable ‘arsenal’ of arguments both for and against freedom of conscience.<sup>2</sup>

It was in this turbulent context that Saint Augustine, the Bishop of Hippo, abandoned the firm opposition to violence and the coercion of consciences – famously expressed in his ‘*credere non potest homo nisi volens*’ – that he had adopted when first taking pastoral office. He formulated the cardinal principle of Christian intolerance, ‘*compelle intrare*’, and provided a practical demonstration of this coercive approach in his fight against the Donatists.<sup>3</sup> The formula ‘compel them to enter’, indicating religious compulsion, was central to a certain interpretation of the parable of the Supper (*Luke* XIV, 16 ff.) referring to apostates and schismatics; after the struggle for investiture; however, it was also applied to heterodox elements. Centuries later, the debate on civil tolerance coagulated around this principle. St Augustine also offered a restrictive reading of the parable of the weeds (*Matthew* XIII, 24–30), thereby providing another justificatory paradigm for persecution with the thesis that ‘bad weeds’ must be eradicated preventively (through excommunication). His position on Jews and infidels was less drastic, considering them to be unwittingly ignorant of the truth. Augustinian interpretations, from the *Collectio canonum* to Gratian’s decree and the *Corpus juris canonici*, were widely popular. They also legitimated crusades against medieval religious sects such as the Cathars, Patarians, Albigensians, Waldensians, etc.

In the Middle Ages, the temporal and ecclesiastical powers agreed that heresies needed to be repressed as they were deemed subversive of Christian society as a whole, which at the time was a simultaneously political and religious body. Beginning in the first half of the 13th century, the papacy invested the Inquisition, run by Dominicans and Franciscans, with the authority to repress. Thomas Aquinas granted this move his authoritative stamp of legitimacy by considering the death penalty as a punishment for heresy, in the name of defending Christianity, while adopting the more lenient Augustinian stance on Jews and Muslims. This latter position was important, given that large Jewish communities were living in Western and Central Europe and Spain also hosted a Muslim community.

However, some spoke out against this position as early as the 13th century, including Peter Abelard, Christine de Pizan, John of Salisbury, John Wyclif, Jan Hus, and Marsilius of Padua.<sup>4</sup> Their key points were the justification of erroneous conscience, the affirmation of man’s freedom, openness to engagement with other faiths and, in the case of John of Salisbury and Wyclif, tolerance towards the religious beliefs of others as an individual right and the foundation of political community, the assertion of the state’s superiority over the church (conceived as a spiritual institution), and the rejection of religious persecution. Through Jan Hus, Wyclif’s positions were taken on as a heritage by the revolutionary Bohemian nationalist movement.<sup>5</sup> Dialogue with Muslims was initiated starting in the 12th century thanks to Peter the

Venerable – to whom we owe the first translation of the Koran and texts on Islam (the *corpus Toletanum*) – followed by John of Segovia and Ramon Llull.<sup>6</sup> In the Jewish world, the learned thinker Salomon Ha-Me'iri formulated the first Jewish theory of tolerance towards Gentiles at the end of the 13th century by means of a new legal analysis of the Talmudic regulations concerning idolaters.<sup>7</sup>

Much of this thought arose in response to the authoritarian and hegemonic attitude of the Church and was condemned by it, especially when it took the form of heretical movements. Ecclesiastical opposition to such heresy took on political significance as theology became the language of social rebellion. Medieval heretics pushed for freedom of conscience as part of a project to completely transform society based on the separation of church and state.<sup>8</sup> In the Middle Ages (and beyond), therefore, the conjunction of politics and religion gave rise to both intolerance and reactions against it. However, coexistence with heterodox individuals or the believers of other religions was practised *de facto* in medieval Europe. The Modern age brought both points of continuity and ruptures.

## Notes

- 1 For a detailed examination of positions from the Bible to the Middle Ages see J. Lecler, *Histoire de la tolérance au siècle de la Réforme* (Paris: Aubier, 1955), 2 vols. I, p. 1.
- 2 A. Momigliano, *Empietà ed eresia nel mondo antico e La libertà di parola nel mondo antico*, in *Sesto contributo alla storia degli studi classici e del mondo antico* (Roma: Edizioni di Storia e Letteratura, 1980), I, part 6.
- 3 P. Brown, 'St. Augustine's Attitude to Religious Coercion', in *The Journal of Roman Studies*, 54 (1964), pp. 107–6.
- 4 C. J. Nederman, J. C. Laursen (eds.), *Difference and Dissent: Religious Toleration in Medieval and Early Modern Europe* (Lanham: Rowman & Littlefield, 1996); C. J. Nederman, J. C. Laursen (eds.), *Beyond the Religious Toleration before the Enlightenment* (Philadelphia: University of Pennsylvania Press, 1998).
- 5 A. Molnár, *Jan Hus. Testimone della verità* (Torino: Claudiana, 2004).
- 6 J. Leclercq, *Pietro il Venerabile* (Milano: Jaca Book, 1992).
- 7 Nederman, Laursen (eds.), *Difference and Dissent*, pp. 71–91.
- 8 G. G. Merlo, *Eretici ed eresie medievali* (Bologna: Il Mulino, 1989).



**Part I**

**The 16th and 17th centuries**



# 1 From Catholic unity to the multiplicity of worlds

The Modern age ushered in a new era with multiplicity as its hallmark. Europe opened up to the world in time and space. The age of Humanism and the Renaissance brought about a transformation of the cultural landscape. With its critical approach to knowledge, appreciation of humanity and reason, and the rediscovery of the ancients, the humanistic movement changed the attitudes, content, and actors of knowledge. The principle of authority and the cultural monopoly held by the Catholic Church were called into question, and alternative values were asserted, drawn from classical, Hebrew, and Arabic texts with the critical tool of philology and thanks to the dignity attributed to humankind's intellectual quest in every time and place. This redemption of the cultural heritage of all mankind was legitimated by reference to the neo-Platonic philosophy then in vogue, which held that every civilisation and religion was a historical manifestation of God's perennial revelation. The invention of the printing press granted an extraordinary acceleration to the process of secularisation and cultural expansion, making many more opportunities for knowledge acquisition and autonomous reflection available to a growing readership.<sup>1</sup> Notable examples of this 'plural universalism' were Giovanni Pico della Mirandola and Niccolò Cusano.<sup>2</sup> The former celebrated the full dignity and freedom of humankind, an accomplished synthesis of the micro- and macrocosm with infinite possibilities for expansion, calling for universal 'philosophical peace' through harmonisation of the various religious and intellectual expressions of humanity. The Bishop of Brixen laid the philosophical foundations for attaining the ideal of 'universal concord and perpetual religious peace' based on the idea of a common search for mankind's religious truth. This idea was developed within the framework of a negative theology of God, an entity unknowable to man, with the mediation of a Christ understood neo-Platonically as the inner *lumen* of humankind's ethical, salvific, and divinising path. The circle of love and wisdom between the Father and his creatures was held up as the foundation for potentially achieving the irenic project and universal salvation. For his part, Cusanus sought to reunite the Hussites and Greek Orthodox with Catholics and created the preconditions for dialogue with Muslims. The problem of tolerance thus acquired substance and theoretical prominence.

The elimination of medieval geographical barriers completed the process of enlarging cultural horizons that had been initiated by Humanism.<sup>3</sup> Explorations, religious and diplomatic missions, and the expansion of trade networks in Asia, Africa, and America broke down traditional European cultural, economic, and social boundaries, and world globalisation began. An intense circulation of people, goods, ideas, money, technologies, lifestyles, and political models made engagement with otherness a daily occurrence. Hitherto unknown peoples such as the Indigenous peoples of the Americas burst onto the mental horizon of Europeans; Asians and Africans became important economic references for the trade in goods and, in Africa, the trade in human beings; Muslims and Jews, the traditional external and internal enemies of Christianity, continued to have an ambivalent position, a presence at once threatening and yet functional to the life and identity of society. Interaction often took place under the banner of violence and oppression, as new fault lines opened up. Spain and Portugal completed the centuries-old process of the *Reconquista* in 1492. This was followed by forced evangelisation that led to the conversion or expulsion of Muslims and Jews, at home, and the savage colonisation of indigenous civilisations, in America: internal purging and outward expansion were two sides of the same coin.<sup>4</sup> The religious and political identity of the state was founded on the pro-religious principle of *limpieza de sangre*, defined in 1449 and then fully applied with the consequent devaluation of the universality of baptism. A ‘seed of intolerance’ was planted that was destined to germinate into a century-old plant branching out in the Old and New Worlds.<sup>5</sup> The status of blood purity precluded access to social and political institutions and was a basis for marginalisation and persecution. In the case of natives and Blacks, it was also one of the matrices of racial ideology which contributed to the legitimisation of discrimination and subjugation. This ideology was formulated and applied in varying ways depending on contingent processes, making its impact quite changeable up to the end of the 18th century – so much so that it affected different groups at different times.<sup>6</sup>

The Protestant Reformation triggered a clamorous rupture of the millenary unity of Christian society and Catholic universalism, generating Magisterial Churches (i.e., endowed with a doctrinal *corpus* and institutional structures) and confessional states, but also religious movements, sects, and radical individual conceptions of faith.<sup>7</sup> This proliferation of multiple faiths and religious positions created widespread conflict in the reformed world, in defence of orthodoxy and/or the political identity each actor claimed. Religious radicalism in particular put the new churches to the test: their intolerant reaction to heterodoxy generated a debate about freedom of faith and the lawfulness of religious persecution that was both heated and decisive for Modernity. Externally, the Catholic Church found itself constantly enmeshed in various clashes, albeit in different forms. The whole of Europe was criss-crossed by religious divisions that were constantly being redefined. Equally changeable was the geopolitical map of political authorities’ support for the Churches.<sup>8</sup>

However, relations with different intra- and extra-European actors and ideas also forced new reflections and relations with the Other. The reaction was generally one of defence and prevarication as traditional reference values, individual and social identity, were profoundly challenged. However, people's gaze on their fellow human beings changed and became more open and complex. Coming face to face with the kaleidoscopic humanity of the Early Modern age – as represented by the ancient pagan, the Indian, the African slave, the Chinese mandarin, the Indian merchant, the Jewish scholar, the Saracen pirate, the heretic, the witch, etc. – along with the formation of religious borders within states gave rise to laws, practices of coexistence, ideas, theories, and diverse and unprecedented configurations of power.<sup>9</sup> Max Safley has summarised this complex of elements in the notion of multi-faith, that is, the 'legally recognised and politically supported coexistence of a city-state or territorial state' that became the rule after the ~~Protestant Reformation~~.<sup>10</sup> Such regulation took on various forms, classified heuristically in types such as 'hybrid', 'entrenched', 'liminal', 'coequal', or 'concentric', and encompassed social, political, normative, and cultural levels that interacted with each other differently in relation to varying times and spaces over the course of history: this phenomenon thus deserves to be analysed in all its complexity to understand reality in the Modern world.<sup>11</sup>

Legislation was undoubtedly important for legitimating the coexistence of different faiths in Europe. The Peace of Augsburg sanctioned biconfessionalism on a territorial basis in the Germanic Empire (1555); in France, the Edict of Nantes (1598) went further, authorising the Calvinist religion within the kingdom and thereby breaking the traditional confessional and political unity of the state; the Netherlands set up religious freedom as the foundation of their nascent republic in 1581. However, *de facto* tolerance often outstripped *de iure* tolerance, creating a more religiously motivated framework. Exemplary cases include the Germanic Empire, where the principle established in Augsburg was violated on multiple occasions, and England, where Catholics and heterodox elements were often able to survive behind formal adherence to the Anglican Church. Spaces for confessional coexistence were created even in Italy, sometimes regulated by laws – first in Venice and its university but also in Padua and Leghorn.<sup>12</sup> The Church of Rome itself, despite its commitment to the *militans et triumphans* Church of the Counter-Reformation, had to deal with an institutionally multi-faceted Protestant world that represented the majority in vast areas of Europe. This necessitated a series of adaptation strategies that varied over time and from area to area.<sup>13</sup> In Asia and America, the Holy See worked through its emissaries to implement processes of hybridisation and commercial interaction with local societies, as well as conversion: missionaries, regular orders, and bishops acted globally between *Empires and Emporia*.<sup>14</sup>

Generally, however, forms of diversity coexisted. Trade, mixed marriages, the need to share public spaces and places of worship (churches and cemeteries) in daily life, the requirements of practicing professions or providing

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education, the search for the ‘common good’ of one’s society, changes in the legal, political and social frameworks of individual local areas and states, as well as cultural and personal exchanges all contributed to making religious barriers more flexible and thus opening up continuous spaces for negotiation and compromise: in short, ‘living with religious diversity’.<sup>15</sup> An ‘ecumenism of everyday life’ gradually took hold, albeit along a course marked by leaps both forward and backward as well as a differentiated topography.<sup>16</sup>

Practices of coexistence were essential, but the problem of tolerance also had another face: ideas also played a role in changing historical reality, as part of a circular process of influence shaped by the history of societies rather than transcending them. Although this dialectic between theory and practice was varied and complex, it did indeed allow new communities to emerge and enabled a re-sematisation of the notion of tolerance without precluding either of the two aspects.<sup>17</sup>

Over time, the notion of humanity, the founding ethical and cultural principles of mankind and society, and the relationship between civilisation and religion were reformulated. Reflections on tolerance extended from the theological sphere to the anthropological and cultural spheres, involving the problem of the identity-based otherness of individuals from different civilisations as well as different faiths, as well as their historical reality. Indeed, the European relationship with Indigenous peoples of the Americas and African slaves raised the question of how they were to be included in humanity and divine design, contributing to discussion about race and the status of civilisation. As a matter of fact, the racial approach does not only reinforce feelings of difference, but it also actually *creates* them.<sup>18</sup> In this *corpus Christianum*, by now fragmented, modern theorising addressed notions of freedom of faith and tolerance in thinking centred on the rights of the individual, the spiritual nature of faith, and the idea that ecclesiastical and political powers should not coerce people’s consciences, in line with the Gospel message and the distinction between the two authorities.

The reality of a multi-faith society encompassing otherness led to the first timid steps towards a process of religious relativism. It began eroding the univocal notion of truth in the direction of valuing individual faith and ethics over dogmatic ethics and the unity of the human race over its differences. The idea of the primacy of the good of the state or community took hold, more or less lastingly, over the primacy of religious unity. The coexistence of two or more religions in a single state also pushed these religions to define and perceive themselves through their dynamic and interactive relationship with each other, thereby changing the traditional pattern of tolerance/intolerance. The fruitful outcomes of this process went on to manifest in the 17th and 18th centuries and beyond. In the meantime, however, the tortuous path of consolidating freedom and tolerance in the Modern world had begun.

### **Confronting otherness: outside or inside the Christian Republic?**

The 16th-century debate on tolerance also revolved around the theme of the Other, mainly in its guise as Muslim, Jew, Indigenous peoples, and Black.

Western religious identity had been shaped through its engagement with and thanks to the centuries-old contribution of the three religions of the Book; it now became more fragile and subject to reshaping as a result of 16th-century transformations. In this redefinition of identity, the question of what stance to take towards 'other' peoples represented a fundamental sticking point: should they be treated with tolerance or persecution, excluded from or included in the *res publica Christiana*, and, in the case of natives and Blacks, even the human race itself? This was not a new problem with regard to Islam and Judaism. However, the marked plurality of rites and civilisations found at the time posed this issue more forcefully and in a quite different way: the path to salvation no longer appeared to be the exclusive patrimony of Christianity, but rather a path that changed in space and over time. Interactions gave rise to traditional conversionism,<sup>19</sup> but also led to a search for religious affinities and compromises – that is, a move to view religious faiths as relative in the name of the primacy of the law of nature – and a concrete recognition that the Other deserved to exist, if not even play a positive part in the identity-formation process. The theological and cultural responses to this question made innovative contributions. They did not, however, lead to an equal and legislatively regulated condition of inclusion; rather, they generated only a *de facto* state of tolerance as part of constantly renegotiated coexistence. Speculations about the peoples of the New World (Indigenous peoples, Africans, Mestizos) played a particularly important role in formulating a Modern notion of tolerance in Europe, broadening and diversifying this concept in dialogue with the racial theories and practices that constituted the architrave of colonial America's social order. The encounter with the East, on the other hand, did not generate the same fruitful steps forward, given that relations with that millenary and impenetrable civilisation did not extend beyond unsuccessful, albeit repeated, attempts at conversion on the part of Catholic missionaries (especially Jesuits); these efforts were likewise based on a mixture of violence and adaptation to native religions.<sup>20</sup>

And yet what were the practices and/or reflections that developed out of the 16th-century interaction between Christianity and the Islamic, Jewish, indigenous, and African worlds?

### **Ideological fortresses, shaky borders: Muslims and Jews in the Christian West**

Both the Turkish and Jewish questions had always been present in European history, although with different statuses. Turks, the traditional antithesis of the Christian West as the personification of the Antichrist, usurper of sacred places, and earliest economic and political rival, had never enjoyed legitimate access to Christian society.<sup>21</sup> It was precisely this condition of otherness, however, that had sheltered them from the most severe religious persecution since the patristic age, since Islam did not represent heresy. By the 11th century, knowledge of Muslim civilisation had also spread across Europe, starting with Spain, where the three religions of the Book had

coexisted peacefully and enjoyed fertile, mutual exchanges until 1492. In the 15th and 16th centuries, however, the Ottoman Empire swept through Africa, the Middle East, the Balkans, and Eastern Europe, arriving at the gates of Vienna in 1529 and engaging in a gruelling struggle for control of the Mediterranean. At this point, Turks became the adversarial force par excellence to be fought, by force of arms and the power of the cross. Given this role, the Islamic world represented a cornerstone in processes of constructing the identity of the West – through a process of definition *and opposition* – and in formulating a Modern idea of diversity. Turkish civilisation performed the function of a ‘mirror’ displaying the merits and defects of Western Christendom, its hopes and anxieties, and in the case of Italy, an ‘embryonic Italian-ness’.

While this mirror function continued, however, the image it cast underwent a metamorphosis in the 16th century. In the Catholic world, the religious demonisation of Turks was replaced by threatening representations of these people on a political level. The struggle against the Ottoman empire was depicted as a true clash of civilisations, playing paligenetic functions in Christian society and serving to mythologise the papacy engaged in holy war. By shattering the myth of Ottoman invincibility, the victory of Lepanto (1571) produced a wave of collective relief, but little practical consequences. The mutual willingness to convert also remained unchanged. In the countries of the Reformation, where it was the papacy that was identified with the Antichrist, Turks cast off their diabolical robes to take on those of divine punishment instead; however, they also manifested as a concrete political, religious, and cultural phenomenon to be fought with both the sword and the Gospel and to be understood and assessed in international relations.<sup>22</sup> The border traditionally represented in the heart of Europe by the Empire started to become more blurred and porous.

Despite being stigmatised, Muslims were nevertheless always present in Europe, in the continental countries, Mediterranean and Atlantic ports, islands, in specific *enclaves* (especially in Poland and Russia), but also in ‘purified’ Spain after the *Reconquista*; they amounted to a quarter of the European population.<sup>23</sup> They were recorded as existing in agricultural, craft, commercial, cultural, maritime, diplomatic, or service activities, as slaves. Islamic culture was a source of inspiration on the political level – as suggested by the significant case of Niccolò Machiavelli – as well as on the religious level (especially for heterodox people), and on the medical and philosophical levels as a vehicle for transmitting Arab and Greek knowledge.<sup>24</sup> The vast circulation of people, goods, and ideas between the Sublime Porte and Christian West was constantly guaranteed by an international network bolstered by the extension of the Ottoman Empire and the condition of complete social and religious freedom found within it, a condition unheard of in the Christian West.<sup>25</sup> Without the privilege-based system characterising the *ancien regime*, in fact, the Ottoman Empire guaranteed all Muslims (even converts) the possibility to achieve social ascendancy and all faiths could gain legitimacy by

paying a small tax. It is true that this policy of tolerance represented a means of social control and national governance rather than an ideal. Nevertheless, this openness allowed for the formation of a multi-faith empire where Muslims, Orthodox Christians, Protestants, Catholics, Jews of the Sephardic and Ashkenazi diaspora and *conversos* coexisted peacefully, securing international mercantile ties as well as financial and cultural wealth. The splendour of Istanbul, with its extraordinary liveliness as a great cosmopolitan centre, functioned as the symbol of that multifaceted and liberal society and fascinated many ambassadors, scholars, travellers and merchants from the West. The phenomenon of renegades was thus quite significant.<sup>26</sup>

Venice, unique in Europe, maintained stable ambassadors in the Empire and hosted a large resident Muslim community that was willing to engage in lasting forms of reciprocal influence with Christians and Jews. However, both the Ottoman Empire and other European states, most notably France in its conflict with Charles V of Habsburg, had diplomatic relations with each other that may not have explicitly challenged the pattern of theological opposition but did make it less irreducible.<sup>27</sup> The settled Muslim communities in the West, on the other hand, were not guaranteed *de iure* tolerance, but continued to form part of the social fabric through commercial licences or unofficial residence permits, giving rise to an 'invisible integration' involving pragmatic coexistence – although this did not rule out tensions, conflicts, and constraints. Especially in Spain, evangelisation work was carried out constantly throughout the century, although entailing less coercive force in the central decades of the century; in general, this pressure to convert generated a diaspora in neighbouring Maghreb or practices of dissimulation. Muslims were subjected to constant political pressure out of the fear that they would act as a fifth column in the service of the ruler of Algiers or Ottoman sultan, and several times – such as the War of the Alpujarras (1568–70) – this erupted in episodes of brutal violence. Until their expulsion in 1609–11, however, the *Moriscos* lived in the country by virtue of their contribution to the economy and, if converted, the army as well.<sup>28</sup>

The coexistence of Muslims and Christians in the Mediterranean was also conflictual, but it did not become a space of permanent division between the West and the Islamic world. Certainly, *mare nostrum* was impacted by ideological and material barriers and served as the scene of violence, kidnappings, clashes, and blackmail. However, it also remained an open space for migration, forced and otherwise, as well as intermediation, mutual influence, the exchange of ideas, and social, economic, political, and cultural circulation. It was perceived by the Ottomans until the 18th century as a place 'in the making'. The factors contributing to this state of affairs included commercial needs, a shared culture within the international market, the strategies of political domination pursued by neighbouring countries that drove extra-religious alliances, and the requirements surrounding ransoming those taken as *captivi* in maritime clashes – this latter business was highly significant in its economic and political role.<sup>29</sup> Indeed, the danger of losing capital,

land, and souls made negotiation and equal partnership a priority over ideological confrontation. Relations with the infidel were played out under the banner of a *excepción permanente* to the laws, but they also led to stipulating peace treaties and free navigation, shared practices and rules that allowed the common development of an international law and diplomatic network.<sup>30</sup> The agents of religious, economic, diplomatic and cultural mediation, such as clerics, merchants, ambassadors, spies, scholars, and various kinds of agents, figures d'*entre-deux* or 'transimperial subjects' were mobile and polyvalent, capable of establishing connections between Islam and Catholic and Protestant Europe, thereby helping the policies of the West and Sublime Porte become more favourable to the communities in their respective countries. Geographical proximity in the Mediterranean and along the borders of the Germanic Empire, with northern European countries trading with the south, increased chances for relations or even integration between cultures: the result was a cross-cultural trade.<sup>31</sup>

There are many examples of this multi-faceted interaction: the continuous circulation of precious metals and goods despite the *Leyes de Partidas* (1567) that forbade such trade so as to avoid strengthening the enemy; the negotiations to liberate *captivi* undertaken throughout the Modern age by religious-military orders such as the Trinitarians and Mercedarians or lay leaders such as the *Alfaqueques* and, vice versa, by the heads of Muslim congregations; at a higher level, Philip III of Spain's support for Amar ben Amar bel Cadi, lord of Koukou, in his conquest of Algiers in the early 17th century; the existence of sites of religious syncretism such as Lampedusa, Pantelleria, Tabarca or free ports such as Livorno, Algiers, Marseilles, Seville and Palermo; and frequent identity shifts. A significant example of the latter is Leo the African, the great scholar born a Muslim in Granada who was first named ambassador to the King of Morocco and then, after being captured by Christian corsairs in Crete, was baptised by Leo X and engaged in intellectual work at the king's court and in Italy before finally returning to his ancestral religion in Fez.<sup>32</sup>

In conclusion, although actors of the time drew a sharp dividing line between Christianity and Islam for ideological and instrumental reasons (e.g., the tax increase justified by the crusade), interaction and exchange between the two worlds was the norm; these relations were symmetrical and important for the development of the Modern world. The results of this process became visible later, in the Enlightenment, with the birth of Orientalism.<sup>33</sup> However, the Western powers' colonisation policy between the 18th and 19th centuries initiated a new phase in which the 'invisible foreigner', formerly considered an equal, became the 'colonial subaltern' to be subjugated and exploited.<sup>34</sup>

The relationship with Judaism was more complex. The Jewish people were the bearers of otherness within the *corpus Christianum* and, at the same time, an inverted mirror reflecting Christian identity; Jewishness was an object of execration for religious and economic reasons, but also a significant element for the very same reasons, given its role in sacred history and society.<sup>35</sup>

Considered traitors to the divine election and enemies of the human race by virtue of having condemned Christ (*I Thess.* 2:14–16), the Jews were nevertheless essential to the economy of salvation: as witnesses to the truth of Christianity, it was believed that, by converting to Christianity before the moment of universal judgement, they would guarantee the establishment of the kingdom of God. In the earthly city, they made a fundamental contribution to intellectual and economic development with their professional, commercial, craft, agricultural, and financial activities. In the Renaissance, Jewish culture (especially the Kabbalah) was also highly valued as part of the move to rediscover ancient sources, giving rise to a fertile dialogue between Jewish and Christian scholars – even if this dialogue did not result in the assimilation that has often been celebrated. Italy was the cradle of the rebirth of Jewish civilisation in the European intellectual world.<sup>36</sup>

Until the mid-16th century, however, the Church's attitude towards Jews was ambivalent.<sup>37</sup> The Holy See implemented a policy that was structurally ambiguous in that it both protected and delimited. It housed the oldest Jewish community in Rome and welcomed them into its domains (particularly Ancona) in keeping with the right of inclusion established by St Paul and St Augustine – thus becoming a 'land of refuge' – but also to increase trade and financial activity. Beginning with the bull *Sicut Judaeis* (1120), the price demanded for papal protection was servitude. However, such protection often proved ineffective against the attacks of preachers and the citizenry, and in any case was always caught up with a conversionist policy. The Church therefore availed itself of the services of Jews as doctors, scholars, bankers, musicians, teachers, artisans, servants, etc., while branding them deicidal 'perfidii iudaei'.

European states had various approaches to Jewish people. While they were expelled from England and France in the 13th–15th centuries and, later, from Spain and Portugal, Jews resided permanently in the Germanic Empire, the countries of Eastern Europe, the Netherlands, the Ottoman Empire, and Italy.<sup>38</sup> Everywhere outside the Sublime Porte, they were victims of periodic aggression by the population. Such episodes were often fomented by religious figures – as in the exemplary case of Bernardine of Siena in the 15th century – exploiting the social and economic tensions of the community to catalyse them as scapegoats.<sup>39</sup> In the Iberian Peninsula, Jewish converts (*conversos*) were always subject to the watchful control of the Inquisition, always poised to suspect individuals with Jewish blood in their veins according to the established racial principle, and to pass death sentences on those who dissimulated apostasy and heresy or were found guilty of a crime usually attributed to Jews, namely the ritual murder of infants. In response to this inquisitorial persecution, marked across the Iberian Peninsula by the *auto de fe*, a spiritualistic religion – *alumbradismo* – and the universalistic idea that 'cada uno se salva en su ley' (each one is saved in his own law) spread widely among the upper and lower classes of the population. However, the repressive norms and practices employed here were later taken as a model for the Spanish and Portuguese conquests overseas.<sup>40</sup>

In Italy, the political authorities adopted an approach that was very different from other European countries. A 'legal and narrative contradiction' prevailed: legislative and symbolic vagueness favoured a gradual process in which Jewish communities were both distinguished as entities and included in peninsular society.<sup>41</sup> At the behest of the local lords, many important Jewish settlements were established, particularly in Ferrara, Bologna, Venice, Mantua, Urbino, Treviso, Florence, and the kingdoms of Sicily and Naples, reaching around 50,000 people in the 16th century. These settlements were the characteristic fruit of long-standing immigration and intense intra- and transnational mobility, international relations, multiple and often conflicting identities, and a range of institutions embedded in constellations of power as varied as the many local phenomena comprising the peninsula: so characteristic, indeed, that contemporary scholars have developed the category of Italian Judaism. These communities made a significant contribution to economic and cultural life, protected and regulated by the *Condotte* (the pact established between Jewish community representatives and Italian political authorities concerning Jewish people's right and duration of residence, their activities, taxes, places of worship, rules for associations, burial, etc.) and other framework laws set up by sovereigns. The establishment of *Monti di pietà* (charitable institutional pawnbrokers) and *Monti frumentari* (seed grain distribution centres) beginning in the mid-15th century in several centres represented a moment of crisis, as they deprived Jews of their financially, culturally, and politically consequential civic role. As elsewhere, these communities nonetheless maintained work-related, affective, sexual, intellectual, playful, and spiritual relations through daily interactions with the Christian majority, variously characterised as knowledge transmission, negotiation, compromise, or conflict, and this fostered coexistence and a mutual vision of the Other. This continued even when Italian Jews were enclosed in ghettos in a move unique in Europe. The first city to do so was Venice, in 1516, during a peculiar juncture of the Italian Wars; it was followed by other Italian cities in the age of the Counter-Reformation. Meanwhile, Jewish communities were expelled from the Kingdoms of Naples and Sicily in 1492–1510 and from the Duchy of Milan in 1541, as it came under Spanish rule.

The situation changed in the mid-16th century. The desire to re-establish political and religious control over Italy after the explosion of the Protestant Reformation also manifested in a very restrictive policy towards Jews. The first step was instituting the House of Catechumens in 1543: 'forced baptisms' were administered with increasing violence and cunning to infants, women, and young people while apostasy and marriages of neophytes were favoured in every way.<sup>42</sup> However, it was Paul IV who marked a turning point in 1555: confined to the cloisters, Jews had limited professional, personal, and religious freedom; they were obliged to wear a distinctive sign and not engage in relations with Christians or read the Talmud. They were also subject to the Inquisition, as baptism was decreed irreversible. The 1556 burning of twenty-four Jewish people in Ancona represented a dramatic

sign of this change. This papal offensive reached its peak with Pius V, who expelled the Jews from all the Papal States except Rome and Ancona. The Church also maintained measures of containment, inquisitorial repression, and conversion of the Jewish people thereafter.

However, as recent research shows, this always took place within a system of exchanges, whether negative or positive, that produced reciprocal transformations not characterised by the kind of separateness and incommunicability that is often assumed. The boundaries of enclosure were permeable, the prohibitions were circumvented, and the segregation was not strict. The ghetto also performed a positive function: it protected Jewish identity and community life, thus becoming instrumental in maintaining their existence as a distinct entity complementary to the Christians' desire for separateness. The 'age of the ghettos' did not represent a rupture in the peninsular history of Jewish communities, therefore. The same thing happened in the Italian states. Generally, local authorities followed Roman directives by constructing confined spaces, but intense interaction continued on an individual level and between Jewish institutions and government authorities in political and economic spheres, and such interaction was not limited to 'vertical' relations. The various *Condotte*, periodically renewed, were one of its main expressions. The 1589 pact of Venice marked a decisive shift in the politics and economy of La Serenissima in that it granted Levantine and Ponentine Jews significant privileges.

Documentary sources abound, showing cases of relations between Jews and Christians. For example, in Venice, the famous dance master Ioseph da Mantova left the ghetto every day to give lessons to the scions of the most illustrious or less wealthy families and eat meals with them, and he also travelled to other states and courts as part of his teaching. The inquisitors intervened after an anonymous complaint about his close relations with a Christian boy, but the punishments imposed were very mild. In Ferrara, Sephardic (i.e., from Spain) Jews settled in splendid palaces in the centre, close to the synagogue but also to the city's centres of political and civic authority, and Duke Hercules II d'Este involved them in his textile-sector entrepreneurial activities. A prominent example of such involvement was the extremely wealthy banker and worldwide spice and silver trader Gracia Nasi, alias Beatriz de Luna (widowed name Mendes), whose life of hardship exemplifies the crucial role women played in preserving Jewish identity. After leaving Portugal and spending time in Antwerp and Venice, Gracia settled with her court in Ferrara. It was here that she secured the privilege, unique in this city, of administering her property by herself and returning to her ancestral religion. As the situation on the peninsula changed, she moved her business to Istanbul, growing it in scope but also employing forces, money, and diplomacy to help her co-religionists. Indeed, she also opened a trading bank in Ancona for other Jews.

Relations between Catholics and Jews were ultimately asymmetrical and cannot be seen to represent the theory of tolerance, but they did constitute a

tolerated practice. The point of equilibrium – albeit unstable and constantly renegotiated – for this interaction lay in the discrepancy between laws and everyday practice, and must be assessed with this in mind. Jewish people thus represented a ‘familiar strangeness’, but were always an integral part of Italian history.

A peculiar parabola unfolded in the Holy Roman Germanic Empire.<sup>43</sup> This was a land of flourishing communities, particularly in Frankfurt, but also in Mainz, Cologne, Ulm, Nuremberg, Worms, and so on. After the terrible massacres and expulsions following the Great Plague of 1348–49, in the 16th century, Germany became the scene of a rising anti-Jewish tide fuelled by Luther and the Reformers. The Jews were accused of being obstinate in rejecting the Christianity reinvigorated by the Reformation and, as such, they were viewed as enemies to be rejected politically and physically, as well as doctrinally. The German population and princes did indeed treat them as enemies, expelling many of them from their territories. Charles V instead adhered to the traditional line of protection accorded to Jews for economic and theological reasons (*Judenschutz*) in a move that also played an anti-Protestant function. Through the Diets and the Peace of Augsburg, the Emperor safeguarded the rights of Jewish people, especially in cities directly dependent on his power, such as Frankfurt, Worms, and Prague. The Alsatian rabbi and great jurist Josel of Rosheim served as the main spokesman for Jewish communities in Germany. The famous Jew Johannes Reuchlin also spoke out in support of a tolerant line. Although he considered Jews to be *conciues* (foreign residents) and subjects to be converted, Reuchlin valued the *veritas hebraica* of the sacred texts and language – his dispute with the Dominican (but former Jew) Johannes Pfefferkorn is famous. Above all, he strove to establish a legal basis for the equal inclusion of Jewish people in the state by legally codifying their rights.<sup>44</sup> It was not until the 17th century that this project of his came to fruition, however, in the free Dutch Republic.

In the Helvetic Confederation (independent but included in the Empire), Calvin’s position was significant: he took a complex but essentially moderate stance, shifting the previous position on interest-bearing loans. Ultimately, however, this stance was ineffective against the anti-Jewish decrees passed by the Geneva City Council or the Calvinist Palatinate.<sup>45</sup> In Basel, on the other hand, the Jewish community that had resettled there in the mid-16th century was generally treated with tolerance by the city. This condition helped give rise to Johann Jacob Frey’s claim for full freedom in the 19th century, as well as the great development of studies and publications on Jewish culture, a pioneering body of work in relation to the rest of Europe.<sup>46</sup>

Jews were associated with Muslims in terms of stigmatisation, in Spain as elsewhere, through a mixing of negative stereotypes. In terms of relations between the two, they often interacted closely in the commercial and cultural spheres by virtue of sharing international networks and a tradition of coexistence; however, the various socio-political contexts and historical junctures influenced them significantly. In Rome, as in Venice, for example, there were

frequent 'dangerous links' between Jews and Muslims, as well as with Catholics.<sup>47</sup> At the same time, however, there were individuals who moved between the three worlds: a famous 17th-century example is Samuel Pallache, a Jew, African, and Catholic in the service of the kings of Morocco and Spain who operated as an ambassador, commercial agent, pirate, and double agent in Catholic and Protestant Europe thanks to his network of relations spanning two continents and five countries and the facility with which he changed between guises and protectors.<sup>48</sup> His case is only one of many possible examples showing that it was possible to live breaking with confessional borders in Modern Europe, through negotiable identities.

### **The conquest of the New World**

The European encounter with the Americas raised even more substantial questions. The event produced a powerful shock in Europeans: the *Mundo Nuevo*, as defined by Amerigo Vespucci in 1503, truly represented another world and the Indigenous peoples of the Americas the absolute Other.<sup>49</sup> What place should be assigned in Creation to these men, of whom neither Sacred Scripture nor classicism made any mention, Europeans were immediately faced with this question, a crucial one with various implications. Indeed, it concerned both the inclusion or non-inclusion of Indigenous peoples of the Americas in God's salvation plan and humanity and, more concretely, their exploitation and subjugation. Denying Indigenous peoples, the status of men or admitting them to the ranks of Adam's descendants, albeit with lesser dignity, meant providing a formidable ideological tool for legitimising conquest and the violent means through which it was carried out. On the other hand, including them in the human race required a theoretical and biblical justification, with the consequent revision of the monolithic and unitary conceptual frameworks existing at the time. Complicating matters was also the mixture of the interests of the various colonising powers and the ominous apocalyptic prophecies connected with the discovery that cast America as a site for projecting the conflicts and hopes for the rebirth of Christianity that were then widespread in the European world.<sup>50</sup> The subsequent use of African slaves as a labour force in the economy and the phenomenon of *mestizaje* changed the picture yet again, re-proposing the problem of otherness in a further form because of its intertwining with racism.

The American continent thus became a touchstone in formulating the concepts of civilisation, barbarism, humanity, tolerance, race, and identity that were crucial to the development of European thought.<sup>51</sup> Rarely did 16th-century speculation go so far as to shift Western cultural paradigms altogether, settling instead on a clash of identities with dramatic outcomes for Amerindian and African civilisations. The encounter with the American world took place under the banner of the destruction of the indigenous populations, victims of the greatest genocide in history, as well as brutal economic exploitation and a violent and dehumanising acculturation legitimised by the project

of ‘civilising’ the ‘savages’ and evangelising to them.<sup>52</sup> This state of affairs was not changed by Charles V’s policy to contain the colonists’ claims and protect the Indigenous peoples, as subjects of the Crown. His policy was legally expressed in the *Nuevas leyes* (1542–45), aimed at abolishing the servitude of the *encomienda*, the key institution of colonisation. Nor did the papal bulls have an impact, starting with Paul III’s *Sublimis Deus* (1537), recognising the Amerindians’ dignity as human beings and forbidding their enslavement.<sup>53</sup>

The intellectual debate on the Indigenous peoples, was immediately intertwined with conquest, becoming an integral part of the construction of the Atlantic, Spanish, and Portuguese empires. Indeed, it was the manner in which it was achieved that provided motives and rhythms for cultural reflection. The regulatory framework itself clearly revealed the Europeans’ outlook: America had been ‘donated’ to Spain by Alexander VI with the bull *Inter coetera* (1493), and the 1494 Treaty of Tordesillas legitimised the partition of the world between Spain and Portugal. A copious juridical, theological, scientific, etc. literature then provided foundations for the ‘European invention’ of the New World while also placing it in a global context, as part of a revision of universal history.<sup>54</sup>

Multiple positions were taken on the Indigenous peoples of the Americas, involving both the cultural and anthropological levels.<sup>55</sup> Christopher Columbus answered the question of their nature in a contradictory manner, interpreting his discoveries through a biblical filter oscillating between the idea of their Edenic innocence and their diabolically violent nature due to anthropophagy. The idea of the Indigenous peoples of the Americas world as Satanistic spread among the Iberian conquerors as a strand of the broad and enduring debate about the genealogy of indigenous peoples. On one end was the absolute non-denial of their humanity as represented by Ginés de Sepúlveda, who judged them to be ‘slaves by nature’, *homunculi*, endowed with an infra-human nature on the basis of Aristotelian philosophy (*Politics* 13–14). In the same being, Oviedo saw them as representing ‘building materials’ like stone or iron. These thinkers’ position, functional to the savage colonisation carried out by the Spaniards, had a large following. Western policy also enjoyed solid justification in the equally widespread idea that the Natives/Indigenous people were the offspring of the cursed Semitic tribe of Cham (*Genesis* 9:18–27) who had transmigrated from the Old to the New Continent in ancient times; as such, it was right that they be subjugated by the European ‘chosen people’, the providentialistic instrument foreshadowed in the prophecies. In the Protestant world, the curse was also considered to be connected with Noah’s son’s violation of the fifth divine commandment and with the predestinationist doctrine, a link that also gave rise to racist positions.<sup>56</sup> Proponents of the Judeo-genetic explanation strove to identify similarities between Natives/Indigenous people’ beliefs, language, customs, religious and social rituals, and sinful practices (usury, cannibalism, idolatry, etc.) and those attributed to the Jewish people. In contrast, to assert the right to possess the American territories the various European states boasted direct descent from the Adamic lineage that populated the New World: for

example, in this arena the theses of the Spaniard Gonzalo Fernandez of Oviedo clashed with those of the Portuguese Antonio Galvão, the Frenchman Urbain Chautevon, or the Dutch Martin Hamconius. However, there were also many scientific explanations alongside these ideological conceptions. The Jesuit José de Acosta, a great American historiographer, was the first to advocate a monogenetic perspective rationally based on the idea that men of Adamic lineage – albeit ‘of infinite barbarity’ – had migrated across the earth. Classical naturalist theories, defined first and foremost by Girolamo Fracastoro, Giambattista Ramusio, Justus Lipsius, Tommaso Campanella, and Francis Bacon, identified the Indigenous peoples of the Americas as the descendants of the people of the mythical Platonic Atlantis, thereby disassociating the genesis of the New World from the Bible to celebrate the specific value of its civilisation in opposition to Spanish power. The theses of Theophrastus Paracelsus, Girolamo Cardano, Andrea Cesalpino, and Giordano Bruno were revolutionary in that they postulated the spontaneous generation of men from matter and polygenism, in contrast with the Christian paradigm: a ‘world without Adam’, without either a creator principle or a universal redeemer was offered up for consideration – and scandal – by European Christianity.

Some pioneers also distinguished themselves by attempting to ascribe equal status to Indigenous peoples of the Americas: most prominent among these was Francisco de Vitoria (1483/86–1546), a distinguished representative of the Salamanca school, and the Erasmian bishop Bartolomé de Las Casas (1484–1566). Their ideas, expressed respectively in *Relazione sulle Indie* (1539) and *Brevissima relazione della distruzione delle Indie* (1542), which won the 1550 Valladolid controversy with Sepúlveda. Marking a turning point in 16th-century debate, these positions influenced imperial legislation and the papacy’s ecclesiastical decrees.<sup>57</sup> The main nodes of their reflection included disassociating religion from civilisation – that is, detaching the notion of barbarism from Christian revelation – and asserting a natural cognitive endowment present in all of humanity, the foundation of common human rights, and the bond of universal brotherhood. All men are therefore equal members of the human consensus and capable of giving life to civilisation, they argued. De Vitoria in particular laid out the first ‘outline of a modern theory of cosmopolitan citizenship’ with his affirmation of a right of peoples and a right of sociability and communication; these rights legitimised human affiliation into one large family and a series of freedoms (of movement, exchange, possession of goods, etc.), legal guarantees, and mutual aid. Differences in the degree of civilisation between peoples were traced back to their varying degrees of historical development, understood as having peaked with Western Christian society. The Indigenous peoples, were placed at the beginning of this civilisation path, representing a kind of infancy of humankind. However, it was precisely this one-sided conception of human perfection that constituted the main limitation of their position, leading them to deny the specificity of the Other and overlook the injustice of conquest. In fact, both claimed the West had a duty to provide, even forcibly,

for the cultural and religious education of natives so they might abandon ‘backwards’ customs and reach the highest stage of evolution, the one held by the Spaniards. Indeed, de Vitoria even justified the ‘just war’ of civilisation in the event indigenous people resisted such educational efforts, thus providing new arguments for Western colonisation.

Nevertheless, the first voice destined to anticipate Enlightenment motifs by undermining the Eurocentric mindset also arose in 16th-century Spain: it was the powerful yet unheard voice of the Erasmian Fadrique Furió Ceriol, councillor of Philip II.<sup>58</sup> In his treatise *The Council and the Prince’s Councillors* (1559), Furió Ceriol identified knowledge and appreciation of the cultural manifestations of different countries as the essential trait of a good politician. This was based on the Stoic belief in the existence of a universal morality and rationality, embodied in individuals united in the ‘brotherhood’ of virtue regardless of their religious, racial, or territorial affiliation. The result was to implement tolerance in its broadest form, imposed by the sovereign for the betterment of the state.

A veritable revolution in the relationship with the Other, as part of an overall transformation of the concept of human identity, was brought about by the philosopher, writer, and politician Michel de Montaigne.<sup>59</sup> A *homo cosmopolitanus* par excellence, but also rooted in France during the Wars of Religion as mayor of Bordeaux, Montaigne (1533–92) set a milestone in the intellectual genealogy of modernity and the development of the modern notion of tolerance with his *Essays* (1588). This represented the first time the Eurocentric paradigm was shattered, replaced here by a kaleidoscopic image of reality in which diversity represented the constitutive element of the world and humankind. According to Montaigne, the process of constructing the self is indeed enacted through unlimited personal experience of cultural pluralism. Confrontation with the Other gives rise to an awareness of self and of our common belonging to humanity, in reciprocal respect of individual freedom and singularity. This understanding of the bond among humans, ‘all compatriots’, did not entail denying differences or legitimising inequality, but rather asserting unity in difference. Montaigne’s work thus made the essential shift from a ‘mere tolerance of difference’ to a dynamic ‘radical heterophilia’:

I do not at all incur in the common error of judging another according to what I am. I easily admit things that are different from me. By the fact that I feel committed to a certain form, I do not oblige others to do so, as everyone else does.<sup>60</sup>

In the French thinker’s work, a recognition of the full existential and cultural dignity of individuals also translated into an incontrovertible rejection of ‘any dogmatically one-dimensional worldview’,<sup>61</sup> and any forced imposition of religious and cultural models in the name of the alleged superiority of Europeans. He expressed a fierce indictment of the violence perpetrated on Indigenous peoples of the Americas in the name of such superiority, revealing

the ideological pretence of such thinking. In the famous essay *Of the Cannibals*, the opposition between civilisation and barbarism is dissolved via the critical procedure of relativisation, which highlights that norms, concepts, and customs are rooted in convention and, therefore, subject to change in time and space. He definitely obliterates the idea that it is possible to judge other people's civilisations according to one's own personal value system erected as an apodictic truth. Hence the unprecedented reversal of judgement on the Indigenous people of Brazil: 'Now I believe [...] that there is nothing barbarous or savage in that people, so far as I have been told: except that each one calls barbarous that which is not in his own customs'.<sup>62</sup> What is more, Montaigne went so far as to affirm the superiority of 'savages' over 'civilised' peoples, due to their closeness to primitive naturalness, uncontaminated by the principles, laws, and artefactual behaviour of Western civilisation – a thesis destined to be very popular in the 18th century. The essays *Cannibals* and *Coches* describe the Indigenous peoples of the Americas world and praise their practices and customs for their intrinsic rationality and coherence with an organic, shareable system of values. The presence of aberrant practices, especially cannibalism, is resolved through a new reversal of perspective that once again leads to celebrating cultural relativism and vibrantly denouncing the distortions of European civilisation. By shifting the judgement from the New World to the Old, Montaigne invites us to assess how much more 'barbaric' it is 'to eat a man alive than to eat him dead; to lacerate a still sensitive body with tortures and martyrdoms, to roast it little by little, to make it be bitten and torn to pieces by dogs and swine' and 'what is worse, under the pretext of religious truth', as the Portuguese did. The conclusion was lapidary: 'We may therefore well call them barbarians, if we judge them according to the rules of reason, but not by comparing them with ourselves, who surpass them in every kind of barbarity'.<sup>63</sup> To resolve the clash of civilisations, Montaigne suggests the creation of a fabric of intercultural relations guided by mutual tolerance, mutual respect, a common desire to know and accept the contributions of all peoples for the betterment of the global cosmopolis. To this end, the French thinker aimed for ethnographic transparency in his treatment of Indigenous peoples, culture in his *Essays*. Some have downplayed the novelty of his approach towards Otherness, both because of the lesser degree of tolerance in the European religious wars and because of his scepticism, which can be translated into substantial indifference towards different peoples for the sake of focusing on the self.<sup>64</sup> However, it is undisputed that he posited completely novel principles for evaluating individuals and the world around him. And indeed, his work was listed on the Index.

Other voices that rose in defence of the Indigenous peoples of the Americas were not free of prejudice and ideological filters. Despite the distorting lenses, however, the writings of travellers, missionaries, and sometimes the *conquistadors* themselves offered a realistic description of indigenous life and culture that made it possible for the European world to become acquainted with them. One example is Diego Durán and Bernardino de Sahagún. Although

engaged in spiritual conquest, these two religious men did fundamental work in terms of preserving and disseminating Aztec culture by providing a veritable encyclopaedia of it in their texts.<sup>65</sup> Learning the language of the Other, on the part of both victors and vanquished, favoured a reciprocal cognitive process, as did the ‘exportation’ of Indigenous peoples to Europe: after their initial astonishment, such relocation inaugurated their new life of servitude or, more rarely, active insertion into society as interpreters, clergymen, etc. In America, it was also religious syncretism that allowed indigenous cultures to survive to a limited extent. Instead, the Jesuits tried to ensure this survival until the 18th century, especially in Paraguay, through the experiment of *reductions* (*reducti ad civilem vitam*), a ‘gentle’ evangelisation of agricultural communities with Inca institutions framed as an alternative to Iberian colonisation. This endeavour was destined to fail, however, due to opposition from Rome.<sup>66</sup>

Laws, intellectual positions, and practices were different towards Blacks, a population that represented the new frontier of exclusion.<sup>67</sup> An equally dramatic fate certainly befell the African slaves who replaced the as Indigenous peoples after their extermination and the development of the agricultural economy, especially plantations, because they were more robust and already accustomed to this kind of work in the Mediterranean, the Atlantic islands, and the Gulf of Guinea. In the Atlantic trade, greatly increased since the 16th century, millions died from the inhumane conditions on the journey (about one-third of the 12,000,000 deportees) and then from the equally terrible working conditions, with their burden of fatigue, punishment, sexual abuse, and poor nutrition. No protective legislation was enacted against such practices; on the contrary, the laws enacted from the 19th century onwards legitimised and codified the slave trade to the detriment of Blacks, a trade destined to become the states’ business par excellence and one of the driving forces of the industrial revolution as the century progressed.

Not even the Holy See took an official position condemning trafficking, for cultural and pragmatic reasons. With a position that continued to be based on Aristotle and the divine curse against the Canaanite race, but also on St. Paul (*Ephes.* 6:5–9; *I Tim.* 6, 1–2), slavery had found official legitimisation in St. Thomas. He had reconciled the Aristotelian doctrine of natural servitude with the Augustinian doctrine of enslavement as punishment and remedy for original sin, considering it a condition deriving from Adamic guilt and subject to positive law as a ‘natural’ subordination to the established hierarchical order. The slaves’ loss of freedom was also compensated, in this view, by their spiritual salvation. The Church therefore, did not take a clear position against slavery, but rather officially legitimised the practice as early as the first Portuguese colonisation. In the 16th-century anti-Protestant struggle, the papacy then chose to give Spain and Portugal a free hand with slavery in order to secure their support, even in the not-uncommon case of clergymen being involved in the Black slave trade. In the Protestant sphere, it was some American evangelical churches that condemned slavery as un-Christian. Conversionist policy was implemented by all denominations,

inculcating religious and moral models – a significant case is that of Benedict the Moor, whose cult spread from Sicily to America<sup>68</sup> – but this also generated very peculiar phenomena of religious syncretism. Theology and law, however, found a point of connection to justify slavery in the idea of a just war aimed at respecting the *ius gentium*: this is how proponents of natural law, such as Hugh Grotius and Samuel Pufendorf, or of liberalism, such as John Locke, supported their slavery-accepting views. The legislative interventions of states and churches did not change until the early 19th century, following the interventions of the Enlightenment, the abolitionist movement, and the revolutions in France, Haiti, and Latin America.

The debate about Black slavery was much less heated than the one about Indigenous peoples for several reasons. First, the custom of slavery had existed since antiquity. From the 10th to the 12th centuries, Europe was also the site of a flourishing slave trade extending to Africa, the Mediterranean, the Balkans, Palestine, Syria and the Black Sea, with major markets in Lisbon, Seville, Barcelona, Marseilles, Genoa, and Venice. Slave labour from those countries obtained via pirate raids, the Slavic, Islamic, and African trade, was employed in agriculture, mining, and above all domestic and handicraft activities. Slaves were particularly numerous on the shores of the Mediterranean due to the policy of mutual subjugation of Christian and Muslim captives by the states in conflict over *Mare nostrum*. With the gradual transition to serfdom (with its attendant rights), slavery was no longer the mainstay of the economic system in Europe.

It became so in America, however, with the beginning of the Atlantic trade in the age of slavery. As the slave trade became more and more intense and lucrative due to economic needs, the ‘Black’ question also became more pressing. It influenced the development of racial ideologies which in turn legitimised the construction of the slave world-system created by Europeans in the Atlantic on cultural, ideological, political and institutional levels, through to a circular movement: ‘l’oppression qui leur est imposé détermine le regard qui est porté sur les opprimés’.<sup>69</sup> Blacks were victims of a process of dehumanisation and animalisation, being made into things, commodities to be sold and exploited as labour power. The recognition of their full humanity was also hampered by the colour of their skin, a mystery explained by climatic, medical (according to the Galenic and Hippocratic theory of humours), dietary, astral, and gestation-related, but above all moral and religious factors. Blackness was often treated as the sign of the divine curse, which helped justify the notion of slavery as a taint on the nature of individuals, i.e., the process of racialisation and their reduction to servitude by colonial powers. This legitimised both the economic and political phenomenon of the ‘racial government’ of people and spaces. However, the link between skin colour and race was changeable and subject to continual reshaping, depending on specific historical contexts and contingencies, and with diverse political and social effects.

The moral theologians, jurists, and Iberian economists who intervened in opposition to the Atlantic trade, however lofty their positions, did not affect

the phenomenon. It was above all Bartolomé Frías de Albornoz, jurist and historian of the School of Salamanca and first professor of Roman law at the University of Mexico, who spoke out against trade and slavery in *Arte de los contractos* (1573), denying its salvific character and war-based legitimacy.<sup>70</sup> Jean Bodin, considered the father of secular anti-slavery, wrote along the same lines. In *Six Books of the State* (1576), he opened a detailed refutation of the arguments in favour of natural slavery with examples drawn from history and the observation of contemporary reality, rejecting the practice of slavery on both humanitarian and political grounds as a factor that destabilises the state:

Now, since the experience of four thousand years has taught us how many troubles, how many revolts, how many servile wars, how many subversions and how many changes have taken place in states because of slaves, and how many crimes, how many wickednesses and abominable cruelties have been committed by lords upon the person of slaves, we may conclude that it is pernicious to admit slavery or, after abolishing it, to reintroduce it.<sup>71</sup>

As we shall see, Bodin argued in favour of tolerance in the same text. This clearly demonstrates that, in the 16th century, the problem of individual freedom was articulated in many significant forms. This is also confirmed by the work of Jesuit Luis de Molina. A famous theorist of free will (in accordance with divine grace), de Molina also applied this idea in the vision of politics, law, and economics set forth in *Tractatus de iustitia et iure* (1593–1609), the first doctrinal treatise. Here, he judged trafficking to be an immoral practice and denied the racial transmissibility of the status of slavery. In Portugal as well, theologians, jurists, and men of letters spoke out against enslavement.<sup>72</sup>

A phenomenon characterising America in the Early Modern age, both Latin and North America, and especially the Caribbean, was *mestizaje*, the ‘racial’ mixing resulting from relations between Europeans, Indigenous peoples of the Americas and Africans.<sup>73</sup> Despite the initial demographic collapse, colonisation did not cause the extinction of native peoples; it instead produced societies that were new compared to the European ones, where different cultures, religions, ethnic groups, political models, juridical structures, family institutions, and economies – albeit granted unequal weight – merged into an unprecedented and differentiated mix. In fact, *mestizos* lived in a condition of legal and social inferiority, due in part to their being identified as illegitimate children, as this status was quickly established for them. The process of acceptance and insertion into colonial societies was always characterised by chronic instability and varying rates of marginalisation or even varying degrees of basic feasibility depending on place and time – think, for instance, of the patchwork of racial legislation in the various American states. Hence, the efforts to define *mestizo* status through classificatory groupings based on blood mix. The status of *mestizos*, therefore, played an important

role in the development of racial theories. However, *mestizaje* was a widespread reality of 'integración velada' and, as such, destined to constitute the social, economic, and cultural fabric of overseas countries as they became a social laboratory of the first instances of globalisation.<sup>74</sup> At the same time, under the impetus of a practice of multiethnic and polycultural coexistence, they also represented a laboratory for the emergence of a new notion of Otherness and tolerance.

### **Many religions, one faith: universalism**

The problem of whether or not to include the Jewish, Islamic, and indigenous peoples in the Christian Republic was solved in a very innovative way by the Universalists, despite their conversionist outlook – an outlook that was, moreover, characteristic of the time. Indeed, the question of tolerance took on a new form in their view, as it was transformed into the theory of including all humanity in the universal framework of a Christianity stripped of its doctrinal and ritualistic characteristics and instead framed as a set of fundamental ethical and evangelical principles. Universalists considered such principles practicable by all people by virtue of the constitutive rational endowment of human beings, integral in its freedom and dignity, and inspiring morally upright behaviour even without Christian revelation. Since every man embodied the law of nature, the possibility of universal salvation and pacification in an invisible Church and a new society was a goal that could be envisaged. The Universalists' vision was defined within the Christian theological framework, as doctrinal opposition (notably to predestinationism) and with apocalyptic and prophetic notions and language. However, it was subversive in relation to traditional ecclesiology, depriving the churches of historical significance, utopian in its political and social perspectives, and a promoter of tolerance in that it offered a transcultural foundation for openness to other cultures. Universalism, largely deriving from Erasmus' religious thought, was generally the heritage of figures positioned on the margins or outside of the Magisterial Churches.

The leading 'beggars of the universal' included Theodor Bibliander (1506–64) and Guillaume Postel (1510–81).<sup>75</sup> Despite their different religious affiliations – Bibliander was professor of Holy Scripture in Zurich while Postel was a royal professor of mathematics, Hebrew, Greek, and Arabic at the Collège de France – the two celebrated scholars were united by their rejection of reformed predestinationism and religious violence. They shared the same desire for knowledge and appreciation of monotheistic religions, with the aim of evangelisation, but also informed by an incipient modern comparative relativism, the search for common religious as well as linguistic principles on the basis of which to achieve concord. Such principles were to be identified by means of a rational cognitive process of truth understood as non-unique, truth that could be used for further confessional inclusions as part of an effort to achieve a complete *renovatio orbis* and the advent of a universal

monarchy based on the evangelical model preconised by the prophets. Bibliander granted absolute centrality to prophecy, linking it to the German and Catholic clergy's struggle against every personification and form of Evil, including religious intolerance; their weapons, this view, were books – and indeed he condemned book censorship. Postel also made use of his own fiery prophecies, inspired by a certain Mother Joan and supported by complex cabalistic calculations, historical symmetries, and biblical and astrological correspondences. His visionary utopia was extremely radical, involving the creation of a new Eden where he, a new Adam, and the new Eve would give birth to a society with all new institutions and a primordial religion. The new religion would be Christian, yes, but completely pure, purged of borders and traditional apparatuses under the worldwide hegemony of the Gallic Crown. Moreover, Postel celebrated the King of France, the heir of Japheth, son of Noah, and original ruler of America and Europe, in his *Compendium of Cosmography* (1561).

The two scholars' gaze embraced all of mankind but focused above all on Islam, an element that was very much present in imperial and French politics at the time. They promoted their knowledge with extraordinary publishing initiatives and indefatigable diplomatic, missionary, and intellectual activity. In 1543, the two works that inaugurated Muslim culture's entry into Europe saw the light of day. Edited by Bibliander, the first printed Latin translation of the Qur'an came out, accompanied by almost all existing literature on Muslim culture and an important *Apology* of the Edition. The four ponderous books of *Concordia of the World*, referred to as Postel's 'manual of the Universalist mission', included a large selection of Qur'anic passages he translated to show their similarities to Christianity, a collection of civil and religious law common to all peoples, and practical instructions for converting them. With these books, Basel established itself as the capital of Orientalism in Europe. However, there they provoked great scandal, fuelled both by the dissemination of the sacred text of the greatest opponent of the Christian West and the motives the two authors put forward. Bibliander paid for this by being removed from office by the orthodox Calvinists despite his advanced age, while Postel ended his days locked up as a madman.

The engagement with Islam found a number of promoters in the Protestant world, after the turning point Luther brought about by identifying the Antichrist in the papacy rather than the figure of the Turk, as in the past. These promoters were orthodox and radical reformers.<sup>76</sup> Among the latter, the humanist Jacob Paleologus of Chios (ca. 1520–85) is a significant example. The Greek non-conformist pointed to antitrinitarianism, the most extreme form of non-adorationantism, as the doctrine capable of reuniting the three great religions in an adogmatic church without institutional and ritual structures, inclusive of all humanity. Although he considered the three monotheistic religions to be equal, he showed a decided admiration for Islam on a doctrinal, moral, and devotional level.

Other 16th-century Universalists developed their ideas in direct contrast to the rigid predestinationist conception of the Calvinist Church. Giorgio Siculo's opposition was sparked by the case of Francesco Spiera, in 1548–49: having been condemned to death because of his abjuration, Spiera's execution raised this issue throughout Europe.<sup>77</sup> The 'archeretic' addressed it with great lucidity in his *Epistola alli cittadini di Riva di Trento* (1550), indicating faith in the ethical core of the New Testament as the only condition for salvation, given the infinite character of divine mercy and man's innate capacity to make moral choices. Siculo was sentenced to death in 1551 in Ferrara for espousing these and other ideas (anti-Trinitarianism, spontaneous generation of the soul, Anabaptism, etc.).

Celio Secondo Curione also spoke out about the Spiera case with an intervention aimed at broadening the discussion to consider the essence of faith and its coercion by the Antichrist, which in his writing took on the face of religious authoritarianism *tout court*.<sup>78</sup> The Piedmontese humanist (1503–69), a professor at the University of Basel after his exile, nonetheless deployed all his polemical force in *Dialogues on the Extent of the Kingdom of God* (1554), published anonymously with a dedication to the liberal King of Poland Sigismund II Augustus. This represented a fundamental text opposing religious persecution following the execution of Michael Servetus in Geneva. The Servetus *affair*, which had reverberations throughout Europe, will be discussed below. Here, it is interesting to grasp the close connection between anti-predestinationism, Universalism, and tolerance. The core of this text was the philosophical, theological, and scriptural demonstration that the elect are much more numerous than the ungodly, in contrast to Calvin's doctrine. Curione did not deny the original divine decree, but he expanded its limits indefinitely to embrace the majority of mankind. Through a daring combination of the Erasmian idea of immense divine mercy, the Zwinglian notion of providentialism (extended to all times and places), and his own ethical and spiritualist conception of religion, Curione outlined a very broad aconfessional but spiritual *regnum Dei*. In his model, it was enough to comply with the law of nature, whose fundamental ethical principles are inscribed in all human beings by virtue of universal divine grace and man's supreme dignity: the gates of salvation were thus also opened to troglodytes, ancient pagans, and Indigenous peoples of the Americas. Ignorance of Christian revelation became an admissible and, above all, non-appealable condition for religious persecution: 'For the Gospel cannot be condemned by those who have not heard it because those who do so despise the law of nature and conscience'.<sup>79</sup> Curione's vision also drew strength from his eschatological perspective, which envisaged the advent of Christ's median kingdom on earth with the consequent *renovatio omnium* and conversion of humanity to the spiritual law of the Gospel, starting with the Jews – to whom the humanist looked at with trust. The inclusion of all peoples of the earth in the grandiose divine salvific plan profoundly reinvigorated and shifted the terms in which tolerance was being theorised.

Extreme latitudinarism was the hallmark of Antonio del Corro's and Francesco Pucci's thought. The former, an exiled Spanish monk living in London (1527–91), clashed with the intransigence of the Calvinist ecclesiastics because of his ideas on universal salvation, summed up in the phrase 'If you are a Jew behave well, if you are a Turk behave well, if you are a Christian behave well, and you will be saved'. He was accused of Pelagianism due to his denial of predestination and original sin, as he viewed the negativity of the latter as consisting only in distrust of divine goodness.<sup>80</sup> Overcoming such distrust, however, was a sure *viaticum* for salvation. The Jews were held up as an example of this possible path to bliss. The radical conceptions he expounded in his writings, including a fundamentally monotheistic notion of God, intensified his position to such an extent that he was barred from an academic career despite the influential protectors he enjoyed among the English aristocracy.

The former Florentine merchant and theologian Francesco Pucci (1543–97), considered a pupil of Del Corro, stopped in London as part of the wanderings that led him all over Europe in the pursuit of a utopian design for concord and reforming Christendom.<sup>81</sup> Pucci became convinced of the need to overcome confessional struggles following the St Bartholomew's Day massacre (1572), which he witnessed while in France to work on his family's mercantile affairs and his own studies. The unitary principle indicated in his most famous work, *The Efficacy of Christ the Saviour* (1592), was by far the most susceptible to latitudinarian drives: Christ's gift was salvific for all mankind for eternity, he argued, through faith in the one God who revealed Himself with the light of natural reason, constituted by the *logos* or Christ. In an earlier writing, which had been censured in Basel and caused his expulsion from the city, he posited the primal innocence of man before the corruption induced by worldly experiences and, consequently, the idea that both the ancient pagans and the peoples of America and Asia could be saved by following natural religion. Predestination was alien to his theological horizon, as was the existence of churches and ritual and doctrinal apparatuses. Relying on his own prophetic charisma, Pucci tried to involve Catholics and Protestants in his project of convening a council of all true Christians to prepare for the coming advent of the universal church in the future kingdom of Christ. However, he met with mistrust and condemnation, and was even condemned to death by the Holy Office. Puccianism nevertheless fuelled 16th-century theological debates, thanks especially to the work of Bernese pastor Samuel Huber, by pointing to a conception similar to hymnatism and universal soteriology until the 18th century.

Meanwhile, however, in the early 17th century, the political writer Emeric Crucé took a further step forward with his *Nouveau Cynée ou Discours d'Etat représentant les occasions et moyens d'establir une paix générale et la liberté de commerce pour tout le monde* (1623).<sup>82</sup> His project was sensationally modern by virtue of being genuinely cosmopolitan, almost representing an precedent of the United Nations: it envisaged the creation of a

representative body in charge of preventing and regulating conflicts on an international scale in order to guarantee the freedom of cultural and commercial exchanges throughout the world, in a climate of perpetual peace created by universal brotherhood and natural religion.

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## 2 Religious freedom and tolerance in the age of the Reformation and Counter-Reformation

The problem of tolerance arose in a newly powerful way following the Protestant Reformation, in terms of both its genesis and the consequences it entailed. The principles laid down, first by Erasmus and then by Luther, as well as the division of Christian society into magisterial churches supported by political power, and into radical sects, movements, and individual currents, disproportionately increased the number of faith-based truths and obliged society to grapple with the question of defining and managing heterodoxy. Delineating the contours of dissent was a gradual process that took place in parallel with the construction, or identity-building, of institutionalised churches. However, all such churches shared a condemnation of non-conformism in the name of the stability of the religious and political order, a principle that overrode the original demands of the Reformation. And yet various forces were mobilised to enact repression, since the Protestant countries were not able to rely on an institutional apparatus like the Roman one. The fight for religious freedom, therefore, remained almost exclusively a prerogative of the radicals, and these figures became the main theorists of the modern concept of tolerance. Thinkers who experienced confessional violence in their own countries, such as France and the Netherlands, also made important contributions. Nonetheless, real-life conditions on the other side of the Alps required societies to practice coexistence, albeit conflictual, while for Eastern European states, this arrangement was a choice. In both cases, this had repercussions on the development of tolerance.

### From the eve of the Reformation to the confessionalisation project

At the origins of the reform movement, Protestantism and tolerance were inseparably interconnected.<sup>1</sup> The Reformation, initiated in 1517 by Martin Luther, was born as a movement of liberation from the Catholic Church's hegemonic religious and political power in order to re-establish the *res publica Christiana* on the basis of innovative principles: free reading of the Bible and the centrality of faith and individual conscience in spiritual, ethical, and civic life as the only paths to salvation. The burdensome scaffolding of rites, institutions, and rules imposed by Rome was demolished to make way for the freedom and

responsibility of Christians as individuals. Nonetheless, the movement's primordial message found fertile ground. Such fertility was nourished by multiple elements: the mystical, prophetic, sectarian, anti-temporalist currents of the Middle Ages, the forms of Christocentric piety and evangelical praxis implemented by the circles, groups, and fraternities that flourished everywhere in Europe in a situation of anguished longing for salvation alongside the dramatic moral and religious decline of the Catholic Church behind the façade of political power and splendour it displayed; the profound political, economic, and social transformations poised to take place in the European States, with all their consequences for local communities, were also a factor. However, it was above all Christian Humanism, particularly as represented by its greatest exponent Erasmus of Rotterdam, that laid the foundations for a complete religious and cultural renewal as well as the notion of tolerance.

Driven by his ideal of unity, Erasmus (1469–1536) never left the Catholic Church despite critiquing it harshly for its decadence. He did, however, contribute to the development of modern thought by laying the groundwork for the Protestant Reformation, specifically in its radical manifestations.<sup>2</sup> The Dutch humanist's strength lay in his ability to fully respond to the needs and expectations for change that marked his time, thereby acting in a revolutionary manner. His influence was ensured by an extremely wide dissemination of his monumental intellectual production alongside a highly extensive network of relations, from powerful figures to the exponents of the Republic of Letters, of which he was the undisputed prince. Against the backdrop of a Europe ravaged by wars, confessional conflicts, ecclesiastical authoritarianism, and social injustice, Erasmus proposed the utopia of a new *societas Christiana* centred on an innovative vision of man, religion, and the state that also transformed relations with the Other. The cornerstones of Erasmus' conception of humankind were equality, constitutive unity, freedom of will, and the perfectibility of the human race. He held that the cognitive endowment shared by all humankind, with embedded fundamental ethical principles, made it possible to live a righteous, free life inclined to brotherhood, dialogue, and harmony with one's fellows:

The appearance is the same for all, the voice is the same [...] into man has been injected the force of reason, common among them but not common to any other animal; and to this alone has been granted speech, the primary instrument of friendly relations. In all men are inoculated the germs of education and virtue, a sweet and placid disposition, inclined to reciprocal affection [...] How many, then, are the devices by which nature has taught concord! [...] With how many allurements it invites to peace, with how many bonds it attracts and with how many instruments it drives men to it.<sup>3</sup>

Peace was the primary objective for Erasmus, as a necessary condition for the harmonious development of people and the state. War, be it for confessional, economic, or political reasons, was instead seen as the source of the total

destruction of human values and civilised community. The humanist waged a constant 'war on war' using all available means: in his writings – particularly the celebrated *War is Sweet Only for Those Who Have Not Tried It* and *The Lament of Peace*, through his influence in the political and intellectual world, and through his educational work. Erasmus' pedagogical efforts were directed towards rulers, both men and women, and were indefatigable. Faithful to the motto 'man certainly is not born, but made man', he aimed to cultivate *novi homines* and *novi Christiani* via an innovative educational programme seeking to stimulate autonomous individual growth through a critical study of the classics and Scripture. His model involved a peculiar maieutic and the introjection of his own religious vision. The Erasmian *philosophia Christi* was an inner, spiritualised, ethical conception of religion centred on imitating Christ, that is, the concrete implementation of the evangelical message of love and charity without reference to specific rituals and doctrines. The only doctrine was a very minimal core of *fundamentalia fidei* (believing in God, the Son, and their immense mercy), totally opposed to theological disputes, as he viewed these latter as causing useless wounds among the faithful. To accomplish this, he held, people could make use of human reason since such reason – enlightened by God – had maintained its freedom and critical capacity despite Adamic sin, as well as the simple and primordial Word of God. Erasmus granted theoretical substance to his idea in numerous texts, starting with the seminal *Dagger/Manual of the Christian Soldier* (1503) and an edition of the New Testament that laid out the original evangelical revelation through a philologically correct translation of the Greek text (1516–35, five enlarged editions). In *Novum instrumentum*, he also demonstrated the scriptural groundlessness of the persecution of heretics (as well as five sacraments and the Trinity) by reviewing the passages that had been used for centuries to legitimise coercion, namely *Titus* 3:10 on the separation of dissenters and the parable of the tares in *Matthew* XIII, 24–30. He instead interpreted these as justifying the removal of dissenters from the community and highlighting the need to trust only in the judgement of God, a God who is immensely merciful towards His creatures:

The Lord God does not want the false apostles and heretics to be destroyed, for it may be that they repent and turn from darnel into wheat; if they do not repent, they must be left to the divine judgement, which will decide the punishment at a future time.<sup>4</sup>

However, Erasmus spoke out directly against persecution in his *Colloquium* An examination concerning the faith and in his response to the accusations of Spanish theologians *Against the Inquisition of Heretics*. In an articulate argument, he rejected the Inquisition's bloody methods and the recourse to state authority to punish heretics as completely contrary to the message of the Gospel, requiring mercy and the 'weapon' of the Word. However, he did not delegitimise the inquisitorial institution or

the task of healing heresies in the Church so as to ensure the unity of the Christian body. In support of his rejection of violence, Erasmus recalled the tradition of the Church Fathers, from John Chrysostom to St Augustine to St Jerome, who expressly forbade ‘killing and slaughtering’. And above all, he quoted Christ who ‘had prescribed nothing but love, and there is nothing so bitter that is not sweetened by charity’.<sup>5</sup> In his view, therefore, theological hatred and the resulting religious repression represented an infringement of God’s law of love and the main obstacle to harmonious civil and religious coexistence: in a significant reversal of perspective, he held theologians responsible for this breach. Criticism turned into biting satire against ecclesiastic intolerance, dogmatism, and alienation from the evangelical mission in his celebrated *Praise of Folly* (1509).<sup>6</sup>

These philological and theoretical elements – an essentially ethical and adogmatic vision of Christianity, the breadth of the *adiaphora*, the idea of God the Father – converged to form a universalist conception of *ecclesia Dei* which included all those who had ‘a warm faith and a righteous life’, from every country and era (Russians, French, Spaniards, Bohemians, Germans, English, but also pagans, Turks and Saracens, etc.). Of course, Erasmus maintained a Christian and Eurocentric view, and indeed, given these limitations, his view has been called a ‘tolerance of the time’.<sup>7</sup> He affirmed Christianity’s primacy over the other religions of the Book, showing himself much more benevolent towards Muslims than towards Jews due to the former’s righteousness and piety – so great as to make them already ‘semi-Christian’ – and the latter’s religious legalism (he also opposed this tendency in Catholics). Although he considered both Muslims and Jews threatening to Christian society, he always rejected the idea of ‘just war’ as contrary to the Gospel’s message: ‘When you slaughter them, you make the devil a most welcome offer [...] because a man is killed and because the one who kills is a Christian’. Similarly, he strongly condemned the savage colonisation of America, not least because it was harming people he considered ‘highly civilised’ by virtue of their customs and way of life, despite their foreignness in relation to Europe. The Christian’s task was that of evangelisation, and the Old and New Worlds offered endless spaces and possibilities for this.<sup>8</sup> Conversion to Christianity would be spontaneous, according to the humanist, once the true nature of Christianity had been shown to these peoples.

Erasmus nevertheless laid the groundwork for the possibility of intra- and extra-Christian tolerance. ‘The concord of the majority against the tyranny of the powerful’, in view of ‘happiness for all’,<sup>9</sup> was held up as the natural outcome of the educational process, a commitment to dialogue, respect, and appreciation of the bond of universal brotherhood beyond confessional and cultural differences. In line with his pragmatic utopianism, Erasmus urged people to take an active responsibility in building a transnational and transconfessional community of justices, founded on a tolerance that turned into a global ecumenism, that is, almost a ‘total embrace with other men’.<sup>10</sup> Erasmus was a cosmopolitan spirit *par excellence* – ‘I wish to be a citizen of the world’, he stated – and he set a personal example by gifting his material and intellectual assets to the

Erasmusstiftung, a foundation based in Basel that gave scholarships and grants to thousands of students, scholars, exiles, professionals, women and poor people regardless of confessional or geographical criteria.<sup>11</sup> His intellectual and religious legacy was collected and taken to extremes by, among others, the most important theorists of tolerance and freedom of conscience in the 16th century and beyond. Even in the 16th century, in fact, libertarians, sceptics, and irenics followed in Erasmus' footsteps. This current of thought peaked with the complete reinterpretation of the history of Christianity laid out in *Impartial History of the Churches and Heretics* (1699) by Pietist Gottfried Arnold, a text that overturned the confessional paradigm by identifying heretics, schismatics, sectarians, and mystics as the true witnesses of Christian truth.<sup>12</sup>

Even Luther drew from Erasmus; however, given his theology, negative conception of human nature, and reforming mission, this borrowing only applied to his revision of the sacraments.<sup>13</sup> On the contrary, Luther clashed with Erasmus regarding the question of free will and judged him ambiguous for having remained in the Church despite the charges he made against it. However, Luther's thought, as well as his campaign against Rome, contained principles that were open to religious freedom. Luther appealed to the categorical imperative of conscience and refused to abjure his ideas at the Diet of Worms in 1521: this act laid the cornerstone of the Reformation. He then built the theological edifice of this movement with *Appeal to the Christian Nobility of the German Nation*, *The Babylonian Captivity of the Church*, *The Freedom of the Christian* (1520), and *The Secular Authority* (1523). The doctrine of salvation by faith alone shifted the axis of religion and ethics to the inner forum of conscience, rendering it the exclusive means of man's justification. This led to spiritual freedom, understood as the complete independence of the inner sphere from any form of compulsion but not as the legitimisation of personal religious choice, since conscience was bound in this model to the truth of Holy Scripture. Free reading of the Bible, the only foundation of religion, became the prerogative of all Christians according to the idea of universal priesthood. The state was called on to guarantee the rights of Christians according to the two-kingdom theory, which separated the sphere of religious power from civil power, preventing the latter from constraining people's consciences, since in this view, they are subject to God alone.

Luther also took a stand against religious persecution. One of the charges outlined in the papal bull of excommunication (1520) was this proposition of his: 'To burn heretics is against the will of the spirit'.<sup>14</sup> The reformer justified this principle with the argument that Christ did not force men to faith by violence but rather granted his faithful the 'weapon of the spirit', that is, his Word, as conscience is inviolable and incoercible. He made an icastic declaration in *Secular Authority*:

Heresy belongs to the realm of the spirit, and cannot be cut to pieces by the sword, nor consumed by fire, nor washed or drowned by the water of the world. Only the Word of God can break it, burn it, and drown it.

Luther's interpretation of the parable of the weeds was entirely consistent with this:

By putting heretics to death we turn them away from the word of God instead of causing it to bear fruit in them, and for that reason we are guilty of two murders, that of the body, being the cause of its perdition, and that of the soul, by setting it on its way to eternal death.

Therefore, Luther concluded: 'Nothing must be as free as religious faith, for it is the divine work of the Holy Spirit, and the power of man is far from being able to do and achieve anything in this sphere'.<sup>15</sup>

This reading changed as Luther's role evolved from persecuted to persecutor following the Peasants' War in 1524–25. Fearing the end of the Reformation together with the existing social and political order, he supported the armed hand of his allied princes against the revolutionary movement. The bloody defeat of this movement marked the beginning of the institutionalisation of the Lutheran Church under the aegis of the state. Luther's writings, increasingly illiberal in relation to heterodox elements and, as we have seen, the Jews, consolidated this project of confessionalisation undertaken by the two authorities. A rigorous biblicism, founded on univocal interpretation, was set up as a bulwark of orthodoxy, while spiritual freedom was framed as coinciding with the truth guarded by the church; the state was elected as the guardian of such truth to be protected even by persecuting dissent. The latter, as we shall see, was immediately born within the reform movement and determined its course. The Peace of Augsburg, stipulated with Charles V, finally legitimised Lutheranism as the state religion, along with Catholicism, on the basis of the territorial principle.

The Lutheran Church was the first – but not the last – of the Magisterial Churches that arose in the Reformation Age. Switzerland witnessed the emergence of Zwinglian and Calvinist Church (unified in 1549), and in England, the Anglican Church was established. Calvinism spread throughout Europe, placing civil authority in a position subordinate to the ecclesiastical Consistory, the strict guardian of orthodoxy and morality in the 'city of saints' on earth conceived by John Calvin. In England, the sovereign was the head of the Church, and the faithful were made subject to this power by the Act of Uniformity. Heterodoxy was prosecuted by the civil and ecclesiastical magistrates via censorship, banishment from the community, and, in very rare cases, death sentences; for Anabaptists, instead, capital punishment was always imposed, in keeping with Justinian's Code. The Anglican Church, as we shall see, had a distinctive character and repressive institutions.<sup>16</sup>

After a period of acceptance, if not outright complicity, the Catholic Church also erected its own defences against the 'heretical infection' plaguing the peninsula.<sup>17</sup> Since the 1520s, in fact, all the Protestant currents had spread in Italy and others had arisen locally, giving rise to a differentiated, often radical, and eclectic movement that was widespread among every social strata. In, many

cases it was encouraged and protected by ecclesiastics and city elites but it remained clandestine or semi-clandestine, given the presence of the Holy See. Among these, the Valdesianism movement, which with its message of spiritualistic renewal that penetrated even the upper echelons of society and the Curia, was very important for the Italian Reformation and in terms of Rome's reaction. Alongside and perhaps even more so than eliminating heresy, the goal of the Counter-Reformation popes was to defeat the religious outlook of the so-called 'spiritualists'. The first and foremost of these was Paul IV, author of the 'seizure of power' by the Roman Inquisition in the 1550s. The Council of Trent (1545–63) strengthened the doctrinal and institutional character of the Counter-Reformation Church, but it was the Congregation of the Holy Office (1542) – an institution destined to repress religious dissent and thus any form of cultural and moral non-conformism – that dictated its ideology and actions. The Congregation was a powerful instrument, strengthened by its *extra legem civilem* police force and centralised but ramified structure that spread through most of the peninsular states; in other states, it was the nuncios and bishops who acted as judges of the faith. Venice and Lucca created civil magistrateships which, in the case of La Serenissima, operated alongside the Holy Office. This control over ideas was also carried out through the Indexes of Forbidden Books, issued by the papacy since 1558, and the Congregation of the Index (1572). Initially, the Italian states acted in a recalcitrant way against Rome in defence of their sovereign prerogatives, but they then aligned themselves with the new papal monarchy, the guarantor of political, religious, and social order. Only the Republic of Venice struggled to maintain spaces of independence, so much so that it was struck down by Rome with the Interdict (1605–07) and, in the 17th century, became a land of atheists, libertines, and unbelievers. In Leghorn, the presence of Protestants, Jews, Greek Orthodox believers, Moors and Armenians was legalised for economic reasons via the Leghorn Laws issued by Grand Duke Ferdinand I in 1591–93; in the Duchy of Savoy, the Peace of Cavour stipulated by Emanuele Filiberto in 1561 sanctioned a partial tolerance towards the Waldensians, the only Reformed Church operating in Italy (especially in the Piedmont valleys and, until 1570, in Apulia and Calabria).<sup>18</sup>

The Italian reform movement was instead defeated in the 1570s by means of repression and because of its own international weakness, resulting in a considerable loss for Italian culture and religiosity in the long run. The same can be said of the debate on tolerance. Suffice it to cite the significant case of the humble miller Domenico Scandella, known as Menocchio, who was sentenced to death by the Holy Office in 1599. The charges against him included his idea of universal salvation. He legitimised every religion in his original vision of God, imagined as the creator of a cosmos in the shape of a cheese: 'the majesty of God has given the Holy Spirit to all: to Christians, to heretics, to Turks, to Jews, and all are saved in the same way'.<sup>19</sup> Also serving as a sounding board for the criticism of religious coercion was the very popular text *Liber generationis Antichristi*, in which the 'tyranny of the Roman

Antichrist' produced the 'murder of the saints', or the Valdesian message.<sup>20</sup> The task of giving theoretical depth to the voices of the victims of intolerance in Italy ended up being taken up by the Italian heretics in exile, as we will see shortly.

In the Portuguese and Spanish empires, the sovereigns employed the Inquisitions under their authority to repress *alumbradism*, the widespread pro-Protestant movement, and the faculties of Theology via censorship (1478–1536). In France, it was the *Chambre ardente* and Sorbonne that carried out these tasks until the religious wars between Catholics and Calvinists, when the picture changed completely.

The religious struggle was also fought everywhere by force of arms and debate or by conversion. While sovereigns and peoples within states clashed over whose 'truth' would prevail, opening war fronts in France, the Netherlands, and the Empire, preachers thundered from the pulpits against heretics or the Antichrist, and a flood of controversial texts stirred up hatred against the 'enemy'. An intense activity of acculturation and propaganda was carried out at the same time by both religious orders, primarily the Jesuits and reformed clergy.<sup>21</sup>

Intolerance, therefore, took root in the 'Europe of the confessions'. In this climate, thousands were subjected to persecution, killed, forced into exile, or silenced with condemnations, censorship, and forced abjures.<sup>22</sup> However, the Protestant front was not united in facing the problem of religious non-conformism, which did not disappear with the institutionalisation of the Evangelical and Anglican Churches. Confessionalisation remained at the planning stage.<sup>23</sup> The forces in favour of tolerance were the multi-faith landscape, as we will see below, internal frictions within the Protestant world (between Lutherans and Zwinglians, between rigorists and synergists, etc.), the mismatch between norm and practice – as, for example, in England – and the liberal positions of some reformers, both male and female. It was also in this period that modern theories of religious freedom took shape.

### Religious radicalism and tolerance

It was religious non-conformism that brought the problem of tolerance to the forefront in the course of the Reformation. Indeed, the process of building or strengthening the churches entailed a progressive definition of heterodoxy, both according to the usual process and in reverse: the directions that represented other possible paths of reform at the dawn of the movement ended up being stigmatised as threatening Otherness due to their potential to destabilise the established order. The complex of these orientations was defined as the Radical Reformation: a broad, magmatic, transnational movement made up of sects, currents, and ideas that was heterogeneous on the doctrinal and organisational levels due to intense mobility, frequent instances of hybridisation, and exchanges of ideas among its many actors.<sup>24</sup> It had many roots – mediaeval mysticism, popular culture, Renaissance thought,

the principles of the Reformation, etc. – and its various elements were equally numerous. Its outcomes were likewise varied but on the whole subversive in that they proposed non-conformist visions of religion, society, and the relationship between church and state. What the movement had in common, however, was the struggle for tolerance both for religious reasons and because of the persecutions suffered by Catholics and Protestants. The various positions and currents comprising the Radical Reformation, which can be summarised as Anabaptism, Spiritualism, and Anti-Trinitarianism, agreed on the legitimacy of freely investigating the sphere of faith as a way of enacting the original principles of the reform movement and their own principles. Another point they all shared was the rejection of religious persecution and its exercise by the state, in view of the inviolability of conscience, the Christian spirit of love and charity, and the proper separation between the spiritual and political spheres. The ultimate sanction for dissenters was banishment, sometimes applied by the most rigorous Anabaptist communities, such as the Mennonites, to preserve their moral and religious integrity.

Numerous exponents of the Radical Reformation spoke out in favour of freedom of faith while also practising such freedom. The first to condemn persecution were the Anabaptists, who suffered it from the very beginning, in 1525, because they were considered dangerous subverters of society.<sup>25</sup> Although they were a very diverse movement internally, they generally delegitimised the state, refusing baptism to infants (which at the time was fundamental for entry into the civil community), magistracies, oath-taking, and, generally, violence. They gave rise to communities based strictly on the evangelical model of love, righteousness, peace, and social and economic equality, composed of believers inwardly regenerated by the Spirit indifferent to rites and doctrines (except for anti-Trinitarianism in Italy), dedicated to the apostolate to the point of martyrdom, and often millenarian. While the Code of Justinian provided the legislative basis for condemning them, the Zurich reformer Huldrych Zwingli, advocate of the ‘civil religion’, provided the theological one by first defining their doctrines in his *List against the Anabaptists’ quibbles* (1527). In Zurich, the most robust strand of Anabaptism, the Swiss Brethren, had emerged as a radicalisation of Zwinglian doctrine. It was therefore the leaders of this current, Konrad Grebel and Balthasar Hubmaier, who spoke out against the use of force in matters of faith, proclaiming the rights of conscience in a petition to the Zurich Council in 1524. Before becoming a martyr to intolerance, perishing at the stake in Vienna, Hubmaier justified this position in his writing *The Heretics and Those Who Burn Them* (1524) in which he formulated the first condemnation of religious persecution on the basis of Anabaptist political and religious conceptions and with the effective reversal of perspective, according to which ‘the inquisitors are the greatest heretics of all, since, against the doctrine and example of Christ, they condemn heretics to fire, and before the time of harvest root up the wheat with the tares’.<sup>26</sup>

Reflections on this subject were, however, scattered across many Anabaptist writings. Particularly relevant were those of the leaders Hans Denck, David Joris, and Menno Simons. Denck (ca. 1495–1527) was known as the ‘Anabaptist pope’ because of his propaganda-oriented activism and the extremism of his thought, which, rich in Erasmian and spiritualist motifs, expressed an anti-dogmatism that was ahead of the time in that it mirrored the ethical Christianity of the 17th century.<sup>27</sup> In Denck’s thought, the affirmation of religious freedom was the logical corollary of his theological conception and idea of human nature, founded on the idea of the rational and bodily integrity of all men and of the universal possibility of divinisation and salvation through complete interpenetration with God brought about by the free exercise of reason and abandoning oneself to the love of Christ. Joris (1501 or 1502–56), founder of the sect of ‘Davidists’ widespread in France, Holland, Friesland, Germany, and Denmark, reached what might have been even greater latitudinarianism.<sup>28</sup> Exiled from Holland to Basel, where he lived under the disguise of the wealthy merchant Jan van Brugge – only to be discovered and burnt at the stake after his death – Joris advocated unlimited freedom based on his fierce mysticism. Spiritual enlightenment, he argued, gave men absolute independence from denominational constraints, activating faith, love, and the use of reason – and the essence of religion consists of using one’s reason. From the heights of this vision, religious hatred was shown in all its absurdity:

How many men would remain on earth if each had power over the other according to their mutual assessment of heresy? Turks and Jews regard Christians as heretics, Christians treat each other in the same way. Papists and Lutherans, Zwinglians and Anabaptists, Calvinists and Adiaphorists, all excommunicate each other. Shall men hate and kill each other over these differences of opinion? Joris prophetically foresaw the coming of an imminent era of universal peace, freedom, and spiritual union among men, but at the same time he forcefully spoke out against persecution with the argument, widespread among radicals, that the ‘true Church is the persecuted one’ and states should not interfere in matters of faith.

This position was shared by the great leader Menno Simons (1496–1561), despite their differences of opinion.<sup>29</sup> Although an advocate of strict discipline within religious communities, Simons firmly defended them against external aggression in his numerous writings, recalling the essential pacifism of Christianity and the fact that the church cannot be touched by the state: the faithful, he posited, are subjects of the ‘kingdom of the Spirit, governed and protected with the sword of the spirit and not with the carnal sword’ and so they fought using the Word of God and their testimonial accounts of evangelical life. The establishment of freedom was ensured by the separation of civil and ecclesiastical power, in his view, but also by the total inner

transformation of the church community with the strict observance of Holy Scripture and its union with Christ. To bring about this renewal, Simons engaged in a tireless work of evangelisation in the Netherlands that was destined to grant Mennonism wide and lasting success overseas as well.

Their ideas exerted a strong influence on Anabaptism in Germany and the Netherlands, often intertwining with the positions of European spiritualism, as this latter was also a promoter of religious freedom. The affirmation of the autonomy of conscience was inherent to a vision that gave priority to the enlightenment and spiritual regeneration of humans, replacing confessional bonds with the intimate, inviolable bond of the spirit and unifying members of a universal and invisible 'Church of God'. Dogmas, ceremonies, and institutions were thus relegated to the grey area of indifference and justified by taking on Nicodemite behaviours. The spiritualist conception, however, went even further towards the religious relativism that later took hold in 17th–18th century thought. Given the individualism that characterised them, the spiritualists rarely translated their conceptions into social practices. Nonetheless, their principles were able to take hold because they responded to people's everyday aspirations for spiritual reform and, at the same time, permanence in institutional frameworks.

The work of Otto Brunfels, a great theorist of Nicodemism in his *Twelve Books of the Old and New Testament* (1527), was particularly influential in central Europe.<sup>30</sup> Another relevant thinker was Sebastian Franck (1499–1542).<sup>31</sup> An Erasmian, a clergyman and later printer, Franck has been considered the 'first modern man' due to his radical religious individualism, the premise for absolute and universal freedom. In his main work, *Chronicle, Review and History of the Bible*, which was published in Strasbourg in 1531 and caused his banishment, Franck provided a revolutionary reading of the history of Christianity according to which heretics are the true interpreters of the original Christian message, and ecclesiastics are its enemies because of their intolerance. In opposition to churches and sects that claimed a monopoly over truth, Franck proffered his own idea of natural revelation: fulfilled in itself, it united all of humanity in an invisible community made divine by love, the celestial spirit permeating creation, and interpenetration with Christ – the supreme ethical principle – completely free from confessional strictures regulating the expression of faith and reason. The purely interior and moral religion Franck envisaged shunned all forms of externalisation, including the Holy Scripture, considering them degenerations of the true essence of Christianity and obstacles to Christianity's universal impact in the world.

Along these lines, Valentin Weigel and Jakob Boehme emerged between the 16th and 17th centuries.<sup>32</sup> 'Fathers' of theosophy and linked to pietism by virtue of their powerful mystical vision, they postulated the existence of a universal church based on the bond of divine love produced by the presence of Christ within every human being and the free diffusion of the Spirit in the world. Human progeny thereby appeared as a meadow full of colourful

flowers, but all born from the same divine foundations to express the joy of creation in different forms. Both their pronouncements against coercion and their theoretical contributions disrupted traditional theological and intellectual conceptions, promoting an alternative and 'open' vision of knowledge and religion.

However, spiritualism also took on collective forms. One such case was the Family of Love, heir to the communitarian and evangelical tradition of the Netherlands. Founded by the merchant Hendrick Niclaes in Amsterdam, this movement spread through Dutch mercantile and humanist circles (attracting figures such as Abraham Ortelius, Justus Lipsius, Christopher Plantin) and into England, where it grafted itself onto the popular Lollard tradition.<sup>33</sup> In fact, the Family of Love set itself broadly attractive goals such as achieving spiritual perfection through mystical interpenetration with the omnipresent divinity in nature, alongside the exercise of reason and moral rectitude without ritualistic constraints. This movement's appeal was fed by its religious syncretism (rich in spiritualist, neo-stoic, pantheist, Anabaptist, and Catholic motifs) and universalist millenarian perspective, but also the practical spirit of the Brothers, as these latter constituted a network of mutual protection and economic assistance. It flourished until the end of the 17th century, fostering peaceful religious coexistence everywhere.

Spain and Italy were also the scene of the spread of important spiritualist movements, Alumbradism and Valdesianism, which were closely connected.<sup>34</sup> Alumbradism developed themes of conversational religiosity and European spiritualism in the period of great religious fervour, fuelled by Cardinal Jimenes de Cisneros and Erasmus, reducing religion to a path of progressive inner purification under the guidance of the Spirit. This message found acceptance among the people, the clergy and the Spanish nobility thanks to some charismatic figures such as Isabel de la Cruz and María de Cazalla (sister of the *alumbrado* bishop Juan), the 'prophets' Juan López de Celain and Pedro López de Soria, or radicals such as Pedro Ruiz Alcaraz and Juan de Castillo – supporters of an essentially theistic, irenic and universalist vision.

An equally attractive current in Italy was Valdesianism, a peculiar synthesis of Alumbrianism, Erasmian, and Reformed ideas developed by Juan de Valdés (ca. 1505–41), an exile from Spain and imperial secretary in Rome and Naples. Among high-ranked representatives of society and the Church (the 'spirituals'), the Waldesian message nourished hopes that the institution could be reformed without causing ruptures; however, the message spread everywhere, thanks to the bestseller *The Benefit of Christ* (1543).<sup>35</sup> It was centred on spiritual enlightenment and the path to inner perfection generated by the experience of 'living faith' in God, trusting in universal salvation thanks to the 'general pardon' guaranteed by Jesus' sacrifice, and in favour of Nicodemism. The subjectivism of such a religious conception effectively eliminated any need for doctrinal norms or authority on the part of any ecclesiastical institution, extending the *ecclesia Dei* to all

mankind – ‘so that there is no man among those who have faith [...] who holds himself as a stranger to the Christian Church’. Access to it was differentiated according to the degree of regeneration, as symbolised by the metaphor of entering a palace. The Church of Valdés was invisible, spiritual, completely in keeping with the message of divine love and opposed to the constriction of conscience in any form; the latter was to be left free insofar as it was a profound place of conjunction with the divine and with all the faithful, subject only to God, not to be coerced much less by violence: the only ‘rule of Christian living’ was ‘to do what Christ did and not to do in anything that Christ did not do’. Valdés firmly judged the persecutors, the true examples of impiety and wickedness, and advocated fleeing from them ‘as from the fire of persecuting any man, pretending to serve God in this’. Instead, he held up victims of coercion as the true children of God, ‘sheep among wolves’, and those who suffered such coercion must be committed to bear witness with patient perseverance.<sup>36</sup>

This latitudinarianism took on new contours with the radicalisation of the Valdesian message by various spheres of followers: those who ended up developing libertine, deist, or atheist positions, such as Scipione Capece, Valentino Gentile and Giulio Basalù, those who engaged with Islam and Judaism, such as Francesco Renato and Giovanni Laureto, and those who adhered to the Reformation, such as Bernardino Ochino.<sup>37</sup> Girolamo Busale in particular was responsible for the anti-Trinitarian turn of the Anabaptist movement in Veneto, which made a significant contribution to European anti-Trinitarianism and led the way in the defence of tolerance.

In fact, the anti-Trinitarians were the heterodox movement most abhorred by the institutional churches because they rejected a dogma, the Trinity, unanimously considered to be the foundation of the church; at the same time, their critical unscrupulousness placed them in the vanguard of those seeking to legitimise freedom of conscience. An aversion to intolerance was shared by all the currents into which the movement branched. Moreover, this movement was altogether highly multi-faceted due to its multiple philosophical and religious roots. This was the case of the Anabaptists from Veneto, who inspired many figures from the Italian heretical diaspora, including Camillo Renato, Celio Secondo Curione, Bernardino Ochino, and Lelio Sozzini; it was also true of Michele Serveto and the Servetian group, among which Matteo Gribaldi Mofa, Giovanni Paolo Alciati, Giorgio Biandrata, and Valentino Gentile stood out, and of the Socinians, with Lelio and Fausto Sozzini as the ‘fathers’ of this group. It was likewise true of the non-adorantists, headed by Ferenc Dávid. It is emblematic that it was the burning of Serveto in Geneva that marked a turning point in the debate on freedom of faith, which, as we will see, involved many of these figures.

In the end, the Radical Reformation was a hotbed of ideas fuelling the debate on tolerance and religious freedom in the 16th century, with long-lasting outcomes for world history.

## Notes

- 1 For a discussion of this issue, see the articles by O. P. Grell, B. Scribner, in O. P. Grell, B. Scribner (eds.) *Tolerance and Intolerance in the European Reformation* (New York: Cambridge University Press, 1996), pp. 1–13, 32–47.
- 2 R. H. Bainton, in A. Rotondò (ed.), *Erasmus della cristianità* (Firenze: Sansoni, 1964); C. Gilly, ‘Erasmus, la Reforma radical y los heterodoxos radicales españoles’, in T. Martínez Romero (dir.), *Las lletres hispàniques als segles XVI, XVII i XVIII* (Castèllo de la Plana: Publicacions de la Universitat Jaume I, 2005), pp. 225–76; P. G. Bietenholz, *Encounters with a Radical Erasmus. Erasmus’ Work as a Source of Radical thought in Early Modern Europe* (Toronto-Buffalo-London: University of Toronto Press, 2009); M. Biagioni, L. Felici, *La Riforma radicale nell’Europa del Cinquecento* (Roma-Bari: Laterza, 2011), pp. 8–17; E. M. MacPhail (ed.), *A Companion to Erasmus* (Leiden: Brill, 2023).
- 3 Erasmus of Rotterdam, *Querela pacis* ASD, IV/2, p. 63 f.
- 4 C. Asso, *La teologia e la grammatica. La controversia tra Erasmo e Edward Lee* (Firenze: Olschki, 1993), p. 111 ff.
- 5 S. Castellione, *La persecuzione degli eretici*, cura e traduzione di S. Visentin (Torino: La Rosa, 1997), p. 65 ff.; M. Valente, *Contro l’Inquisizione. Il dibattito europeo (secc. XVI–XVIII)* (Torino: Claudiana, 2009), p. 21 ff.; Erasmus of Rotterdam, *Colloquia*, ASD, I/3 and pp. 363–374.
- 6 Erasmus of Rotterdam, *Moriae Encomium*, ASD IV/3, pp. 144–176
- 7 O. Schottenloher, ‘Erasmus und die Respublica christiana’, in *Historische Zeitschrift*, 210 (1970), pp. 295–323, 307 ff.; Scuccimarra, *I confini del mondo* (Bologna: Il Mulino, 2006), p. 177 ff.; N. Ron, *Erasmus and the “Other”: On Turks, Jews and Indigenous Peoples* (London: Palgrave MacMillan, 2019), but for a different position see L. Felici, *Senza frontiere. L’Europa di Erasmo (1538–1600)* (Roma: Carocci, 2021), Chapter 1.
- 8 Erasmus of da Rotterdam, *Adagia*, ASD II/7, pp. 38, 33–43.; Erasmus of da Rotterdam, *Colloquia*, I/3, p. 504; Erasmus of da Rotterdam, *Querela pacis*, ASD IV/2, pp. 78, 84, 90 ff.; Erasmus of da Rotterdam, *Opus epistolarum Des. Erasmi Roterodami*, P. S. Allen, H. M. Allen (eds.), 12 vols., Oxonii in typographeo Clarendoniano, 1906–58 (henceforth cited as Allen), I, p. 551 ff.; S. P. Markish, *Erasmus and the Jews* (Chicago, IL: University of Chicago Press, 1986); E. Pasini, *Le giustificazioni della guerra in Erasmo*, in Baldini, Firpo (eds.), *Religione e Politica*, pp. 51–82.
- 9 Allen, I, 551 ff.; Erasmus da Rotterdam, *Querela pacis*, ASD IV/2, p. 98.
- 10 Scuccimarra, *I confini del mondo*, 182; Schottenloher, ‘Erasmus und die Respublica christiana’; C. Vasoli (ed.), *Erasmo da Rotterdam e la cultura europea* (Firenze: Sismel, 2008).
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- 12 M. Reinhard, *Imperiled Heritage. Tradition, History and Utopia in Early German Literature* (London: Routledge, 2017), *ad ind.*
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- 15 Luther, *Martin Luthers Werke*, xi, p. 268; Luther, *Martin Luthers Werke*, xvii, 2, 125; cf. Castellione, *La persecuzione degli eretici*, p. 27 ff., 41 (for quotations) and M. Luther, *Scritti politici*, a cura di G. Panziera Saija (Torino: UTET, 1968), pp. 418–30 (on toleration).
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- 17 Concerning the Reformation and Counter-Reformation in Italy, see M. Firpo, *La presa di potere dell'Inquisizione romana. 1550–1553* (Roma-Bari: Laterza, 2014); M. Firpo, *The Italian Reformation and Juan de Valdés* (London: Routledge, 1996); M. Firpo, G. Maifreda, *L'eretico che salvò la Chiesa. Il cardinal Giovanni Morone e le origini della Controriforma* (Torino: Einaudi, 2019); G. Fragnito, *La Bibbia al rogo. La censura ecclesiastica e i volgarizzamenti della Scrittura (1471–1605)* (Bologna: Il Mulino, 1997); G. Fragnito, *Proibito capire. La Chiesa e il volgare nella prima età moderna* (Bologna: Il Mulino, 2005); G. Fragnito, *Rinascimento perduto. La letteratura italiana sotto gli occhi dei censori (secoli xv–xvii)* (Bologna: Il Mulino, 2019); A. Del Col, *L'inquisizione in Italia. Dal XII al XXI secolo* (Milano: Mondadori, 2006); D. Solera, *La società dell'Inquisizione. Uomini, tribunali e pratiche del Sant'Uffizio romano* (Roma: Carocci, 2019); G. Caravale, *Libri pericolosi. Censura e cultura italiana in età moderna* (Roma-Bari: Laterza, 2022) and in general *Dizionario storico dell'Inquisizione*, 4 vols., a cura di A. Prospero, con la collaborazione di V. Lavenia e J. Tedeschi (Pisa: Edizioni della Normale, 2010); M. Albertone, *Italian Reformation and Religious Dissent of the Sixteenth Century: A Bibliography (1998–2020)* (Torino: Edizioni dell'Orso, 2021).
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- 20 A. Rotondò (ed.), *Anticristo e Chiesa romana. Diffusione e metamorfosi d'un libello antiromano del Cinquecento*, in *Forme e destinazione del messaggio religioso. Aspetti della propaganda religiosa nel Cinquecento* (Firenze: Olschki, 1991), pp. 19–164, 99, 47 ff. On Waldesianism see below, p. 66 ff.
- 21 M.-C. Pitassi, D. Solfaroli Camillocci (éds.), *Les modes de la conversion confessionnelle à l'époque moderne. Autobiographie, altérité, construction des identités religieuses* (Firenze: Olschki, 2010).
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- 24 This definition is from G. H. Williams, *The Radical Reformation* (Kirksville, MO: Sixteenth Century Journal Publisher, 1992) (3<sup>rd</sup> expanded ed.); Biagioni, Felici, *La Riforma radicale nell'Europa del Cinquecento*.
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- 26 C. H. Vedder, *Balthasar Hubmaier. The Leader of the Anabaptists* (New York: AMS, 1905), pp. 84–88; H. W. Pipkin, J. H. Yoder (eds.), *Balthasar Hubmaier: Theologian of Anabaptism* (Scottsdale, PA: Herald Press, 1989).
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- 37 L. Addante, *Eretici e libertini nel Cinquecento italiano* (Roma-Bari: Laterza, 2010).

### 3 Practising coexistence, theorising tolerance

#### The Germanic Empire: practice beyond laws

The Protestant Reformation met with a wide response in the Empire, especially in the cities, for reasons that have been interpreted in various ways.<sup>1</sup> What is certain is that the new legitimisation of the laity, thanks to the doctrine of universal priesthood and justification by faith alone, and the consequent demolition of the Catholic power apparatus, triggered dynamics of profound social, political, economic, and cultural societal transformation. The institutional and territorial consolidation of the Lutheran Church and the new Protestant states, guaranteed in part by the armed power of the League of Smalcalda of German princes, despite its defeat (1547), ended up being imposed on the emperor. The Peace of Augsburg, stipulated by Charles V in 1555, aimed at putting an end to religious conflicts in the Germanic Empire, legitimising the Lutheran Church, and officially marking the beginning of bi-confessionalism (Catholicism and Lutheranism) according to the territorial principle of *cuius regio eius religio*: the religion of the political authority was binding for its subjects, although the latter did enjoy the *beneficium emigrandi*. However, the reality was different due to the objective difficulties of implementing this legislation, given jurisdictional entanglements, the problematic nature of migration, political, economic, and cultural reasons, social ties, etc. Peace thus resulted in a confessional mosaic that was structurally unstable and difficult to manage internally.<sup>2</sup> This fact, even considering ongoing tensions, struggles, and continuous internal renegotiations, made the Empire a laboratory of multi-faith coexistence. The political physiognomy of the Empire, based on a balance between local autonomies and supranational institutions, was not altered; on the contrary, it managed to contain the processes of internal change thanks to its ductility and the strength of its structure.

With the signing of the Peace of Passau, an initial experiment took place with the legitimisation of bi-confessionalism in the seven imperial cities where it was already present in 1552. Visible breaches of the law occurred in Brandenburg and the Palatinate, which were conquered by the Calvinists and became their bridgeheads for their penetration into the Empire. This

gaining of ground was especially successful in north-west Germany, where they coexisted with the other Christian denominations. The Peace of Westphalia (1648) then officially recognised Calvinism in the Empire but did not eliminate confessional conflict within the society even though it guaranteed tolerance at the legislative level.<sup>3</sup>

Princes and civil magistrates generally assumed a flexible attitude in order to guarantee peace and the common good of society, conditions that were threatened by the mutual intolerance of the churches, aggressive behaviour towards the Other in communities, destabilising changes of faith in states, and internal and external political pressures. In Erfurt, for example, as early as 1553 the magistrates legitimised bi-confessionalism in the urban space to preserve both the city's autonomy with respect to the archbishop of Mainz and Duke John of Saxony, and the internal stability threatened by class-based tensions.<sup>4</sup> Commercial considerations provided a powerful push to overcome confessional barriers in cities active in international trade and finance, such as Augsburg, Nuremberg, and Hamburg. The case of Augsburg, seat of the imperial bankers Fugger and Welser, is a prime example of this. Streets and neighbourhoods were divided up among Catholics, Calvinists, Jews, and the heterodox as part of continuous exchanges and relations intensified by the numerous mixed marriages in which 'the one in love followed the faith of the other'. A large Anabaptist community also settled in the city, led by Denck under the protection of the Lutheran noblewoman Argula von Grumbach. For her part, von Grumbach faced criticism and greater levels of offence because she was a woman.<sup>5</sup> Despite its adhesion to Lutheranism in 1525, Nuremberg did not betray its cosmopolitan cultural leanings (nurtured in part by Albrecht Dürer and Hans Sachs) nor did it close its doors to the great Italian merchants, such as the Torrigiani, who flocked to the city: they adapted to the local religious ceremonies, therefore, ignoring the papal ban (which had been repeated since 1596) on residing in non-Catholic cities.<sup>6</sup> In Hamburg, the famous Hanseatic trade capital, tolerance was implemented, but the question of worshipping (public, private, or domestic) was a matter of debate.<sup>7</sup> Even in Cologne, which remained the seat of the bishopric until the beginning of the 17th century, priority was given to the city's economic and cultural wealth, the fruit of trade with England, the Baltic, Germany and the Netherlands, renowned publishing activity and a city-wide ideal of concord nurtured by Erasmian intellectuals such as Georg Cassander and Johann Gropper.<sup>8</sup>

This ideal was quite prominent in Strasbourg. In this free imperial city with its great mercantile and cultural tradition, the leader of the reform movement Martin Butzer worked tirelessly for conciliation between the Evangelical Churches while other leaders, such as the well-known pro-radical Jew Wolfgang Capito, writer and activist Katharina Schütz Zell, and her pastor husband Matthias firmly opposed the religious persecution of the Anabaptists as well. Capito did not judge them to be enemies of Christianity, given their ardent faith and righteousness, and called for understanding and charity

towards them as towards all wanderers. The Strasbourg reformers helped to make the city a 'refuge of hope' that welcomed Calvinists, Lutherans, Catholics, Jews, and the heterodox, even the most radical. Katharina described it as follows: 'The city is an example of mercy and compassion [...] remember the words of Jesus: 'I am meek and humble of heart'.<sup>9</sup> The dynamics within the city, particularly the desire for control and development on the part of local political and economic oligarchies, favoured this orientation.<sup>10</sup>

However, dynamics of a different nature also occurred due to the coexistence of different jurisdictions of various religious orientations. Especially after the Peace of Westphalia, the *exclaves* and *inclaves* (minority territories outside or inside a state, respectively) were highly visible, as were the so-called 'no man's lands' (*Konfessionelle Niemandsländer*).<sup>11</sup> In the 16th century, Welper in Westphalia constituted a remarkable example. The parish church of the Benedictine nuns' monastery was subject to the nuns, the town council of the Lutheran Soens (with jurisdiction over Welper), the Catholic abbot of Kamp (spiritual leader of the nuns), and the local prince, a position held first by the Lutheran duke of Jülich-Cleves-Berg and then the Calvinist elector of Brandenburg. The Benedictine nuns, therefore, decided, from the 1530s onwards, to make their church a place of worship for Catholics and Lutherans alike, while the abbess was given the right of patronage to appoint both the Catholic pastor and her Lutheran vicar. This sharing of physical, religious, scholastic, and social spaces created an innovative social and confessional mixture that only the Thirty Years' War managed to change.<sup>12</sup> On a more macroscopic level, the episcopal principality of Münster represented an important case.<sup>13</sup>

The religious boundaries defined by the jurisdictions also crossed narrower spaces. In the case of the village of Tigerfeld in the Swabian Jura, the boundary passed through the middle of a farm, making it dependent on both the Protestant prince of Württemberg and a Catholic imperial knight: given this division, children were baptised with either Catholic or Protestant rites depending on which part of the building they had been born in.<sup>14</sup>

The knights of the Empire represented, moreover, a further reason for confessional barriers to fluctuate. Although they were a defined social group subject to the emperor rather than an imperial class, they could exercise the *ius reformandi* in their domains; although they were Protestants, in opposition to the secular local sovereigns they placed themselves at the service of the prince-bishops, going so far as to control the elections of these prince-bishops in some areas, and they incorporated their children into Catholic institutions in an outward act of conformity.<sup>15</sup>

On their behalf, successive rulers on the imperial throne strove to ensure religious tolerance in both the Empire and the territories under Habsburg rule. Their motivations varied. While Ferdinand I (1503–64) had to abandon his own plan of recatholicisation and strengthening of his power in order to preserve peace and secure the support of the aristocracy against the Ottoman Empire (which represented a constant threat at the borders), Maximilian II

(1527–76) pursued an admirable universalist project of reunifying all confessions within one church under his aegis (*Kompromiskatholizismus*) and a cosmopolitan cultural design with his court and the *Hofbibliothek* as the fulcrum. Indeed, they were open to patrons of the Republic of Letters such as Hugo Blotius, Johannes Crato von Crafftheim, Andreas Dudith Sbardellati, Lazarus von Schwendi, etc. The freedom of the Lutheran cult was also legitimised in Austria in 1568 and three years later, the nobles were able to organise a church, school, and printing press in Vienna. Due to the precarious internal political balance, Rudolf II (1552–1612) was obliged to grant the 1609 *Letter of Majesty* legitimising Lutheranism and Utraquism, even though he was personally inclined towards a Renaissance ideal of universal sovereignty and cultural and religious unity within the framework of Catholicism. His new capital, Prague, became a European centre attracting intellectuals, artists, scientists, and freethinkers such as Arcimboldo, Kepler, Brahe, and Pucci. Internal pacification did not take place, however, paving the way for tensions between Catholics and Protestants and the intransigent policy of Matthias and especially Ferdinand II whose absolutist, coercive project went on to trigger the devastating Thirty Years' War.<sup>16</sup>

### Governing religious pluralism: the Habsburg territories in Eastern Europe

The Habsburg dominions in Eastern Europe (Bohemia, Moravia, Imperial Hungary, and the vassal state of Transylvania) were multi-faith and extraordinarily tolerant areas.<sup>17</sup> The traditional coexistence among Orthodox Christians, Hussites, Jews, Muslims, and Catholics – later extended to Lutherans, Calvinists and radicals as well – alongside the area's threatening proximity of the Ottoman Empire along most of its borders and the political reality of these localities were all conducive to such coexistence. The powerful local nobility, the majority of whom had gone over to the Reformation side, were able to leverage their role as protective breakwaters of Christianity against the Turks to secure religious concessions from the Habsburgs. Obtaining toleration served the political purpose of counteracting monarchical absolutism and legitimising its authority, as well as safeguarding personal choices in keeping with a jealous defence of jurisdictional independence.

Thanks to a special statute of autonomy, the Moravian marquisate was a land of asylum for many Anabaptists, as well as anti-Trinitarians, who emigrated from Italy and Germany. Radicals also found ample shelter in Bohemia, although the Calvinist religion was in the majority there alongside the Lutheranism practised by German communities. The Utraquist Church founded by Jan Hus in the 15th century, its name deriving from the Latin for 'two kinds' in reference to both bread and wine being used for Eucharistic communion, had been formalised since 1436 with the *Compactata* and adhered to Catholicism; one of its branches, the Bohemian Brethren, instead passed over to the Reformation while maintaining relations of mutual tolerance.

In Hungary and Transylvania, the political variable greatly influenced the toleration regime. The central and southern part of the Hungarian territory, subject to the Ottoman Empire, enjoyed religious freedom while the north was ruled by a fierce aristocracy which entered into shifting alliances with the Habsburgs, the Transylvanian governor and the Ottoman Empire from its position of strength; the latter were fighting each other for dominance. It thus obtained wide areas of autonomy. An expression of this autonomy was the *ius patronatus* which gave private or public subjects (magistrates, aristocrats, ecclesiastical patrons) the right to establish what religion would prevail within their jurisdiction, according to the territorial principle (*cuius patronatus, eius religio*). People everywhere opted for pluri-confessionalism and, often, for using *simultaneum*, although Calvinism was followed by 80% of the population. The Sopron Diet of 1681 legitimised this state of affairs despite the recatholicisation of the country.

Tolerance rested on an even firmer foundation in the Transylvanian kingdom, helped by the struggle for independence from the Habsburgs sanctioned first in 1526 and then definitively in 1571 with its transformation into an independent principality, vassal of the Imperial House and the Ottoman Empire. John Sigismund, who ascended the throne in 1541 with Ottoman support, distinguished himself by his use of *ius patronatus* in favour of the religious freedom of the state, a composite political unit (comprising the domains of the Magyar aristocracy, the Saxon cities and the Sicilian nation). Alongside the majority Orthodox Church, Catholic and Protestant churches were legitimised, including – in a case that was unique in Poland – the anti-Trinitarian Church at the Diet of Torda in 1568. Many magistrates, ecclesiastics, commoners and above all aristocratic elite adhered to the Unitarian Church, so much so that the Jesuit Antonio Possevino declared in 1585 that ‘Each nobleman in his villages governs, according to his fancy, the things of his sect and heresy, in which, especially in the Arian, almost all the nobles are pertinacious’.<sup>18</sup> The ruler himself opened his palace to the anti-Trinitarians, appointing the leaders Giorgio Biandrata and Ferenc Dávid as doctor and court preacher respectively, and had himself interred according to their rites after converting to Catholicism, Lutheranism, and Calvinism. Transylvania remained a land of choice for radicals for a long time. The Edict of Tolerance was confirmed in 1572 by King Stephen Báthory, who called himself ‘king of peoples, not of consciences’. Emperor Leopold I’s *Diploma Leopoldinum* validated it in 1690, by which time the country was back under Habsburg power and the Catholic Church.

### **In the Swiss Confederation: modern-era experiences and theories of tolerance**

The problems of religious coexistence and tolerance were macroscopic in the Helvetic Confederation which was autonomous from the Empire, even if this autonomy had not been made official until 1648.<sup>19</sup> A solution to the former

was sought as early as 1531 with the Peace of Kappel, based on the territorial principle, designed to regulate the coexistence of Catholics, Zwinglians, and then Calvinists in a highly fragmented territory (thirteen cantons, allied territories and towns, common bailiwicks) lacking a central authority. However, the extremely dense confessional network that crossed cantons, towns, villages, and mountain hamlets generated a very precarious and potentially explosive situation, especially in the period of confessionalisation, due to changes in religion as well as alliances both internal and with European powers, the problems of cohabitation among believers with different doctrines, cults, and calendars, and constant propaganda by the opposing churches.

The *gemeine Herrschaften* (Common Domains) of Orbe and Grandson were palpable examples of the precariousness of bi-confessionalism.<sup>20</sup> Conflicts were triggered by the rotating rule of the Catholic Freiburg and Lutheran Berne over these areas as well as the changes gradually brought about by the local town councils that had jurisdiction over religious orientations.

However, the prosperity, autonomy, and unity of the confederation often took priority. The city magistracies and the population therefore, soon turned to seeking political-religious agreements (sometimes formalised), practices, and strategies for coexisting and managing religious and civil life. Only places with a clear confessional identity, such as Geneva or Fribourg – strongholds of Calvinism and Catholicism, respectively – were excluded from this.

Some areas excelled in organising cohabitation, such as Valtellina and Thurgau located in the canton of Zurich.<sup>21</sup> Subject to the Republic of the Three Rhaetian Leagues but with ample autonomy, Valtellina was the first to legitimise a regime of religious tolerance in the 1526 Diet of Davos, which transformed this place into a site of cohabitation among Catholics and Reformed believers, a land of refuge for Italian exiles – even the most radical – and a European centre for propagating ideas and texts thanks to free discussions and the activity of the printing presses, including the press operated by the Dolfin family. The heterodox Camillo Renato, mentor of many Italian heretics, is a significant case. From Chiavenna, Renato spread his radically spiritualistic and libertarian views in opposition to the authoritarianism of the Swiss churches. Internal antagonism between the opposing fronts did not disappear, however, as it was strengthened by the propaganda of the ecclesiastics with the support of the powers interested in achieving hegemony over this crucial junction between Italy, France, Spain, and Switzerland. This did not prevent the so-called Holy Slaughter of 1620, in the context of a pro-Spanish revolt, which put an end to the only Italian-speaking Reformed community in Europe. Nonetheless, the local and central political authorities generally maintained a firm hand on the rudder to preserve the independence and physiognomy of the territory, which was very difficult to evangelise due to its mountainous landscape.

In 1531, the *Landfriede* regulated relations between Catholics and Reformed in Thurgau, stipulating that the bishop of Constance was responsible for appointing ministers of the two denominations and that such ministers

could, in turn, officiate at baptisms and marriages of both denominations. It also established that freedom of worship could be exercised in public and private without interference and that the magistracies would be mixed and make decisions by majority vote. Here, as elsewhere, *simultaneum* was widespread, allowing for the division of cemeteries, the alternation of rites in the same churches, and the bi-denominational use of ministers. Until the late 17th century, ministers kept the host instead of bread, and places of worship, particularly Marian worship, were used by both denominations. However, in small mountain communities (comprising the majority of towns in Switzerland), marriage or friendship ties were often much stronger than confessional divisions: in Üssling, for instance, Catholics and Reformed refused to be buried in separate parts of the cemetery from those who had been their friends in life.

It was Basel, however, that made a crucial contribution to the development of tolerance.<sup>22</sup> The centre of the great international traffic on the Rhine, the place where Erasmus worked and spread his influence and later had his foundation, and the seat of a prestigious university open to avant-garde ideas, renowned for its flourishing printing activity, Basel remained a cosmopolitan and rather liberal city under the aegis of the civil and religious authorities until the late 16th century. Offering opportunities for work, study, subsistence and free intellectual expression, it attracted scholars, exiles, and students from all over Europe and of all faiths who in turn fostered the broadening of cultural horizons with their writings and ideas: suffice it to mention the publication of the masterpieces of the Italian Renaissance, the complete edition of Erasmus, the universalist texts of Postel, Bibliander, Zwinger, and Pucci, the Paracelsian medical-philosophical treatises or those of the monarcomachs, the writings on tolerance by Castellio, Celsi, Sozzini, Aconcio etc. Basel was thus truly a 'harbour for all peoples', as the well-known French philosopher in exile Petrus Ramus admiringly defined it in 1571.<sup>23</sup> Tolerance extended to the Catholics, who sat on the city council, and the Jews, who gathered in communities and, as we have seen, were destined to make the city an international centre of Judaism. Those considered 'heretics by all the churches' according to the Cantimorian definition,<sup>24</sup> as well as non-conformists in general, were also allowed to live in freedom, – except for considerations of civic reputation, which prompted the magistrates to impose limits. However, it is significant that the trial of David Joris was held after his death: hence the saying that, in Basel, 'heretics are only burnt when dead'. On the other hand, Montaigne himself, in the course of his travels, reported with amazement on the kaleidoscopic religious world of Basel at the height of the confessional wars in Europe.<sup>25</sup> This situation ended up fading in the 19th century to make way for a citadel of Calvinist orthodoxy.

In the mid-16th century, however, Basel became known as the centre of the European debate on toleration. It was the Servetus case, a turning point in the history of religious freedom and the Reformation, that sparked such debate.<sup>26</sup> The Spanish scholar (doctor, theologian, geographer, and jurist) was

condemned to be burnt at the stake in Geneva on 27 October 1553 at the behest of Calvin (and with the consent of the Swiss churches) because of the anti-Trinitarian and Anabaptist ideas he had outlined in *Restoration of Christianity*. In this text, Servetus had illustrated his religious vision, aiming at a humanisation of Christ (a historical man imbued with divine virtues), a divinisation of man through the imitation of Christ's model, and the re-foundation of society as a whole according to his law of love and freedom. All Servetian work was a hymn to human freedom and dignity held up against all forms of constraint.

Calvin seized the right to legitimise the repression of heretics: in his *Defence of the Orthodox Doctrine of the Trinity* (1554), he established a strong link between orthodoxy and coercion for the defence of God's honour.<sup>27</sup> Heretics were to be destroyed with error. The killing of heretics was motivated by recourse to Old Testament law against blasphemers and false prophets (*Deut.* 13:6 ff.), as heretics were equated with these latter. Serveto along with every dissenter was demonised in order to build the city of the elect on earth.

Calvin and his authoritarian vision of the Reformation was opposed by a composite and extended front stretching from Switzerland to Italy and driven by both political and religious concerns.<sup>28</sup> The reaction of the Italian heretics was particularly strong, as they saw the freedom and independence they had painstakingly won by fleeing from the 'yoke of the Roman Antichrist' threatened beyond the Alps as well. They opposed this move in order to complete the path of the Reformation with their rationalist, spiritualist, prophetic, and Erasmian demands, trusting in divine goodness and human free will. In 1554, Sebastian Castellio, with the collaboration of Borrhaus and Curione and the support of the non-conformist *Basler Kreis* (also composed of Gribaldi, Joris, and Amerbach), thus printed *Concerning heretics, whether they are to be persecuted*. This was the first, fully complete formulation of the modern theory of religious tolerance, and Castellio was its apostle.<sup>29</sup>

This volume, which was published anonymously, offered a collection of texts arguing against religious repression, from the Church Fathers to Erasmus to radical and magisterial reformers (including Calvin), so as to show that the Church of God had possessed a libertarian soul from its very beginnings. The main texts that granted substance to this argument, however, were those written by Castellio, disguised under the pseudonyms Georg Kleinberg, Basilius Montfort, and Martin Bellius. Castellio (1515–63) was a celebrated humanist and professor at the University of Basel who had left Geneva because of disagreements with Calvin over biblical exegesis, debates that were also a testing ground for his liberal vision. His pivotal idea, derived from Erasmus, was clear: religious persecution was contrary to the principle of the inviolability of conscience and freedom and antithetical to Christianity itself. The Christian religion consisted, in Castellio's vision, of a practical individual and community-level implementation of the Gospel message of love, brotherhood, and charity, along with reason and purity of mind, taking on an ethical dimension. The law of Christ and the narrow core of *fundamentalia*

*fidei* indispensable for salvation (the existence of God, Christ, the Spirit, and divine mercy) could be deduced from the New Testament through a critical exegesis illuminated by the Spirit. Such hermeneutics also highlighted the doctrinal and ritualistic overlaps the church had created over time, overlaps that were not only irrelevant for the purposes of salvation but also caused the downfall of society. According to Castellio, it was indeed the authoritarian defence of orthodoxy that actually gave rise to religious persecution. His condemnation of Christianity's betrayal of Christ's teachings, consummated through persecution and divisive doctrinal disputes, is eloquent:

Christ is the prince of the world: he, departing from the earth [...] recommended that we prepare for his coming white robes, that is, to live Christianly and in friendship, without strife, and to love one another. Let us now graciously consider how well we fulfil this duty [...] true piety and charity lie dormant: our life flows with quarrels and all kinds of vice. Men who are made proud by this knowledge [of the divine mysteries], or rather by this supposition of knowledge, look with contempt and pride on the others who are before them, and pride is followed by ferocity and persecution, so that now almost no one can tolerate anyone who has an opinion different from his own on any subject.<sup>30</sup>

The humanist rejected the use of violence in matters of faith as completely illegitimate. The jurisdiction of civil authority should be limited to governing society, in keeping with Castellio's proposed breaking of the traditional organic link between religion and politics. The use of violence by ecclesiastical powers represented a complete transgression of Christ's spiritual law – abrogating Old Testament norms against blasphemers, idolaters, and false prophets – as well as God's exclusive prerogative to judge consciences and save all mankind with his immense mercy, as outlined in the parable of the tares. Preaching the Gospel was therefore the only instrument indicated in the New Testament to convince dissidents to recant ('God wants to instruct, not kill'); authorities could only resort to banning in cases of sedition. The object of Castellio's harsh condemnation was therefore the reformers, denounced for the aberrant character and 'more than bestial' ferocity of their treatment of people, even morally upright ones, who dissented against prevailing doctrine. In his view, such behaviour was markedly similar to that of the Roman Antichrist and likewise cloaked in the mantle of 'divine justice'. Although not mentioned by name, the main culprit of this intransigent critique appeared to be Calvin, accused of turning 'true religion into violence'.

Coercion also prevented that search for truth that, in Castellio's view, was a process inherent to religion and part of the constant development religion undergoes thanks to exchanges of ideas; indeed, such exchanges had been the source of multiple doctrinal and cultural developments throughout history. The privileged instrument of this quest for truth, he held, is the word, as it represents the medium of communication between God and man and among

humans under the guidance of reason illuminated by the Spirit. Indeed, he noted, Christ was the *sermo Dei*. In view of this model, guaranteeing freedom of expression therefore became essential. An absence of constraints also allowed for the exercise of prophecy, which Castellio – like other Italian heretics – considered the direct channel through which the divine Spirit manifests in human beings, without ecclesiastical mediation. This view extended the field of religious freedom to the utmost while instead restricting the power of *auctoritates* in general and Calvin in particular, as the latter stood as the exclusive guardian of revelation. The humanist's thought moved into the religious sphere, as was inevitable in the 16th century; by legitimising freedom and reason as foundational, however, he opened religion up to Modern thought. Other pioneering elements were his historicisation and relativisation of the concept of truth: since truth was posited to be an incessant, unhindered, and healthy process for religious improvement, his vision invalidated its apodicticity and absoluteness. 'Anyone who thinks differently from us is considered a heretic [...] so that if in this city or region you are orthodox, in the neighbouring one you will be considered a heretic'. This full awareness of the pluri-confessional reality of the world was expressed in an innovative proposal: that of practicing a religion based on a few universally shared principles within a setting of confessional Babel. "And so", he wrote,

if you want to survive today, you must have as many faiths and religions, almost as many cities, or sects. In the same way, those who travel must repeatedly change currency, for that which is valid here is not valid elsewhere, unless it is gold; the latter, in fact, has value whatever minting it is.<sup>31</sup>

This relativisation of the concept of truth led to its transformation into a subjective moral category – 'truth is saying what one believes, even if one errs', Castellio stated – and a radical change in the notion of heresy. Heresy was recast as a stubborn and intransigent 'habit' of professing an erroneous doctrine ('the heretic is the pertinacious individual, who, when rightly admonished, does not obey'), condemnable as detrimental to the harmony and unity of the Christian community. The true heretics were, therefore, the persecutors who coercively imposed their ideas without caring about the damage they caused. This was an unforgivable fault according to the irenic viewpoint Castellio held, as it had been to his master Erasmus.

The fundamental character of the Church of God was indeed religious concord. The *ecclesia Dei* was invisible and universal, inclusive of all the faithful who were committed to ethical and spiritual renewal themselves and the community as guided by the Gospel and divinely inspired reason; this was to be a defenceless and patiently endured persecution, as the true Church was characterised by perseverance. To achieve this, Castellio proposed an idea that was as radical as it was simple: follow the model of Christ to establish peaceful coexistence and thus religious unity with dissenters. 'If we behaved

like Christ and the apostles, we could coexist peacefully and, while disagreeing on other matters, we would at least agree in mutual love (which is the bond of peace) until we reach a unity of faith'. His conclusion was lucid and heartfelt: 'Let us therefore tolerate one another and not immediately condemn the faith of others, if it is founded in Christ'.<sup>32</sup>

The Geneva-based reformers reacted with outright opposition. Until his death, Castellio was subject to attacks and censure even in Basel, despite his European reputation. He was, however, a fighter against his own times, and continued his battle for religious tolerance while enriching it with new arguments about the moral content of faith, the notion of truth, the rejection of the predestinationist view, the rights of conscience, and the relationship between secular and spiritual power. In the text *De Haereticis a civili magistratu non puniendis* (1555, but published in 1971), crafted in response to Bèze's (*That heretics should be punished by the civil Magistrate*), Castellio reaffirmed the idea that magistrates should not interfere in the sphere of conscience, either via their own power or as 'minister[s] of the cruelty of others' because their role should be exclusively civil, as regulators of the social system. However, he also envisaged transcending the state in the future society regenerated by God's spiritual law. He intensified his condemnation of persecution – it is extremely cutting in the phrase 'To kill a man is not to defend a doctrine, it is to kill a man' expressed in *Against Calvin's Pamphlet* (1555).<sup>33</sup> Castellio also applied his libertarian vision to the conflicts of his own time. In *Conseil à la France désolée* (1562), he forcefully incited Catholics and Protestants to abandon arms and mutual intolerance for the good of the state and out of fidelity to the Gospel: 'Leave the two religions free and let each follow, without compulsion, the one he wants'.<sup>34</sup> *The Art of Doubting and Believing, of Not Knowing and Knowing*, an unpublished text, was instead his spiritual testament. Almost a modern *apologia* of methodical doubt, this writing revealed his approach to scepticism in relation to faith through a lucidly rational path, with an awareness of the limits of reason but also of the relativism of apodictic truths. Castellio's thought enjoyed popularity at a European level until the Age of Enlightenment.

Curione's work *On the amplitude of God's kingdom* (1554), mentioned above,<sup>35</sup> likewise had significant and lasting resonance. On the question of tolerance linked to the Servetus case, the Piedmontese humanist expressed ideas in agreement with Castellio: the ethical nature of Christianity, the centrality of the divine inspiration of reason, relativism and the progressive search for truth, the incoercibility of conscience and the freedom to believe, discuss, prophesy and interpret sacred texts, employing the Gospel to persuade dissidents internally, and state intervention only in cases of sedition and without violence. They shared the same Erasmian foundations and spiritualistic orientation, albeit articulated in different ways. What differentiated Curione was, above all, his incipient transformation of the notion of tolerance into the idea of an equal inclusion of Otherness, as we have seen, but also a Machiavellian-derived political vision connected to the idea that divine

election is actually very broad. For him, indeed, postulating that the blessed constitute the majority of people meant strengthening the role of the state: to ensure the welfare of the entire social body, he believed the state must subjugate both religious authority and minorities fomenting conflict to its power, thereby guaranteeing a public space characterised by full freedom of expression – this latter was a pivotal principle for Curione. The move to reject violence as a tool for resolving processes of political corruption, as advocated by Machiavelli, thus became ‘a solid argument in favour of tolerance and cohesion without annulling diversity’. Curione’s conception was thus an alternative to the Genevan model on ecclesiological, political and religious levels.<sup>36</sup> Like Castellio, Curione also paid for his positions. He went from being a celebrated teacher and propagandist of the Reformation – his satirical *Pasquilli* circulated widely – to being pushed into the area of religious non-conformism, under constant threat of punishment. Sentenced to death by Calvin and tried several times in Basel, he was acquitted but forced to remain silent on religious matters.

The debate in Basel also involved other important actors, such as Renato, Joris, and Gribaldi, who condemned persecution with arguments that were similar but derived from their own personal conceptions. This chorus of different but overall harmonious voices was itself a demonstration of the value of tolerance.<sup>37</sup> Ochino and Borrhaus immediately took sides but offered their responses later. Well-known as a Capuchin preacher in Italy and later as a reformer in Europe, Ochino (1487–1564) spoke out in *Dialogi xxx* (1563), the work whose heterodoxy caused him to be unseated as head of the Italian Church in Zurich despite his late age, leading to his death in distant Moravia.<sup>38</sup> His positions on tolerance made the same points as Castellio’s but drew their origins and form from the radical spiritualism that had developed in the Franciscan and Valdesian spheres according to which knowledge of the truth of faith stems from inner illumination detached from reason and the Scripture. Borrhaus (1499–1564), a professor of theology and several-time university rector who maintained heterodox ideas and acquaintances, spoke out against persecution in voluminous commentaries on the Old Testament (1555, 1557, 1561, 1564), the fruit of his teaching.<sup>39</sup> His notion of religious freedom stemmed from a ‘broad’ doctrine of divine predestination – extended to all mankind, regardless of confessional, spatial or temporal boundaries – as well as extreme spiritualism and a peculiar millenarian vision centred on the theory of Christ’s ‘middle advent’ that would result in the establishment of a universal earthly kingdom of peace and Spirit.

Lelio Sozzini (1525–62), on the other hand, did not convey his reflections on religious freedom through specific initiatives or writings, but actively contributed to the fight against coercive confessionalism by systematically exercising doubt and asserting its legitimacy so as to ‘increase knowledge of sacred things’.<sup>40</sup> This exile was the scion of a well-known family of Sieneese jurists cloaked in an aura of heresy and ‘father’ of the main European anti-Trinitarian movement. Few documents remain to attest to his continuous intellectual

work aimed at harmonising faith and reason, an endeavour that drove him to engage in years of dialogue with reformers and heterodox thinkers. The main existing text is his *Short Explanation of the First Chapter of the St. John's Gospel* (1561?), which uses scriptural and rationalist arguments to propose a subversive conception of traditional salvific history – denying the divinity of Christ, the atoning sacrifice, and resurrection – as well as an ethical and adogmatic Christianity: hence, completely tolerant.

Basel distinguished itself as the epicentre of the discussion on religious freedom in the second half of the 16th century as well. This was mainly fuelled by the Italian exile Jacopo Aconcio (ca. 1492-ca. 1567).<sup>41</sup> His *The Stratagems of Satan* (1565) represented a veritable manifesto of anti-dogmatism and tolerance. Aconcio, a jurist, philosopher, and theologian and at the time military engineer to Elisabeth I, published his writings in the city that had welcomed him after he left his prestigious career as a Habsburg official. He dealt with the theme of tolerance in a very original and radical manner, merging elements from Valdesian thought, Ochino, and Castellio in a peculiar synthesis characterised by a doctrinal anomie that could be developed in 17th-century rationalistic theism. The approach he took to tackle this problem was quite innovative. Aconcio considered all religious doctrines to be the ‘poisoned gifts’ of Satan – a depersonalised symbol of absolute evil – meant to bring about the ruin of Christianity. Theological formulations in his view were forces tearing Christian society apart and allowing evil to triumph, as each church defended its heritage of truth even by means of violence. The Devil’s main instruments, intolerance and coercion, also became his earthly emissaries in the guise of clerics or magistrates. Their jurisdiction, however, stopped at the threshold of the individual conscience, as this could only be shaped by the Gospel. According to Aconcio, authoritarianism represented the main obstacle to people coming to know the Christian message, while freedom of thought and interpretation of Scripture became a principle that was beneficial to the cause of truth, a stimulus to its continuous enrichment and, consequently, a solid bulwark against the designs of the Evil One, tyrannical temptations, and the religious laxity of Christianity. As such, freedom was fundamental to the life of Christian society:

He who has doubts and scruples of conscience is spurred on by the desire and yearning to seek the truth [...] and when it is found and opinions are compared [...] then truth will prevail and falsehood will be vanquished and undone. From this it follows that the kingdom of Satan cannot exist where everyone has permission and freedom to express his own opinion about religion.<sup>42</sup>

Moreover, in Aconcio’s view, error and doubt were inherent in humankind. The relativisation of ideas generated indifferentism towards them – except for a very small number of *fundamentalia fidei*. His soteriological conception was very broad: for Aconcio, the salvation of humanity depended only on

following evangelical moral law. This intellectual formulation was followed by concrete action: Aconcio took a stand in favour of tolerating the Anabaptists in the *ecclesia peregrinorum* in London. Significantly, his work was censured by Rome and the Presbyterians during the English Revolution.<sup>43</sup>

Other figures kept the focus on the problem of tolerance. The exile Mino Celsi summarised the salient theses of the Italian exiles with great vigour in his treatise *To what extent it is permissible to proceed in restraining heretics* (1575), emphasising in particular that secular power should not take part in religious persecution.<sup>44</sup> Theodor Zwinger, the famous naturalist and philosopher from the University of Basel, kept Castellio's legacy alive with his lectures and his *Theatrum vitae humanae* (1565, 1571, 1586), a monument to universalism, intellectual dialogue, and freedom of faith, among other things, as a prerequisite for salvation. The same was true of Fausto Sozzini, who published Castellio's previously unpublished *Dialogi IV* in Basel in 1578. Through him, Castellio's ideas travelled to Poland and Transylvania, stimulating further speculation about religious freedom.<sup>45</sup>

### Poland, a 'paradise' of tolerance in Europe

In the European panorama, the Polish-Lithuanian kingdom constituted an extraordinary example of pluri-confessionalism.<sup>46</sup> Here, too, tolerance depended on the situation in the country. This large and composite kingdom (extending to Poland, the Duchy of Lithuania, and Royal Prussia) was traditionally a mosaic of faiths: there were Armenians, Orthodox Christians, Bohemian Brethren, Jews, Catholics, pagans, Muslims, and then the churches and radical Protestant sects. The nobility ruling the country largely adhered to these different faiths and proudly defended their own and the state's *aurea libertas*, bolstered by their key role in defending against the Turks: this claim was an essential, strong point in the long regime of constitutionally defined tolerance that distinguished the Polish monarchy until the 17th century. Coexistence was indeed always regulated *de iure* as well as practised. Before the Reformation, the two Christian churches (Catholic and Orthodox) were allowed to share public and religious space (with the division of public offices, free access to professions, mixed marriages, etc.). The other communities enjoyed civil and religious rights and the possibility of establishing autonomous ecclesiastical, administrative, judicial and government institutions – including a Jewish diet. They were integrated into the state through contributions to the common good, which forged their patriotism. Lutheranism and Calvinism, despite having made their way into the country and the Union of Sandomierz (1570), did not achieve religious hegemony over the vast and varied world of religious radicalism. In what was called 'terra ferax haereticorum', numerous Anabaptist communities flourished and peculiar religious experiments took place, such as those of the reformed communities of the Greek rite or Skhariya sect, the

Judaizing and anti-Trinitarian Orthodox. Above all, the Unitarians enjoyed unprecedented recognition under the aegis of the sovereigns and the great nobility. In 1565, the *Ecclesia minor* of the anti-Trinitarians was institutionalised, located in the Polish city of Raków in the domain of the magnate Jan Sienieński. Equipped with a school and printing press, this church represented the driving centre of Unitarianism in the country despite the opposition of the Magisterial Churches, and an important centre for developing the notion of tolerance.<sup>47</sup>

The Polish aristocratic republic was legitimised by the Warsaw Confederation of 1573 which established aristocratic control through *liberum veto* over the monarchy, who were made elective, and total religious freedom for the good of the state. This was the *magna Charta* of tolerance in Poland:

Since there is a great disagreement in our republic concerning the Christian religion, in order to prevent some fatal sedition from arising on this side [...] we pledge [...] to maintain peace among ourselves regarding the difference of religion [.....] not to shed blood, not to punish ourselves with confiscation of property, loss of honour, imprisonment, and exile; not to help any authority for this purpose in any way [...] but on the contrary, if anyone should want to shed blood for this reason, we shall all rise up against him.<sup>48</sup>

The nobility and clergy were invested with *ius reformandi* and tasked with maintaining religious peace in their domains, without coercion and persecution but with the power to impose their faith on their subjects and, above all, to oppose the king in the event he transgressed against confessional freedom. None of the 16th century rulers questioned this arrangement, however. During his almost thirty-year reign (1548–72), Sigismund II Augustus maintained the distinction between politics and religion and granted equality to all faiths, applying the Tridentine decrees and practical and judicial measures of tolerance while striving to achieve his irenic ideal of a single national church. His liberality and cosmopolitanism was emblematic of Cracow, the kingdom's splendid Renaissance capital, a crossroads of international trade and lively cultural centre that hosted a prestigious university.

Powerful Italian merchants such as Sebastiano Montelupi, Prospero Provana, Fabrizio Pestalozzi, and Carlo Soderini, as well as the physicians Marcello Squarcialupi, Niccolò Buccella and Giorgio Biandrata who 'live according to their sects [...] and publicly practise them' also animated this space with their trade, heterodox ideas and relationships.<sup>49</sup> Their network of solidarity supported many fellow countrymen in exile, including Francesco Pucci and the naturalist Agostino Doni who arrived in Cracow ragged and starving with his radical treatise *The nature of man*.<sup>50</sup>

Sigismund's line was also followed by the aforementioned Stephen Báthory, who sanctioned *pax religiosa* in the kingdom. Although a Catholic,

Báthory was horrified by religious violence on ethical and political grounds and worked to uphold tolerance:

in all lands [...] in which religion is propagated by force [...] and not by teaching and good morals, horrible bloodshed and the plague of civil war ensues [...] Entrusting therefore to God's judgement the conscience of each one, we tolerate and protect in this realm the dissidents of religion.<sup>51</sup>

The end of this liberal regime was brought about by Sigismund III Vasa who, in his long reign (1587–1632), won the elites back to Catholicism and placed limits on other confessions, thereby making Poland a bastion of the Counter-Reformation.

### **An exemplary laboratory of coexistence and tolerance: the Netherlands**

The Netherlands boasted a tradition of religious coexistence since the 16th century, before the Republic of the United Provinces or the Dutch Republic became a shining model of cosmopolitanism, tolerance, and cultural and economic prosperity in 18th-century Europe.<sup>52</sup> Many factors contributed to this: the irenic and cultural heritage of Erasmus; the dynamism of trade and finance with a world-wide scope; the political autonomy of the provincial and general states; and the firm determination, shared among the civil magistracies, intellectuals, and elites as well as the population to first and foremost favour the development of the country. The motto of the Netherlands was 'freedom and money': freedom was an ideal but also a 'commercial imperative'. In trade, the rule applied here was of good faith rather than faith: a golden rule, as Baruch Spinoza would later note in the prosperous city of Amsterdam, where it did not matter 'what religion or sect the contracting party adhered to' in business, but only whether it was trustworthy.<sup>53</sup> All the currents of the reform movement were therefore immediately welcomed, from Lutheranism to Anabaptism to the spiritualism of the 'libertines' and Family of Love to Calvinism, without any marked tensions despite the hegemonic aspirations of the Calvinists. The English Puritans in exile since mid-century fuelled fruitful exchanges between the two sides of the Channel. Jews, Muslims, Armenians, and Greeks settled mainly in the port and mercantile cities, while Catholicism remained strong in the south.

This balance was broken by the policy of subjugation undertaken by Philip II, heir of Charles V in the Flemish dominions (1556), in line with his absolutist and counter-reformist vision. The sovereign attempted to impose confessional uniformity and limit political autonomy by strengthening the Inquisition and ecclesiastical apparatus, as well as increasing the tax burden in a situation of cyclical economic crisis in the industrial centres and the great financial capital of Antwerp. This task was entrusted to the governor

Marguerite of Austria; she was unable to mitigate the intransigence of Cardinal Antoine Perrenot de Granvelle and especially the Duke of Alba, Fernando Álvarez de Toledo. The Council of Troubles, which he had headed since 1567, carried out a very harsh campaign of repression (with 9,000 victims) and fiscal measures against an increasingly fierce opposition, despite confessional divisions – the reformed iconoclasm against the churches was a tangible expression of this. However, the policy of the ‘Iron Duke’ had the effect of consolidating the home front and turning the revolt into a national struggle for independence and religious freedom.

This struggle was led by Prince William of Orange-Nassau (1533–84), a man of great political and intellectual stature.<sup>54</sup> A military governor (*stadtholder*) of the provinces of Holland and Zeeland from 1572 as well as lieutenant-general who had turned to Calvinism, William held the powerful Spanish army in check with his troops of *gueux* (i.e. beggars, as his adversaries called them) supported by French, English, and German Protestants. The terrible sacking of Antwerp by Spanish soldiers in 1576 marked a turning point, however. As the city’s *felixera* came to an end in favour of Amsterdam, William first entered into an alliance with the States General (Union of Ghent) and then the Union of Utrecht, with the seven northern provinces after the southern provinces had passed back under Spanish rule in 1579 (subjugation of Arras). Independence from Spain was then proclaimed and the Dutch Republic was born. It was not officially recognised until the Peace of Westphalia, however, after eighty years of war. The southern Netherlands remained under Habsburg rule, following a different historical course.

William of Orange was also the prime mover behind the establishment of the principle of tolerance in the Netherlands, as part of a broad plan to create a large and free republican confederation. With *Religionsfriede* (Peace of Religion), he envisaged a multi-faith regulation of the anti-Spanish front by legitimising freedom of religion, worship, education, and access to public office for Catholics and Protestants through an ‘amicable agreement’. It introduced into the text of the Utrecht Union the prohibition against persecution on religious grounds – the first such ban in Europe. The choice of confessional regime was left to the individual provinces, while in Holland and Zeeland, only Calvinism was allowed. The *stadtholder* paid for this admirable project with his life, however, at the hands of a Catholic fanatic.

Freedom of conscience remained the law of the Republic. However, the process of establishing a regime of civil and religious tolerance lasted several decades, finally concluding in the late 17th century, and was not uncontested.<sup>55</sup> It was hindered mainly by the Reformed Church.<sup>56</sup> The Calvinist militias, the backbone of the revolutionary front that had proved triumphant in the northern provinces, aimed to set up their church to the exclusion of all others, particularly the Catholic Church supported by Spain and Rome (which, by the way, excommunicated the rebels in 1578). The hegemonic design of the Reformed actors, aiming to impose their own political-religious model with its attendant discipline and ecclesiastical-state centralisation,

gave rise to tensions, including very intense ones, in society. Beyond the institutional role of the church, however, Calvinism was neither very widespread (in 1620, it reached 20–30% in the major urban centres)<sup>57</sup> nor monolithic. Intransigence was undermined, internally, by the so-called *liefhebbers* (amateurs), people who became members of the church community for the benefits of membership but did not adhere to orthodoxy because they instead viewed rites and doctrines as interchangeable; externally, it was undermined by a strong and varied opposition. This ‘front’ was composed of a representative group of civil society, the ‘libertines’, magistrates, intellectuals, clergymen, Protestant and non-Protestant citizens, and proponents of liberal positions dear to the communitarian tradition that they implemented in the *gemeinde Kirchen* (common churches) run by lay people independently from the state. Not even the civil authority and population gave solid support to the Calvinist project. As a result, the Reformed Church had to gradually circumscribe its claims to dominance, in some places already by the end of the 16th century – in Friesland, for example, where it coexisted with substantial communities of Catholics and Mennonites – and, from the 17th century onwards, also relinquish its grip on public life. Calvinism remained the official religion of the Republic until 1796 with a privileged *status*, but the Reformed Church never became the State Church. The Reformed identity of the Republic was, in reality, a ‘polite fiction’ in a *de facto* multi-faith country.<sup>58</sup>

Civil power in its various manifestations played a decisive role in this process. The magistracies constantly asserted the supremacy of earthly authority over religious authority in the confessional, judicial, and legislative spheres. The legitimisation of the toleration regime took place more gradually, despite its frequent *de facto* implementation in view of the public good and social peace, in accordance with an economic-social pragmatism shaped in part by irenic ideals. The dissonance between civil and ecclesiastical authority has therefore been considered the primary cause of the ‘genuine miracle’ of tolerance that took hold in the Republic.<sup>59</sup> Variations were certainly frequent in the line of magistrates, depending on their cultural positions, the changing balance of power, and local socio-economic dynamics. In Holland’s financial centres, such as Amsterdam and Rotterdam, a liberal policy predominated among the magistrates, while they showed more harmony with the Calvinist Church in the cities where the guilds were more powerful, such as those in the eastern provinces (Deventer, Nijmegen, Groningen, etc.). Freedom of conscience was recognised everywhere, and the religious life of minorities was regulated by legislation, which usually opposed only the exercise of public worship. More restrictions were placed on Catholics due to their uncertain political allegiance, with bans on university enrolment and access to public office, as well as, in some cases, guilds and citizenship registers. However, the legislation often remained unimplemented due to a lack of will and the complex jurisdictional web in the country (with its city, provincial and national laws).

The case of Utrecht is significant, albeit peculiar.<sup>60</sup> With the support of the entire population, Pastor Hubert Duifhuis (formerly a familist) created the

*Jakobskerk* in 1576, the first non-denominational Dutch ‘People’s Church’ open to Protestants and Catholics committed to spiritual renewal, concord, and mutual tolerance. The Calvinist front, led by the guilds deprived of power and traditional privileges, successfully opposed this move in the 1580–90 decade only to lose ground with the escalation of the conflict with the Catholics, who, subject to restrictions, made the city the epicentre of the Republic’s Catholic revival. The city magistrates, supported by the other churches and the population, implemented a ‘system of tolerance’ with the explicit aim of fostering unity and concord. A recognition of the dominance of the Calvinist Church was accompanied by provisions on religious freedom and coexistence (prohibition of persecution, freedom of private worship, and participation in public institutions, etc.). This policy led to the establishment of a moderate Calvinist regime and, in the 17th century, a multi-faith community including Catholics, Calvinists, Lutherans, and Mennonites.

Emdem, too, distinguished itself as a multi-faith city.<sup>61</sup> As a port city subject to the Lutheran Counts of Friesland, it hosted Calvinists, Lutherans, Mennonites, and Jews, but also served as a refuge for Dutch, French, and English exiles – so much so that it became an emblematic case of *Transregional* Reformation.<sup>62</sup> Here again, the regime of tolerance was a process of continuous change and mediation shaped by economic circumstances, migration, the policies of religious and civil authorities, and interactions among subjects in public spaces.

This tolerant and pluralistic regime became more and more common in the Republic, despite the tensions that resulted in the Synod of Dordrecht at the beginning of the 17th century and the differences between the cities and provinces – especially between Amsterdam and the rest of the country. The importance and activism of the Catholic community, for instance, were not limited by the legislation in force at the time.<sup>63</sup> The Catholics represented the largest minority in the Republic (one-third of the population in 1650), indeed a majority in the *Generaliteitlanden* (Flanders, Brabant, Overmaas), and had considerable weight in commercial and cultural life, especially in Amsterdam; the aristocratic elites, excluded from governmental positions, turned towards the military and professional world. After the critical years following Arras, under the tolerant gaze of the magistracies Catholics were thus able to engage in private worship – in houses, chapels, foreign embassies and then spacious mansions and warehouses furnished like churches, such as the famous ‘Our Lord of the Attic’ in Amsterdam – and continue their devotional practices (pilgrimages, saint worship, rosaries, the office of the dead in churches, etc.) and even engage in missionary activity in the effort to reconstitute the church. They were supported in this by the southern provinces, the stronghold of the Jesuits. The Lutherans, antagonists of the Calvinists and strong in the northern provinces, were also banned from public worship (but not access to public institutions and schools) until the 17th century, at which point the ban was lifted for economic reasons following Amsterdam’s example.

Even the Anabaptists, who were harshly persecuted by Catholics and Protestants elsewhere, were not excluded from the tolerant regime in the Republic.<sup>64</sup> In Amsterdam, they were unofficially admitted as early as 1581 and supported at critical religious and economic junctures. The city once again represented a role model. The States General issued provisions to circumvent Anabaptist separatism (usually with financial compensation), in part considering their significant contribution to Dutch society thanks to their bustling activity in the commercial and productive world, the fame they achieved in literature and painting, the patriotism they demonstrated through their generosity, and their links with local patricians. The network of Anabaptist communities spread throughout the country. The prevailing orientation was Mennonite, but another significant group was the *Waterlanders*, whose progressive, tolerant outlook facilitated social integration and relations with civil authority.

Other minorities also enjoyed the liberality of the magistracies, albeit to an unequal degree. Jews maintained an extraordinary presence, creating the largest European community in the Republic with full respect for their ancestral faith and civil rights denied elsewhere and contributing greatly to the economic and cultural life of the country.<sup>65</sup> Very fertile but less tolerated was the presence of the Socinians, who came from Poland at the end of the 16th century seeking university education and then as exiles following Ladislaus IV Vasa's decree of expulsion from the country (1658).

However, it was Dutch society with its practices and orientations that exerted a decisive influence on the religious policy of the civil and ecclesiastical authorities. The customs and advantages of multi-faith coexistence in every sphere of social and personal life led to the development of an attitude of religious detachment in much of the population, inclining them towards tolerance, mediation, and, often, substantial indifference. Collective interests and values, and, in the political sphere, loyalty to the homeland gradually took hold as a priority and, with it, the idea that public life should remain neutral in the religious struggle. Through knowledge of the Other, a shared symbolic and cultural universe was formed. The fabric of community integration was woven daily by negotiations, compromises, and tacit agreements. This experimental laboratory of the 'ecumenism of everyday life' is now regarded as the privileged site for the realisation of tolerance.<sup>66</sup>

Stimulated by the reality of things, intellectuals took it upon themselves to develop theoretical formulations in keeping with the circular movement outlined above. A prominent actor in the 16th-century debate was Dirk Volkertszoon Coornhert (1522–90), who first defined the 'Dutch way' to tolerance.<sup>67</sup> A member of Haarlem's merchant elite who was active in public life and the struggle for independence alongside William I of Orange, a man of great culture but no specific confessional identity, Coornhert combined the lessons of famous irenics and spiritualists (Erasmus, Franck, Schwenckfeld, Castellio, Aconcius, and Niclaes) with a focus on economic prosperity. His proposal, therefore, combined high theoretical development with effective

pragmatism, aiming to operationally construct a pluralist, open, and harmonious Christian society subject to the exclusive authority of civil power.

The most accomplished expression of Coornhert's thought, and the most powerful *apologia* for tolerance in revolt, was the *Synod of Freedom of Conscience* (1582). Freedom of conscience and worship was legitimised here as a right for all faiths, from Catholicism to Anabaptism and – foreshadowing Bayle – even for atheists. At the same time, religious violence was strongly condemned – in fact, people were to be allowed to speak the truth modestly and freely in matters of faith, without fear of punishment and for the good of their neighbour.<sup>68</sup> In Coornhert's position, a marked rationalism and the ethical and spiritualist vision of an Erasmian Christianity merged with the corollary of perfectibilism, i.e. the gradual moral improvement of humankind by spiritual and evangelical means. Pivotal ideas included the full integrity and freedom of human will, against predestination and the contamination of Adamic sin; the irrelevance of doctrines and external ceremonies in favour of sincere striving towards God, both cognitive and spiritual, this latter taken as a sign of belonging to the invisible *Ecclesia Dei*; coherence with the lesson of the parables (first and foremost that of the tares) and the message of evangelical love on the part of the church, given its spiritual nature; the absoluteness of God's judgement on consciences and 'impiety' of ecclesiastics in arrogating the right to free belief in the name of doctrinal truths that can never be considered certain, given legitimate human error. Foreshadowing a theme that was later much-discussed in the 19th century, Coornhert also invested the state with the role of temporal protector of religion, duty-bound to guarantee the peaceful coexistence of citizens by regulating confessional conflicts and ensuring respect for all faiths, in the name of that common good that constitutes the ethical and political glue of society. The illegitimacy of religious repression by civil authority was reaffirmed in *Trial on the Killing of Heretics* (1590) in opposition to Justus Lipsius. Coornhert also took a public stand against religious intolerance. Emblematic among his many interventions was his vigorous defence of Leiden University professor Caspar Coolhaes before the States General: Coolhaes was excommunicated and deposed by the Synod of Haarlem in 1582 for his irenic and non-denominational view of the church. Coornhert's texts instead remained semi-clandestine and, in any case, largely unknown; only later would they become widely and enduringly popular, starting in Arminian circles.

Coornhert found a worthy opponent in Justus Lipsius (1547–1606), the famous humanist and philosopher of law at the University of Leiden. Lipsius was in favour of private freedom of conscience and against civil toleration, in line with his own absolutist conception of the state. In this view, religious uniformity represented the foundation of internal stability, necessary for order and the smooth running of public life, and was to be maintained even by coercion.<sup>69</sup>

The dispute between Coornhert and Lipsius represented one of the many religious, political, and social conflicts between Catholics, Calvinists, and

'libertines' that marked the trajectory of tolerance in the Republic. The real test of the matter, however, was the clash between the Gomarists and Arminians that culminated in the Synod of Dordrecht (1619).<sup>70</sup> Here ended the dispute generated by the theological disagreement between two Leiden University professors, Franz Gomar and Jakob Arminius, over the Calvinist doctrine of predestination and the confessional unity of the state. Following in the footsteps of Erasmus and other non-conformist thinkers, Arminius advocated a less strict conception of divine decree by virtue of the personal autonomy of the faithful and the pursuit of religious concord based on *fundamentalia fidei*, as well as a condemnation of persecution. He pursued this aim through his writings, such as *Eirenicum* (1593), and by being open to dialogue with Catholics, Lutherans, and Mennonites.

The dispute took on a peculiar political, social, and economic significance not only because of the intervention of the States General but also due to the involvement of the key figures heading the struggle that plagued the Republic at the time, the Grand pensionary of Holland, Johan van Oldenbarnevelt, and the *stadtholder* Maurice of Orange. The former was pro-Arminian and a supporter of the absolute sovereignty of the States General who had the support of the merchant elites, while the latter welcomed a military dictatorship within the framework of a centralised and confessional state and was favoured by the nobility and peasants. After the *Remonstrance* presented in 1610 by the Arminians (hence the appellation 'Remonstrants') against the attacks of the enemies and religious discord, the republican body imposed 'tolerance by decree' on the warring factions four years later: this peaceful coexistence, alien to the *odium theologicum* disrupting public order, was an instance of positive law. The safeguarding of civil peace and the good of the community thus justified the state's exercise of *ius circa sacra*, that is, the right to control both institutional and doctrinal aspects of religious life. Removed from the churches' purview, the governance of religion fell exclusively into the political and civil sphere, and the danger of theocracy and violations of conscience was averted. This principle provided one of the pillars for the process of secularisation.

After the synod, however, the States General came to align with the coercive policy of the Gomarists (involving imprisonments, bans, death sentences, and removals from public office). This move showed the other side of the coin in the scenario of the Thirty Years' War. Tension was heightened by the rift between cities, many of which – including centres such as Utrecht, Leiden, Rotterdam, Haarlem, and Gouda – sided with the Arminians, and by the theoretical disagreement in which the father of international law, Hugo Grotius, stood out. It was finally Frederick Henry of Orange, who became *stadtholder* in 1625, who resolved the crisis by imposing a policy of tolerance.

This inaugurated the golden age of the Republic, driving it to become the world's leading economic power and an avant-garde cultural laboratory thanks to the free circulation of people, books, and ideas as well as constant exchanges and borrowings in a pluralistic and dynamic society. Although

now scaled down, the Dutch example represented a *unicum* on the European scene.<sup>71</sup> With its capital Amsterdam, the Dutch Republic was the ‘magasin de l’univers’ celebrated by Voltaire.<sup>72</sup>

### **France, from civil tolerance to libertine freedom**

Sixteenth-century France set two records: it was the scene of the most dramatic wars of religion and the first European country to legitimise bi-confessionalism within the state, breaking the traditional unity between politics and religion. These events were accompanied by a search for practices of coexistence and an extraordinary intellectual debate on tolerance that continued into the 18th century with very innovative results.

The civil wars that tore regions, towns, villages, and families apart for almost fifty years and had repercussions throughout Europe began in 1562.<sup>73</sup> The wars were triggered by four factors: the affirmation of Calvinism with its intrinsic militant vocation as a minority church; the formation of two parties, Catholic and Huguenot (i.e. reformed), led by the nobility, especially the Guise and Bourbon families; the queen’s Valdesian inclination towards tolerance; and, finally and above all, the weakness of sovereign power. Indeed, power had been entrusted to the regency of Catherine de’ Medici, Henry II’s widow, since all other successors to the throne were underage or had disappeared. Not wanting to impose confessional unity by force due to political reasons and her own religious convictions, but also not wanting to jeopardise the monarchy, after religious talks with theologians of the two confessions failed (Poissy, 1560), Catherine decided to take the path of civil tolerance.<sup>74</sup>

After three edicts of unofficial tolerance, the first one to establish explicit tolerance was issued in 1562, in Saint-Germain. Its importance lay in the fact that it legitimised the Calvinist Church, granting it freedom of worship (public worship outside the city walls) and the right to convene synods and consistories, but not to build temples or carry out propaganda. The concessions were limited and provisional because the intention was still to achieve reconciliation within the Gallican Church. Nevertheless, this edict caused the massacre of the Reformed at Wassy, the spark that went on to fuel the first of the eight wars of religion. Other, more or less extensive edicts followed: ten were the largest, including the 1570 edict of Saint-Germain, which granted military strongholds for the first time. Such extension was a response to the prevalence of the warring factions with their influence on the Crown, the situation and internal debate, as well as external pressure to put an end to a conflict that seemed to have no end, as it had constantly alternated between phases of virulent confrontation and moments of truce, between peace negotiations and outbursts of violence.<sup>75</sup>

Catherine’s tolerant policy was unable to prevent religious conflicts. On the contrary, such conflicts flared up in extremely violent forms precisely because factions were unable to conceptualise mutual acceptance of their adversary and because they saw the other side as personifying absolute Evil

to be destroyed as part of a purifying and apocalyptic vision. The country was bloodied by ‘God’s massacres’ in the form of military combat, acts of terrorism, targeted murders, acts of vandalism and symbolic disfigurement, and even episodes of mass cannibalism, supported by incessant and aggressive propaganda fomented by internal political, social and cultural tensions as well as the foreign powers allied with the two fronts – Elizabeth I, Geneva and the German princes on the one hand, and Spain and the papacy on the other.<sup>76</sup> A tragically well-known incident is St. Bartholomew’s Day in August 1572, when on the occasion of the wedding between the Calvinist Henry of Bourbon and Margaret of Valois (sister of King Charles IX), aimed at bringing peace to the country, thousands of Huguenots were slaughtered in the capital and countryside, probably with the endorsement of the rulers.<sup>77</sup>

In this persistent climate of holy war, there were, however, reactions from civil society and intellectuals. In several places, city councils sought a path towards pacification with a view to safeguarding the ‘common good’ of the community.<sup>78</sup> The experiments were varied, from majority confessionalism to bi-confessionalism or coexistence with unequal rights. In time, however, with the involvement of civil servants, jurists, magistrates, theologians, and scholars, the policy of ‘religious peace’ and ‘friendship pacts’ between towns and villages took hold amidst many everyday difficulties. The cases of Lyon, which temporarily experienced a shared administration, or Senlis, Caen, Montélimar, and Poitou, where confessional barriers were blurred or sometimes overcome, are exemplary. The so-called ‘autonomisation of political reason’ thus began in the cities, as these spaces represented fundamental sites of conflict.<sup>79</sup> Indeed, exercising control over city institutions, public, military, and cultural spaces (especially printing presses), as well as networks of *patronage* and relations, was decisive for the course of the war. Then, in 1574–75, when political and economic motivations began to decisively outweigh those of religion, the cities of the south formed an alliance as the Union of the Provinces, configured as a confederal structure of councils after the model of the States General and sometimes, as in Montpellier, bi-confessional. This resulted in the Edict of Beaulieu (1576), the most liberal one in terms of civil and religious tolerance, but also not enforced.

The network of relationships at home and abroad, together with their political influence, facilitated the activities of many noblewomen of both confessions to open a path to dialogue and peaceful cohabitation, if not actual religious reconciliation. This ‘active tolerance’ involved the literate Catherine of Parthenay and Marie Bruneau, crowned heads such as Margaret of Valois, Queen of Navarre, and her daughters Joan of Albret and Catherine of Bourbon (sister of the future Henry IV), the duchess Anne of Este the consort of a Guise family member, and Louise de Coligny, daughter of the Huguenot admiral.<sup>80</sup>

Catherine herself participated in such attempts. At the court of France, as in the ecclesiastical, intellectual, and aristocratic world, evangelism had indeed spread thanks to Jacques Lefèvre d’Étaples. His pursuit of profound

spiritual renewal on an evangelical basis, entailing a non-denominational vision of Christianity indifferent to external rites and with a messianic horizon, led to a religiously pacifying model based on essential principles. The message of Valdés, brought from Italy, reinforced this orientation.<sup>81</sup> This quest influenced the activities of bishops (first and foremost the Bishop of Meaux, Guillaume Briçonnet), but also the regent and politicians pursuing an irenic project. Catherine's conduct was not linear, however; it changed course in relation to contingent situations of conflict, financial and political considerations stemming from the disastrous state budget for military expenditure and the preservation of royal authority, and the influence of her advisors.

In particular, until St. Bartholomew's Day, the advice provided by the Chancellor of France, Michel de L'Hôpital (ca. 1505–73) was decisive. This jurist, active in institutional reforms, a well-known poet and an Erasmian philosopher, was a leading exponent of the *moyenneurs* and a *deus ex machina* of the policy behind the civil tolerance edicts. His aim was to prevent confessional violence, harmful in itself and to society, and foreign interference so as to ensure the good of the state – believing this good to be superior to religious affiliation itself – and foster the always-desirable unity of faith. In his speech in support of the first edict, he declared that the problem was not *de constituenda religione, sed de constituenda republica* (to establish the state, not religion) and therefore 'many can be citizens even if they are not Christians: excommunication itself does not eliminate citizenship'.<sup>82</sup> The path to constructing a sovereign and autonomous state with respect to religious denominations was thus charted.

The debate over ideas accompanied and influenced the course of events. The *moyenneurs* party had been put together at the beginning of the wars, under Catherine's aegis. It aspired to an evangelical and Erasmian religious reconciliation, to be defined via a future council within the Gallican Church. The French Church, whose traditional jurisdictional and institutional freedom with respect to Rome had been legitimised in 1516, appeared as the seat of possible compromise between the parties. The institution was therefore an active part in the peace-building process.<sup>83</sup> In the 1570s, following Henry III's reassertion of royal power, the revolutionary theories of the Monarchomachs developed and the group of *politiques* formulated their own innovative political project. The Monarchomachs argued that it was lawful to eliminate a sovereign who had become a tyrant due to his betrayal of the pact-based bond with his subjects, considered the foundation of the monarchy and public good; it was likewise lawful, they suggested, to replace him in the exercise of sovereignty by the States General, representing the people. Civil tolerance was one of the cardinal points of their programme, with the prospect of a national synod of conciliation. It was mainly the Genevan theologian Théodore de Bèze, jurist François Hotman, and brilliant publicist Philippe Du Plessis-Mornay, reputed to be the co-author (with Hubert Languet) of the treatise *Claim Against Tyrants* (1579), which developed it.<sup>84</sup>

The driving political force, however, were the *politiques*, as defined by Étienne Pasquier in *Les recherches de France* (1560). This group underwent a transformation in the course of events and in tune with them. Initially a heterogeneous galaxy of jurists, state and church officials, notables, merchants, and theologians from both sides, the *politiques* aimed to provide a political solution to religious struggle in order to safeguard sovereign power, the integrity of the state and consciences, taking conciliatory positions in line with the regency. In the 1580s, during the most critical phase of the wars, they became a party with a well-defined political doctrine according to which the sovereign was the supreme arbiter and guarantor of the good and peace of the state, without religious interference. Most of its members were in favour of civil tolerance. Others promoted religious reconciliation within the Gallican Church following a national synod, on the basis of an evangelical and tolerant vision of Christianity with Erasmian horizons. The exponents of this vision were intellectuals of different confessions, such as Philippe Duplessis-Mornay, Pierre de l'Estoile, Étienne Pasquier, Jean Hotman de Villiers, Jean de Serres, and above all, Jacques-Auguste de Thou, author of the monumental *Histoire des choses arrivées de son temps* (1604). Indeed, in the 17th century, de Thou drove the project of concord and universal pacification that went on to be realised much later with the International Republic of Letters.<sup>85</sup>

The most prominent and incisive theorist was Jean Bodin (1529–96).<sup>86</sup> A member of the Paris Parliament who had been involved in civil wars and decision-making as well as a jurist, philosopher, and economist, Bodin developed a new concept of sovereignty in the aforementioned *Six Books of the State*. The monarch's power was defined here as supreme, indivisible, and inviolable, free from confessional constraints, and the source of absolute legislative authority within the limits set by the divine, natural, and fundamental laws of the realm. The state was clearly distinct from the church in this vision, but religion constituted the best *instrumentum regni* to strengthen royal power. The sovereign, with a *super partes* role, was duty-bound to maintain religious unity because such unity was a guarantee of the stability of the political and social order. In a situation like the one in France, however, the only way to safeguard the kingdom was to grant civil tolerance, thereby putting an end to factional strife and religious coercion that risked disintegrating society. Indeed, Bodin saw the use of force as a cause of atheism and destructive rebellion against laws and institutions ('the more men's will is forced, the more it rebels'). History was called upon to witness the benefits of clemency through the examples of Solon, the emperor Theodosius, and the King of the Goths, Theodoric, who argued that 'We cannot impose religion because no one can be forced to believe against his will'. In the present age, the Ottoman Empire stood as a model of peace and public order by respecting the rights of the many faiths tolerated there, as religious pluralism was a factor of social pacification ('if [the subjects] were of many opinions, one would be a bringer of peace and would bring agreement to the others who would otherwise never agree').

Bodin went much further in *Colloquium Heptaplomeris*, a revolutionary *apologia* for tolerance (1588).<sup>87</sup> Bodin's position emerged from the dialogue between representatives of different religious and philosophical orientations (Lutherans, Calvinists, Muslims, Jews, moderate Catholics, sceptics, and advocates of natural religion) who he imagined gathered in Venice, a cosmopolitan city par excellence, to civilly discuss matters of faith, institutions, and ecclesiastical rites. Each interlocutor made a personal contribution in favour of freedom of faith, citing historical examples, patristic and biblical testimonies, and data drawn from reason and experience. For example, Ottavio Fagnola, who had become a Muslim, shared that the Turks and Persians welcomed all sorts of religions among them under the sole authority of the sultan and upheld the rights of erroneous conscience. The less liberal Frederick Podamicus, a Lutheran, did so too, citing Theodoric's maxim. The conclusion of their dialogue was that there is no single truth for all mankind, but each faith contributes, in its specificity, to religious harmony regulated by a supreme lawgiver without violent abuses of power or useless disputes. The focus was thus shifted from religious dogmatism to ethics. The ending of his text is enlightening:

After embracing each other in mutual charity they separated. From then on they lived together in an admirable union, with an exemplary piety and way of life, sharing meals and studies. But they now abstained from all talk of religious things, while each firmly and steadfastly preserving their faith, and they persevered to the end in the most perfect holiness of life.<sup>88</sup>

Harmony as *concordia discors* and sovereignty in an absolute form were the pivotal ideas in Bodin's thinking on both the religious and political levels. Just as the unity of God is refracted in the manifold cultural, social, and natural expressions of creation, he argued, so each religion is a reflection of it but shares a common heritage of faith in the Father. Universal tolerance was therefore likened to a polyphony, offering a chorus of different tones without reducing these to a single sound, resorting to intermediate notes for harmonisation and banishing pure ones – that is, exclusivist confessions. Such religious polyphony is the 'most divine' in his view because it fully reflects the nature and design of God.

Bodin's notion of God was essentially deistic. Through a systematic, rationalistic, and naturalistic critique of all tenets of the Christian religion, Bodin outlined the image of a unique, omnipresent God irreducible to doctrinal formulations and acting as the sovereign legislator of the universe. The worship of this divinity takes the form of contemplative adoration with a sincere heart, following the natural religion innate in human beings. Such was declared by Diego Toralba, Bodin's *alter ego* in the imagined colloquium: 'If true religion consists in the pure and simple adoration of one God, He alone eternal, I believe that it is sufficient for men to follow the law of nature in

order to attain salvation'. However, Bodin considered the various religious expressions with their ceremonial, institutional, and regulatory apparatuses to be indispensable for the governance of society and the state, like other secular institutions, and for preserving religion. It is the Jew Salomon who expresses this opinion, recalling the example of the Catholic Church, which 'has no better secret to ensure its durability, than this quantity of different ceremonies of which it makes use'.<sup>89</sup> And yet Bodin suggests that this variety, like the variety of earth's peoples, stems from climatic influences; he does not make reference to a biblical framework.

The divine model is exemplary for the earthly monarch, Bodin asserted. A sovereign's tasks are to settle differences in a unitary political body and govern the state, carried out in the exercise of his absolute sovereignty but with equity and justice. Violence in matters of faith was banned above all, on the grounds that it damages the state and threatens rights of conscience. In conclusion, he connects political theory and theology in an overall vision. And tolerance is held up as a global project, intended to consolidate state sovereignty and achieve universal harmony in society and the cosmos. The *Colloquium* was not published at the time, due to its boldness, but was praised by libertines and pre-Enlightenment thinkers and condemned by traditionalists. Censorship also affected the books of the Republic.<sup>90</sup>

The influence of the *politiques* was decisive for the outcome of the civil wars. They were finally brought to an end by Henry IV of Bourbon, a controversial ruler who ascended the throne after converting to Catholicism and issued the Edict of Nantes in 1598. The importance of this edict was twofold and epochal. Indeed, the edict formalised, for the first time, bi-confessionalism in a state ruled by a king with the title of *Christianissimus*. Like its predecessors, it was an act granted by the sovereign in accordance with his supreme authority and sanctioned civil tolerance as a provisional measure with the hope of returning to Catholicism, so as to 'reach a haven of salvation and rest for this State' after the storm of civil wars. Nonetheless, the edict constituted a milestone in the process of de-confessionalisation of the state in the Modern age. Religious coexistence was extended, regulated well through legislation, and, above all, truly implemented. The concessions granted had to do with religious freedom and political and civil privileges. Extensive public worship was guaranteed, and the Calvinist Church with its ecclesiastical and educational structures (but with the obligation to pay tithes, share cemeteries, and respect religious holidays) was institutionalised. The Huguenots obtained access to public offices and special courts in Paris, Bordeaux, Grenoble, Toulouse, and the military garrison of 150 towns, half of which were *places de sûreté* or *de mariage* (military or marriage strongholds). Supervision of the edict's implementation was entrusted to royal commissioners, but the sovereign was firmly determined to enforce it, declaring the edict 'perpetual and irrevocable'. In reality, its days were numbered. Undermined by the early death of Henry IV at the hands of a Catholic Monarchomach

and then by the absolutist designs of Richelieu and Mazarin, it was revoked by Louis XIV in 1685 with the Edict of Fontainebleau.

In the France of civil wars, however, a new, corrosive current of thought had meanwhile developed: the libertine current.<sup>91</sup> Widespread in Europe since the 16th century and destined to intertwine with the Enlightenment, libertinism was such a heterogeneous and complex phenomenon that the notion has become plural, referring to different historical periods, geographical, social, and thematic spheres, and modes of aggregation. It had many roots (Aristotelianism, Epicureanism, scepticism, Machiavellianism, etc.) and many expressions on various theoretical levels: non-conformist religious positions – from spiritualism to atheism, irreligiousness, pantheism, deism – as well as moral transgression, political criticism or conformism, philosophy, and scientific research.<sup>92</sup> Of the vast ‘libertine archipelago’, we will examine here the salient features pertaining to the question of tolerance and Otherness, along with some significant exponents in the French context where it flourished in the first half of the 19th century, particularly Gabriel Naudé, Guy Patin, and François La Mothe le Vayer.

Despite its lack of homogeneity, a unifying element of the *libertinage des mœurs* and *d’esprit* (of customs and ideas) was the quest for complete subjective freedom from the prevailing rules through moral licence and the systematic exercise of sceptical doubt, experimental verification of data, and an unscrupulous critique of the *doxa*, i.e. the current opinion established by authority or canons and imposed as dogmatic truth. The libertines were, in a word, *deniaisés*. On a religious level, this revision became a polemical weapon for the unravelling of the historical and human origins of myths, ethical principles, superstitions, and traditions along anti-metaphysical and anti-theological lines. The consequences of this were fundamental. The Christian idea of divinity and the providentialist conception were denied and replaced with a naturalistic vision of the phenomena of the universe – first and foremost of human beings, conceived as animals, albeit rational ones – or transcended with indifference or scepticism. The imposture of all religions was denounced as an instrument of subjugation by ecclesiastical and political power, pursued through both coercion and the imposition of ethical and religious norms based on the fear of the otherworldly, with the aim of maintaining the stability of the social order. Libertines’ rejection of the political foundation of the sacred by unmasking the lie underlying religion – in which a God, fruit of the imagination, becomes a pliant tool in the hands of all politicians – made it possible for them to delegitimise all confessionality and redefine the world and society vision from a libertarian perspective.

Dogmatism was also emptied of meaning by comparing the prevailing order with other peoples and civilisations. Personal experience with the irreducible diversity of the contemporary world, consolidated by readings and travel, the systematic use of doubt, and the historical demystification of cultures and religions, led some libertines to reach a position of radical

relativism, that is, a repudiation of the existence of truth. Echoing Montaigne, François Le Mothe Le Vayer argued that

there is nothing so frivolous that is not somewhere very important, there is no folly, provided it is much followed, that is not taken for wisdom, there is no virtue that is not taken for vice, nor vice that is elsewhere considered virtue.<sup>93</sup>

The boundary between civilisation and barbarism was blurred, as were the notions of both subjective and instrumental – as La Mothe Le Vayer always declared, ‘everyone fights for his own customs and calls others barbarians if they differ in the way they do things’.<sup>94</sup> On the contrary, the natural virtue and rationality of ‘savages’, like pagans and atheists, were praised and held up as proof of the inanity of revelation and the entire Christian perspective of salvation. The status of man was therefore to be extended to the followers of every religion, ‘the Indian, the Moor, the Chinese, the Jew, the Christian, as well as the deist and the atheist’, since they all shared, with their *affection humaine*, sorrow for common human misery.<sup>95</sup>

The libertines drew from relativism a reason for fiercely denouncing the violence perpetrated in the name of the Christian religion by the champions of dogmatism. The *J'accuse* pronounced by Charles Saint-Évremond was quite cutting: ‘I do not understand how this diversity of beliefs could have caused such barbaric tortures in a religion entirely founded on love’.<sup>96</sup> In *Les quatrains du déiste* (1623), an emblematic text of French libertinism, the beliefs of all positive religions and their repositories are thus rejected, whereas the deist’s tolerance is shown to embrace all mankind: ‘the sworn enemy of irreligion, he lives well with all the world’.<sup>97</sup>

The tolerance advocated by the libertines had new traits compared to the idea born out of the confessional discussions of the 16th century. It was secular, outside of the religious horizon, epicurean in terms of ethics and deistic, atheist, or agnostic on the religious level. It was respectful of the various cultural and religious expressions of humanity in the absence of absolute principles and advocated for a common citizenship right in society – indeed, Pierre Bayle even extended this right to the ‘virtuous atheist’. The *Encyclopaedia* entry ‘Freedom of Thought’ was thus well suited to libertines, judging those *inconvincues* who ‘had not served religion, describing its authentic abuses, and who had infinitely contributed to establishing among men *d’esprit* the sacred spirit of peace and tolerance’.<sup>98</sup>

Praise from the Enlightenment highlighted the limitations of the libertines’ conception of tolerance, however. Their outlook was by no means elitist: the exclusive architects of ethical and cultural renewal were the *esprits forts*, elevated above the ignorance of the ‘vulgar’. At times, this position translated into outward conformism to social codes, taking on prestigious positions of power and support for constituted authority to safeguard their own spaces of inner freedom, according to the maxim ‘*Intus ut libet, foris ut moris est*’

(inside as we please, in public as is customary). To this end, some French libertines also justified imposing religion from above as a guarantee for maintaining the public peace and state order necessary for their personal freedom. Deprived of its sacred character, religion became a privileged *instrumentum regni* for social control, rooted as it was in the people and consonant with their ‘blindness’. Despite its theoretical subversiveness, therefore, in reality, libertinism had the potential to legitimise political and religious uniformity and thus intolerance.

Gabriel Naudé (1600–35) was a champion of this stance.<sup>99</sup> Counsellor and librarian to Cardinal Mazarin, after a life spent serving the powerful and reading extensively, he developed a lucid theory of *raison d'état* in his seminal *Considerations politiques sur les coups d'état* (1639). In his political conception, absolutist and unscrupulously utilitarian – so much so that he lamented the failure to slaughter *all* the Huguenots on St. Bartholomew's Day – religious unity, with its ability to regiment the people thanks to the paraphernalia of miracles, visions, and rituals, played a key role in the *coup d'état* aimed at affirming the monarch's total sovereignty. However, Naudé's political conservatism was combined with an extraordinary intellectual openness, which gave rise to his study and popularisation activities in historical, medical, philosophical, and religious fields – using a comparatist and relativist perspective. It also led him to constitute and open to the public France's main library, the Bibliothèque Mazarine, a centre of rationalisation and knowledge-construction through a critical approach according to the project outlined in his *Advis pour dresser une bibliothèque* (1627).

As an example of one of those contradictions not uncommon in the libertine world, an opposite view of tolerance emerged from the masterpiece *Theophrastus redivivus* (1659). This text was originally anonymous but is now attributed to Naudé himself and the physician Guy Patin (1601–72), professor of medicine at the Collège de France.<sup>100</sup> Tolerance appears here as the result of atheism and an anti-absolutist stance. The process of deconstructing traditional religious history, the history of the so-called ‘myth-makers’, is taken to its extreme consequences as part of a tight rationalistic and materialistic critique that draws on Italian Renaissance and modern philosophical-scientific thought. Nothing is left standing in this vision: the physical universe is shown to be the only eternal and independent reality, governed by the natural laws underpinning all phenomena without any prime mover. Nor are there any veils left to cloak the authoritarianism of the Christian religion, which had always constrained consciences and enslaved thought with the support of sovereigns; rulers are, in turn, cast as investing themselves with divine chrism for the purpose of domination. Like Christianity, absolutism thus loses its other-worldly foundation and, with it, the reasons for intolerance and repression are thwarted. As an antidote to nefarious confessional clashes, Patin also proposes religious pluralism granted by the sovereign to preserve the state along the model of the rulers in ancient Rome, the emperors Gratian and Theodosius, and more recently, the sultan of the

Sublime Porte, the emperor of the Germanic Empire and the King of France: ‘All the wisest princes granted the worship of different religions, which can therefore be admitted without danger’.<sup>101</sup>

François de La Mothe Le Vayer (1588–1672) positioned himself along these lines as well.<sup>102</sup> A magistrate, erudite scholar, great traveller, and educator of Louis XIV, Le Vayer was the author of the important *Dialogues faits à l’imitation des anciens par Horatius Tubero* (published with false typographical indications, but in 1631–32). Here, the sceptical critique of traditional conceptions and ethnological relativism reaches their zenith, as does the celebration of the philosophical freedom proper to all wise men. His demolition of an unambiguous notion of truth and civilisation is expressed in particular in the dialogue *De la philosophie sceptique*, by presenting a collection of the religious, political, social, and sexual customs of the peoples of the earth, and in *De la diversité de religions*, where he outlines the philosophical groundlessness of theological notions and the plurality of cults around the world. The example of the ancient Romans, ‘the most just and shrewd peoples of the earth, limiting themselves to enforcing the laws of their own empire, without raping anyone for those of religion’, is imposed on the others.<sup>103</sup>

Many other thinkers also spoke up, given the richness and variety of the libertine movement in France, animated by jurists, men of letters, state officials, clergymen, members of the bourgeoisie, scientists, philosophers, Catholics and Protestants, and also organised in circles such as that of the Dupuy brothers.<sup>104</sup> On the whole, the libertines’ activities in favour of tolerance remained theoretical, valid on an ideal level but lacking bite in the reality of the time. Their disruptive value would emerge in the long run, as part of the ferment of consciences that libertinism fuelled in Modern-age Europe. Indeed, the latter continued to contribute, covertly or otherwise, to the process of secularising morality, unhinging of the traditional cultural system, broadening the vision of intellectual and religious freedom, and dissolving the confessional vision of the state that was to reach its climax in the Age of Enlightenment.

## Notes

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- 2 For a discussion of the problems related to peace, suffice it to cite B. C. Schneider, *Ius Reformandi. Die Entwicklung eines Staatskirchenrechts von seinem Anfangen bis zum Ende des Alten Reiches* (Tübingen: Mohr Siebeck, 2000); R. von Friedeburg, ‘Cuius regio, eius religio: The Ambivalent Meanings of State

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  - 4 R. W. Scribner, ‘Civic Unity and the Reformation in Erfurt’, in R. W. Scribner (ed.), *Popular Culture and Popular Movements in Reformation Germany* (London-Ronceverte, VA: The Hambledon Press, 1987), pp. 185–216.
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## 4 The 17th century

### From religious tolerance to modern freedom

#### **The English case: between outward conformity and tolerance**

The 17th century was a century of sharp contrasts. The map of Europe was marked by lights and shadows following the crisis that swept through it, leading to the end and overcoming of the traditional order and ushering in the Age of Enlightenment. However, this difficult process of transformation unfolded differently across regions, with the centre-north generally developing, while the south remained stagnant or in recession.

The routes and key actors of the economy changed, determining the decline of the Mediterranean to the advantage of the Atlantic and North Sea – new centres of gravity of the world economy – and an increase in productive activities in the countries facing onto it in preparation for the great colonial and industrial expansion of the 18th century. The absolutist design initiated by sovereigns or ministers achieved some instances of success, but also triggered insurrections all over Europe: the most conspicuous outcomes were the France of the ‘Sun King’, on the one hand, and the birth of the Republic of the United Provinces and the constitutional monarchy in England, on the other. Wars, famine, epidemics and the stagnation of agriculture and manufacturing, as well as heavy taxation, plagued the population in many areas. In Eastern and Mediterranean Europe, re-feudalisation by the ruling groups led to a return to feudal practices and values; in the central and northern countries, however, the modernisation of agriculture with capitalist-type management systems and rise of the bourgeois and entrepreneurial classes progressed.

Confessionalism thickened its blanket of conformity, intolerance, and fear and armed its military forces in the last tragic religious war, the Thirty Years’ War. The persecution of non-conformists did not cease but rather was driven by new motivations, both political and cultural. In England, the driving forces were the pro-Catholic and episcopal restoration led by the Stuarts; in France, the absolutist design of Richelieu and Louis XIV: the direct correspondence between this design and religious unity (according to the motto *un Dieu, une foi, un roi, une loi*) translated into a fight against Jansenism and deprived the Edict of Nantes of its effectiveness until it was finally revoked with the Edict of Fontainebleau in 1685. In Counter-Reformation Italy, once

the Protestant danger had been eliminated and the project of disciplining had been deployed, those advocating for scientific and philosophical ideas that did not conform to the traditional canons were now targeted above all by the Inquisition and an unprecedentedly intense censorship – Giordano Bruno and Galileo Galilei were the most prominent victims. In Piedmont, the Duke of Savoy went so far as to launch a true campaign against the Waldensian communities in the valleys in 1655. In Spain, the persecution against heretics and crypto-Jews continued unabated as well. Instead, Catholics and Protestants acted together to repress witchcraft, with great ‘hunts’ that were the expression of the deep unease of 17th-century European society. The reintegration or greater inclusion of Jews in the European territories that gave rise to the *âge d’or* of the Jewish nations in France, Holland and England at the end of the century did not lead to the end of anti-Semitism: rather, there was a climax in the terrible massacre perpetrated by Bogdan Chmielnicki’s Cossacks in 1648. Dissent was punished in the now Counter-Reformation kingdom of Poland with the expulsion of the Socinians in 1658, but even the very liberal Holland saw hints of intolerance at the hands of the orthodox Calvinists in the Synods of Dordrecht (1619) and Rotterdam (1686). The Baroque was a vivid expression of this climate of authoritarianism, anxiety, and precariousness.

Yet this transformation also produced extraordinary new developments that were decisive for the evolution of the Modern world. In the 17th century, a true intellectual revolution took place. The traditional conception of the world and knowledge was attacked from the beginning of the century by currents of philosophical, scientific, theological, and political thought that propagated an overall vision of the universe alternative to the Aristotelian-scholastic system. The scientific method and critical reason were its pillars. New theories of knowledge and method, new concepts of state, church, society, God, nature, humankind, and tolerance opened the way to Modernity by standing up against conservatism: this was the ‘crisis of the European conscience’ (Hazard). The ‘Radical Enlightenment’ was its most flavoursome fruit, destined to reach full maturity in the 18th century. The gallery of the leading actors of 17th-century cultural upheaval was crowded: alongside giants such as Bacon, Galilei, Descartes, Grotius, Spinoza, Hobbs, Locke, Bayle and Newton, a dense array of major and minor figures moved about, proposing and disseminating avant-garde ideas. The Academies, circles, and magazines that sprang up at that time were the vehicles of their international circulation, together with the private correspondence from which the ‘Republic of Letters’ drew its lifeblood.

The epicentres of renewal were England and Holland, due to their peculiar historical conditions however, it also affected countries such as France and Italy, where the weight of political and religious authoritarianism lay heavily upon society. The anti-obscurantist tide rose everywhere, but the strength of the obstacles it encountered was different in different areas. The history of European states in the 17th century is embedded in these various

tensions between conservative resistance and the drive for change. The internal dynamics of society increased the strength and chances of success for both, leading states to be more or less open to freedom and social and cultural progress. Despite this resistance, however, in the 16th century the shift from the 'closed world to the infinite universe', on earth and in the heavens, was irreversible.

An international web of relationships and boundless cosmic spaces defined the world in which 17th-century people could act, overcoming cultural closure and the geocentric view of the universe. Its limits were transcended by reason. The currents of thought that dominated the 17th-century cultural debate placed reason at the centre of their thinking, setting the stage for – although not yet reaching – the heights of the Enlightenment. Reason was articulated by the libertines as an *apologia* for sceptical doubt and the move to dissolve all values so as to bring about a materialistic and relativistic re-founding of reality and liberation from the political 'imposture' of religions. Reason lay at the origins of claim of jusnaturalism that there exist universal natural rights – first and foremost freedom of thought. Reason took on the form of a thinking substance in Descartes' work: distinct from matter but equal to what can be investigated using mechanistic criteria, reason was endowed with a universal and absolute character as the foundation of a rigorous scientific method for investigation aimed at searching out every possible truth and ascertaining the positive evidence of phenomena. It allowed, in its empirical application, the development of scientific enquiry and discoveries, but also a critique of the supernatural and the anthropomorphic notion of divinity; in so doing, this application of reason led to the historicisation of sacred texts, confessional relativisation, deism, atheism, and the ethical-rationalistic evolution of Socinianism. It resulted in the fallibilism of the English thinkers and the radical scepticism of Bayle, with no area left untouched. Reason legitimised humankind's ability to establish a political society by means of a contract among equals, according to contractualist theses; and, in the case of Spinoza and Locke, to guarantee freedom of thought and speech for all.

Rationalism in its various forms changed the conception of mankind, its individual identity and collective relations, as well as the notion of state and church and the relations between them. Confessionalism was undermined. One of the factors contributing to its erosion were religious movements such as Jansenism and Pietism that sought to return religion to its more authentically spiritual roots and inner sphere, or the utopia of the Rosicrucians who were fervent advocates of universal concord. Inevitably, the notion of tolerance changed as well, and with it the struggle to bring it about. The range of positions was wide, with a variety of ideas and aims. Alongside the usual demands for civil and religious tolerance, with more or less broad limits, some asserted every individual's natural and inalienable right to full freedom of thought and speech, as well as faith, arguing that such freedom should be safeguarded by civil power, and promoting the strict separation between civil

and ecclesiastical powers. Bayle went so far as to break the hitherto inviolate taboo of society's ostracism towards atheism, claiming that even 'virtuous atheists' had rights and civil dignity. With the English Revolution, freedom was also defined in a political and social sense, becoming part of the theorisation of the right to citizenship, democracy, and egalitarianism.

However, the powerful impact of factual reality also shaped this movement of thought. The wars of religion found their final expressions in the Thirty Years' War and the English Revolution. In the thirty-year continental conflict, the counter-reformed Catholicism of the Habsburgs clashed with militant Calvinism, the leader of the Evangelical League. Richelieu had already broken the front, however, aligning France with the Protestant armies and revealing that, beyond confessional disputes, what the combatants' actually sought was to establish political hegemony. The secularisation of religious wars became historical evidence. At the end of the war, the Peace of Westphalia (1648) legitimised the presence of three creeds (Catholic, Lutheran, Calvinist), set up as equal in the imperial institutions, and subjected religious affairs to legal and civil regulation overseen by the Diet. However, individual freedom of conscience was also recognised: the principle of religious pluralism thus entered into an international treaty for the first time, albeit within the framework (at least formally) of territorialism. Conflicts and tensions did not disappear with the implementation of the legislation, but they were reduced. Elector Friedrich Wilhelm, the Duke of Brandenburg, realised the full potential of peace by welcoming exiles from all over Europe, while Leibniz used the great influence he enjoyed at the German and European courts to implement his project of reconciliation between the churches. Religious freedom and civil tolerance began to take firm root in Germany.

The Revolution made England a model for the European continent by virtue of both its physiognomy as a constitutional monarchy and its legislation on toleration. The return of some states to mono-confessionalism after a period of tolerance – e.g. France, Poland, and the Habsburg dominions – as well as the persistence of inquisitorial surveillance in Italy and Spain did not prevent the practice of religious coexistence *de facto*, if not *de iure*, from becoming consolidated in Europe. This *de facto* peace was driven by the intercontinental dimension of trade and cultural exchanges, as well as the advantages that religious freedom brought. In the Dutch Republic, a regime of civil and practical tolerance towards all confessions – from Catholics to Anabaptists, from Socinians to Jews – was established and destined to evolve towards full religious freedom. The intransigent line sought by the Calvinist Church (the majority but not state religion) did not affect the free and effervescent cultural climate guaranteed by the rulers and fuelled by intellectuals, printers, and exiled merchants. Grotius, Spinoza, Locke, and Bayle were the major players, but the cultural fabric in which they operated was very dense. The practices and ideas concerning liberty and tolerance carried out here had repercussions that were fundamental to the evolution of the Modern world. The power of Holland during its Golden Century also clearly ensured

a combination of religious tolerance and economic growth. The example of Amsterdam, resplendent in economic and cultural wealth with its cosmopolitan universe of businessmen and intellectuals of all faiths and cultures, shone throughout the continent. In the meantime, however, England, with its avant-garde economic and cultural dynamism, was already a candidate for becoming the world's leading power.

That 'clearing away of the darkness' of obscurantism and religious fanaticism was now underway and destined to fully take hold with the Enlightenment, even though it did not ultimately succeed in eliminating all shadowed areas, as it was met with resistance from intolerant attitudes and the outbreak of conflicts with the new forms of Otherness that European imperialism encountered on its way around the world.

The English Revolution, from the Civil War to the Glorious Revolution (1642–88) and concluding Bill of Rights and Toleration Act, was an essential event in Modern history and for the theorisation and practice of toleration, as it brought about an epochal turning point in this practice. The repercussions of complete revision of the foundations of church and state that took place at that time proved crucial. This rethinking was so fundamental, indeed, as to create the first parliamentary monarchy in Europe. The issue became freedom of thought, as well as faith, and it concretely affected ideas and the political course of events: freedom began to represent an important element in the life of individuals and of religious and civil society, despite continuing restrictions against Catholics, Jews, and radical sects. This development took root in the country during the 16th century.

### **In the shadow of the state church: outward conformity/inward freedom in Anglican England**

Before the Revolution, toleration in England had followed a very peculiar trajectory.<sup>1</sup> The Act of Supremacy, which sanctioned Henry VIII's break with Rome (1534), placed the State Church under the leadership of the monarch and demanded religious uniformity from believers; the institution nevertheless retained the bishops' hierarchy and Catholic elements (doctrinal and liturgical).<sup>2</sup> Non-conformity became a political offence judged by the Star Chamber and punishable even by death; it was primarily the Catholics who suffered as subjects of the pope. In the 16th century, however, the subjugation of the Church to the head of state (known as Erastianism) led to drastic changes in religious policy depending on the orientation of the sovereign, and consequently the regime of tolerance. While under the Catholic kings Henry and especially Mary Tudor it was the Protestants who were the victims of persecution, Edward VI and Elizabeth I reversed the situation, defining the reformed identity of the kingdom and holding up its defence as a patriotic ideal. However, neither went too far and neither required formal adherence to the English Church.

The first victims of Henry's repression (1491–1547) were Protestants of various confessions, widely spread throughout the kingdom and institutions, but also Catholics recalcitrant to the new order (including Chancellor Thomas More). His religious policy, however, changed in relation to the needs of domestic and foreign affairs.<sup>3</sup>

Edwardian England (1547–53), in line with the sovereign's desire to make it a 'beacon' in reformed Europe, was a place of intense religious debates and exchanges thanks to the great influx of merchants, bankers, diplomats, students, artisans, scholars, and reformers (such as Ochino and Butzer) to London, the universities, and the port cities.<sup>4</sup> Their presence was stabilised with the establishment of foreign churches (French, Walloon-Dutch, and Italian) that were officially granted the right to freedom of worship and religious orientation – as a result, disputes between the Orthodox and non-conformists were frequent. Although dictated by religious, economic, cultural, and ecclesiastical motives, this openness allowed for a dialogue that widened the country's cultural mesh.

Queen Mary, significantly known as 'Bloody' (1553–58), implemented a highly repressive policy towards the Reformed: they were sent to the gallows in the hundreds or forced into exile, where, as a reaction, they often developed ideas of tolerance. Exemplary was the case of John Foxe, the famous author of the first Protestant martyrology, *The Book of Martyrs*. From his refuge in Basel, he published the fierce plea for religious freedom, *Thanksgiving of Germany to England for the Restored Light of the Gospel* (1559). The sovereign nevertheless worked to renew the Church with the collaboration of the already 'spiritual' Reginald Pole, gaining consensus in the country.<sup>5</sup>

In her very long reign (1558–1603), Elizabeth's main aim was to ensure respect for the sovereign's authority, and security and prosperity of the state: she was celebrated as the new Astrea.<sup>6</sup> To this end, the Act of Supremacy and Act of Uniformity with the Anglican Church were reaffirmed. This move was consolidated thanks to the *Thirty-Nine Articles* and *Book of Common Prayer* (1559, 1563), which established an 'Anglican middle way' (between Calvinism and Lutheranism) on the doctrinal level but retained the cultic and episcopal structure of the Catholic tradition (without priestly celibacy), just as the Star Chamber maintained its anti-heretical function. Elizabeth I, although supposedly agnostic, never deviated from her role as 'ruler of the Church'.

However, the rigorous pursuit of outward conformity was matched by a rather lenient attitude towards freedom of conscience and, if exercised discreetly, worship. Religious differences were absorbed into the communities through the daily adaptations of local authorities to legislative provisions, via 'private treaties of tolerance' or monetary payments, by virtue of jurisdictional privileges and the Christian ideals of charity and brotherhood; their aim was to foster social harmony and the common good.<sup>7</sup> Family and religious solidarity between members of the various classes, especially the upper classes, was a further deterrent against intolerance. There was certainly no

lack of zealous officials, intransigent clergymen, or intolerant neighbours, especially at critical historical junctures or due to internal community frictions, and this forced non-conformists into dissimulation or martyrdom. On the whole, however, society's 'bonds of love and duty' prevailed over 'the chasms of ideology'.<sup>8</sup>

The case of the Catholics was emblematic.<sup>9</sup> Catholicism survived in London, in the court itself, and in various parts of the country mainly under the aegis of the nobles, thanks to their personal act of uniformity or *ius patronatus* in their own domains. The spiritual maidens, unmarried noblewomen, performed important work of catechesis and assistance. The solidarity of the local elites, as well as collaboration between priests, missionaries, and laymen, created protection networks that also allowed Catholics to access public offices in the peripheral areas of the country. The payment of an annual sum to magistrates and displays of patriotism often protected them from harassment. Communities nevertheless implemented survival strategies (producing writings, endogamy, and simulation) and worshipped in private spaces such as embassies, parishes frequented by foreigners, houses and chapels, or at traditional, sacralised natural landmarks. Catholics were persecuted in the case of open propaganda, fomented by Rome – which excommunicated the queen in 1570 – and Spain, and occasionally as a result of institutional or local pressure. Relations with the Protestants were therefore not hostile, on the whole: a pragmatic adaptation to reality prevailed over reasons of faith. Much more conflictual was the situation in Catholic Ireland, where the rejection of Protestantism was closely connected with the political question, thus turning into an independence struggle against England. Equally difficult was the condition of Catholics in Scotland, as it became the centre of 'pure' Calvinism thanks to the reformer John Knox, who served as tutor to the future James I of England.<sup>10</sup>

Muslims constitute a very small but real presence, including in the collective imagination. There was no shortage of contact with Turks on the island, through converts, the staff of diplomatic posts, maritime networks (of galleys, merchant or corsair ships), the slave market, and turncoats. Pragmatically, relations with Muslims were generally regulated by unofficial tolerance exercised with discretion; moreover, this unofficial tolerance persisted and expanded with the growth of international trade in the centuries to come.<sup>11</sup>

The situation of the Jews living in the country was different.<sup>12</sup> There was only one Jewish community of Portuguese Marranos settled in Elizabethan England, very small but active thanks to its commercial relations with Antwerp since the age of Henry VIII (who had also used Jewish jurists in his divorce proceedings). It lived in complete secrecy, so as not to aggravate those suspicions of treason that led to the execution of the queen's physician, Roderigo Lopez.

However, with the boost to international trade provided by Elizabeth through the creation of the India Companies and the privateering war, the south of England opened up through its ports to the movement of people

and goods from all countries. The London Stock Exchange began to compete with the one in Amsterdam in attracting capital and investors from continental and Atlantic transactions. Here, as elsewhere, business knew no bounds. London increased its reputation as a cosmopolitan city, a centre of attraction for a diverse world of craftsmen, intellectuals, politicians, and businessmen, present since the Middle Ages and continually fed by European events (the Anglo-Dutch trade, the continental wars, the expulsion of the Huguenots, etc.). The age of the Counter-Reformation brought with it the contribution of numerous exiles *religionis causa*. Significantly, non-conformists such as Del Corro, Pucci, and Bruno, who advocated for a universalist and tolerant vision, found asylum in London.<sup>13</sup> Even within the royal and ecclesiastical establishment, there were apologists for religious freedom, such as the above-mentioned Jacopo Aconcio, who also opposed the persecution of the Anabaptists in England, or Alberico Gentili (1552–1608). A professor at Oxford and prominent personality in international law and the Elizabethan political-cultural milieu, Gentili argued in *Sul diritto della guerra* (1598) that there should be a clear distinction between secular and ecclesiastical power and that religious coercion is illegitimate.<sup>14</sup> He reaffirmed this latter position on the basis of Erasmian and Castellionian positions, and drawing on a wealth of examples in his unpublished *Sul papato romano Anticristo*, inserting it into an overall latitudinarian conception free of sectarianism and founded on the sharing of essential religious principles. Their ideas went on to germinate in the English Revolution.

The strongest opposition to Elizabethan policy came from the Puritan movement, and it was consequently subject to repression and exile. Puritanism, so called because of its desire to cleanse the Anglican Church of the remnants of ‘papism’, made an incalculable contribution to the struggle for religious freedom during the reign of Elizabeth, but especially during the revolutionary period.<sup>15</sup> It was a composite movement: it included the Presbyterians and an extreme current, the Separatists, who were in turn divided into various groups, some of which, like the Baptists and Independents, became gradually more radical. The former aimed to reform the Church according to their Calvinist views, replacing the presbyteries (i.e. consistories) with the Anglican hierarchy; they demanded tolerance, but for *their* own positions. The separatist movement, on the other hand, wanted to eliminate the State Church and argued ever more strongly for a democratic and libertarian conception of religious life. The cornerstones of this conception were the idea that civil power should be autonomous, congregations should prevail in ecclesiastical organisation (hence the name Congregationalists) and people’s participation in them should be voluntary and egalitarian, based on the contractualist theory of the covenant between God and His people. The first consequence of this ecclesiastical redefinition was the abolition of tithes, a key element of the State Church and its authoritarian power. Within the communities, power was assigned to the *people*: all the faithful were allowed to contribute to the community’s direction, organisation, and religious discipline;

all offices were elective and revocable. This conception was substantiated by celebrating reason, individual rights of conscience, and freedom of expression. A gradual disengagement from the scriptural norm also took place. As a result, attaining truth and knowledge became an open, shared, and progressive process, the fruit of a free exchange of opinions: it was here that the fallibilist paradigm, essential to the theory of tolerance, was fully defined. John Robinson's statements are eloquent: 'Every man's conscience is, as it were, a second God within him [...] all the members of the church have the spirit granted them by God to lead them to the truth', so no ruler can condemn those who refuse religious impositions.<sup>16</sup> In separatism, the microcosm of the congregation and the macrocosm of society were analogous. This paved the way for the pluralism of Modernity, democracy, tolerance, and universal freedom.

While Elizabeth I's moderate settlement succeeded in ensuring religious peace in the country, the situation changed during the reign of James I Stuart (1566–1625). The king developed a project of religious conciliation, but within an entirely political framework characterised by the considerable strengthening of monarchical power – theorised as stemming from divine will – and authoritarian control over the Church through the episcopal hierarchy, according to the maxim 'No Bishop, no King'.<sup>17</sup> The Parliament, after the 'conspiracy of dust' hatched by the Catholics, obtained a resurgence of the provisions concerning membership in the State Church. In this case as well, however, Erastianism was combined with relative doctrinal tolerance. James I, both because of his own irenic convictions and because of the influence of Spain and France, adopted a 'soft' line towards spiritual forms of dissent, especially dissent from secular Catholics loyal to the state; the Puritans, for their part, were obliged to emigrate to Holland and America – as with the famous Pilgrim Fathers of the Mayflower in 1620. However, their strength grew in Parliament and in the country among the lower classes, above all within the most radical version of their beliefs. Part of their popularity lay in the fact that they discredited the sovereign, surrounded as he was by a sumptuous court and incapable of granting a coherent line to financial and administrative policy.

Among separatist opponents, the Baptists stood out. The birth of this community was linked to John Smith (1554–1612): under the influence of the Dutch Anabaptists (with whom he took refuge), he developed the idea of a complete separation between church and state and universal toleration. He did not allow magistrates any jurisdiction in the area of conscience nor coercive instruments over ecclesial communities, which were understood as free spaces of dialogue and search for truth, governed by spiritual, pacifist, and egalitarian principles – the latter partially applied to women as well. The English Baptist Churches generated the first important writings on tolerance, which drew on the great 16th-century and contemporary advocates of tolerance (Castellio, Aconcio, Coornhert, Arminius, Episcopius, etc.) and proved very popular in the revolutionary years. The most incisive was *A*

*Short Declaration of the Mystery of Iniquity* by Thomas Helwys (1612), a great promoter of the movement.<sup>18</sup> The invasion of civil power into the inviolable sphere of conscience represented, in his eyes, the most odious of crimes, the clearest expression of the baleful mingling of church and state taking place in England at the behest of the ‘two Beasts of the Apocalypse’, the Roman Church and the Anglican episcopate. The ‘sword of justice’ was not to be wielded even in defence of the truth, as he emphasised to ward off the instrumental use of tolerance. And finally, he claimed freedom of conscience and worship for all, ‘heretics, Turks, Jews, or whatever they were’. Such universal freedom was also necessary because it fostered, through dialogue, that process of improvement that engaged every person in acquiring knowledge and achieving salvation.

### **The struggle for religious and political freedom in the English Revolution**

The Revolution was the result of the pro-Catholic and anti-Parliamentary policy of Charles I (1600–49) and the authoritarianism of the English Church sought by the Archbishop of Canterbury, William Laud, all set against the backdrop of the Thirty Years’ War.<sup>19</sup> Laud (1573–1645) built a granitic State Church with Catholic doctrinal and cultural elements, imposing absolute uniformity on it through iron control over religious life and dissent, with preachers subjected to censorship, persecution, and vigilant monitoring; this provoked another wave of migration to America and Holland and led the Scottish Church to revolt. Foreign churches were also incorporated into the State Church. At the same time, there was an openness to Arminian-oriented theological latitudinarianism.

The Arminianism promoted by Laud took up the anti-Protestant theology of the Dutch Reformed theologian Jacob Arminius and turned it into a tool used against the Protestant identity of the Anglican Church – Anglo-Catholicism and the Defined State. The group of intellectuals gathered around Lord Falkland in Oxford’s *Great Tew Circle* (including the theologians John Hales and William Chillingworth), however, shaped it in the Erasmian sense of overcoming religious divisions, not with a ‘tolerance between the Churches’ but with the building of ‘one tolerant Church’ where the only thing forbidden was, precisely intolerance. They hoped to transform the Anglican Church into a peaceful institution, dedicated to free religious research and the realisation of true Christianity. The Cambridge Platonists, a group of thinkers active at the University, also distinguished themselves within Latitudinarianism. Recovering Renaissance Neo-Platonism from materialist and mechanistic theories, they advocated harmony between reason and religion. The existence of innate moral ideas and principles formed the theoretical basis for an open theology and for the claim of a universal and tolerant Church.<sup>20</sup> Their ideas went on to gain prominence in the second half of the century, but not at that moment, with the Revolution just around the corner.

Indeed, the Revolution swept that world away: in the words of Gerrard Winstanley, it was consumed 'like parchment by fire'.<sup>21</sup> The Parliament, reconvened by Charles I in 1640, dismantled the existing monarchical and ecclesiastical arrangement; as part of this, repressive institutions were abolished, and the episcopal hierarchy was deprived of its power. Two years later, the Irish revolt triggered the start of civil war.

This breakdown of power led to a climate of complete freedom. A *mare magnum* of ideas burst onto the English scene. The game of the Revolution was played out in Parliament and town squares, involving the entire population. The atmosphere was apocalyptic: events were cast as a final battle against an Antichrist that came to be embodied by the enemy of the various fronts (the king, the bishops, Parliament, the 'papists', the sectarians, etc.) and aimed at prompting the advent of the millennial kingdom many felt was imminent. Preaching and the press stirred these expectations, calling on the faithful to actively engage to bring about the return of the Messiah. The *New Model Army*, soon victorious over the Royalist troops (1644/45), embodied the ideal of a new Jewish people fighting against the oppressor; its leader, Oliver Cromwell, was the 'Englishman of God'.<sup>22</sup>

The campaign of the Puritan 'party' was aggressive and initially successful. Supported by the Scottish Kirk, the City, and Parliament, it fought to reconstitute an earthly 'Jerusalem' overtop of the rubble of residual 'papism', but also sectarian radicalism. The propaganda of the people's preachers, prophets, and prophetesses subverted old and new forms of authoritarianism and endeavoured to re-found society as a whole. They spoke for the swarm of sects, groups, and conventicles that flourished in those years, such as the Seekers, Diggers, Ranters, Levellers, Fifth Monarchists, Grindletonians, Muggletonians, Quakers, Socinians, and Independents who turned the world upside down.<sup>23</sup> The battle between the Puritan establishment and the variegated non-conformist front was decisive: it changed the course of the debate on tolerance and freedom of conscience, but also discussions about the political and social order, given the characteristic connection between these two factors in the English Revolution. However, Presbyterians and sectarians came together to oppose Catholics, subjecting them to harsh repression (with 1,400 victims in 1640 alone). These repressive activities were granted new impetus by the king's relations with the Irish rioters.

The year 1643 marked the beginning of the clash. The Assembly of Theologians, invested by Parliament with *ius reformandi*, decided to impose a State Church and Calvinist orthodoxy, thereby becoming the new champion of intolerance. Opposition from the sectarian world was immediate and became more radicalised over time.<sup>24</sup> An important spokesman for such opposition was one of the leaders of the Independents, John Goodwin (1594–1665).<sup>25</sup> After his programmatic manifesto *An Apologetic Narrative*, in the wake of Aconcio, Goodwin wrote *Theomachia* and *A Plea for Freedom of Conscience*, developing the idea that pluralism and religious relativism represent the logical outcome of humanity's constitutive difference: 'So

long as there are different men, there will be different minds, and what seems good and right to some, will seem wrong or impious to others'. Hence his valorisation of the search for truth, through reason, as an undefined, autonomous, and open-ended process. In contrast, the renunciation of a search for truth imposed by the Presbyterians appeared sacrilegious and harmful to the religious and cultural cause. The Bible itself was recognised as the source of religious truth, but not a unique truth that could be sanctioned by any earthly or ecclesiastical authority. In this vision, magistrates had limited power to intervene in the spiritual sphere. This affirmation of the rights of conscience and reason resulted in Goodwin firmly condemning religious persecution: 'He who attempts or seeks, by virtue of a higher authority, to suppress any religious doctrine, way, or practice that comes from God, fights against God himself'.<sup>26</sup> Such recognition of religious freedom led to a demand for free membership and participation in the church community. These were not abstract demands: Goodwin intended to influence Parliament and mobilise the public, which is part of the reason why he cast his demands against a millenarian background.

The positions expressed by Henry Robinson (c. 1604–64), William Walwyn (1600–81) and Roger Williams (1603–84) were also important. The first two, who were merchants, drew arguments from their cosmopolitan experiences to grant an international scope to the conception of toleration in their respective works *The Freedom of Conscience*, *John the Baptist: the Necessity of Freedom of Conscience*, *The Compassionate Samaritan* and *The Power of Love* (all published in the summer of 1644, except the last which came out in 1643). The direct comparison with other European settings led them to a certain relativisation of faiths and cultures, a rejection of dogmatism, and the idea that tolerance does not necessarily cause social disorder. The Republic of the United Provinces was naturally cited as a palpable example of the benefits of religious freedom. The Thirty Years War, on the other hand, prompted reflection on the devastating consequences of religious conflicts. Both authors saw the war as having been caused by the kind of intolerance and authoritarianism championed by the Presbyterians, who emulated the 'tyranny' of Catholics and Anglicans. According to the two authors, the sole judge of conscience is individual reason, regardless of sex: Robinson wrote that it was 'the highest of our follies' to replace individual reason with that of the multitude since 'millions are no more infallible than the individual sight, reason, and intellect of a particular man or woman'. According to Walwyn, coercion induces sinful actions and superstition, while a freely chosen faith gives rise to a pure and undefiled religion. For both thinkers, therefore, coercion in the spiritual sphere was inconceivable. The contradictions and obscurities of Scripture, the historical mutability of doctrines, and the intrinsically voluntary character of religious experience, on the other hand, mean that individuals should be free to judge for themselves. Personal choices commit individuals to specific moral responsibilities and contribute, in their difference, to the development of society. Any excessive dissonance,

they suggested, can be overcome through dialogue and persuasion. This individualist conception with its strong ethical and fallibilist character led Robinson and Walwyn to legitimise non-conformism and religious pluralism within the state (albeit with some perplexity towards Catholics). Both posited the separation of political and ecclesiastical power on the grounds that these two forms of power differ in nature and purpose: in their view, social peace is not necessarily connected to, or undermined by, religious harmony. Walwyn, who was very well read in humanistic works and active on the public scene, formulated the issue clearly and innovatively, urging the people and Parliament to grant 'liberty of conscience [...] to every man' so that 'all may honour God and perform the ceremonies of Christ in such manner as to them shall seem most consistent with the Word of God'. The only limit to religious independence in this model was protecting public order. For Walwyn, the need for freedom stemmed in part from the uncertainty of knowledge and the need to consolidate it through continuous and wide-ranging research. In support of his ideas, he cited the experience of independent congregations and pointed out that, when all members exercise freedom of speech and criticism, these congregations become breeding grounds for democracy and tolerance, as opposed to Calvinist presbyters who aspired to monopolise sacred and profane power. In this case as well, the nexus between the practice and theory of tolerance, between religion and politics, proved inseparable in the English Revolution. Walwyn himself went on to symbolise this by later becoming a leader of the Levellers.<sup>27</sup>

While *The Compassionate Samaritan* was reviled by conservatives, Williams' book, published shortly afterwards, was judged worthy of burning. In fact, the famous work *The Bloody Holder of Persecution for the Cause of Conscience* was the most radical and lucid *apologia* for tolerance published in England, and later became a fundamental reference point in the process of institutional secularisation of American society.<sup>28</sup> Williams wrote it while waiting in London for parliamentary recognition for the colony of Rhode Island he had founded in America, around the city of Providence. Here, he had established a regime of complete religious freedom, separation of church and state, and political equality for all citizens; these principles were enshrined in the colony's constitution in 1647. Rhode Island would later become the first American state to declare the importation of slaves illegal. A Baptist and later of individualist positions, Williams had matured his ideas in contrast to the congregation in Salem, Massachusetts, where he had become a pastor after emigrating. He was also inspired by the example of Maryland, the colony created by the Catholic Lord Baltimore. In the debate, his book carried the full weight of a successfully implemented example. The core of the claim of religious freedom advocated here consisted in the clear distinction between church and state and the consequent decisive rejection of interference by civil authority in the religious sphere, as the latter was considered incoercible. The separation of the two powers was justified on biblical and theological grounds (the irreconcilable antinomy between the flesh

and the spirit, of which they were an emanation), but resulted in a highly advanced theory of society and tolerance. State authority in this model was entrusted with the task of protecting all faiths for the public good. In Williams' view, denominational choice had no influence on morality and civil conduct: pagans, Turks, and anti-Christians could 'lead a limpid life, without scandalously offending anyone or disobeying the civil laws of the state'. The dissociation between religion, ethics, and politics was thus complete. The only weapons of conviction Williams assigned to the church were the peaceful exchange of ideas and the Bible. Coercion was emphatically ruled out as lacking political and biblical justification, contrary to the Christian message and the principles of conscience. Physical and cultural violence was also, according to Williams, unnecessary, and only led to hypocritical, sinful, and vindictive attitudes. Williams saw the State Church with its aim of imposing religious uniformity as the cause of repressive practices and civil wars. In contrast, he held up a plural society made up of autonomous communities, free in their choice of doctrine and disciplinary code, organised on a voluntary basis and united by a uniquely spiritual bond. In this new religious dimension, the status of heresy would be difficult to determine, as heretical views were identified with the principle of free and legitimate choice, capable of enriching the cultural landscape. In Williams' thought, truth lost its chrism of absoluteness while fallibilism became the solid foundation for the epistemological necessity of tolerance. Therefore, Williams advocated the establishment of universal tolerance: in his famous maxim, he stated that by 'the will and command of God, the lawfulness of holding pagan, Jewish, Mohamadan and even anti-Christian opinions in conscience, and to conform acts of worship accordingly' was to be granted to 'all men and in all nations and countries'. This was not an abstract claim: it was the goal of the Independent Churches that Williams asked Parliament in his writ to legally recognise and extend to the entire country.

The last authoritative intervention in favour of freedom in the formidable year of 1644 came from the poet John Milton (1608–74), future author of the famous *Paradise Lost*.<sup>29</sup> A symbolic figure of the Revolution, champion of the Republic, and vigorous enemy of the monarchy, Milton participated militantly in the 'party' of the Independents (he was Cromwell's secretary) but shared many religious, political, and social positions with the extreme sectarian world. His incessant critique of tradition led him to anti-Trinitarian, Anabaptist, materialist, antinomian, spiritualist, and mortalist positions on the religious level, and to an ardent commitment to affirming personal freedom, even freedom from the bond of marriage – indeed, his writings on polygamy and divorce earned him the accusation of libertinism. Milton also actively promoted, in part through publications, the dissemination of heterodox and Jewish works. His interest in Judaism was profound, although complex and ambivalent. On the one hand, he was critical of the Jewish people and religious culture due to their anti-Christianity and ritualism comparable to the abhorred Anglican tradition; on the other hand, he valued the Old Testament

as a source of interpretation of present events and planning for the future state, both in a millenarian key and beyond. In *Mandate of the King and the Magistrate* (1649), Miltonian republicanism is founded on a social-political order based on equitable agrarian law, posited as the guarantee of individual freedoms and property, according to the model of the biblical *Polytheia* celebrated by the Dutch thinker Petrus Cunaeus (Peter van der Kun) and widespread in 17th-century European publicism.<sup>30</sup> Milton's negative judgement of the Jews of his time grew in the years 1649–54, in parallel with the increasingly broad movement supporting their readmission to England; significantly, he remained silent on this issue.

Continuous interaction with the English and European historical context also shaped the different issues Milton was involved in, and the magnitude and limits of his conception of tolerance. This theme was always present in his literary production, from poetic works to theoretical treatises, such as the aforementioned *Mandate*, *The Defence of the People of England* (1651, 1654), *On Civil Power* (1659), *On True Religion, Heresy, Schism, Toleration* (1673), and the unpublished *On Christian Doctrine*. For the poet, literary expression, was a concrete instrument of action just as theoretical writing. Indeed, it represented a perfect synthesis of theory and practice for defending civil liberties and, in the unpublished text, all radical groups against the State Church, with this latter considered the personification of the Antichrist. It was precisely anti-authoritarianism, however, that marked the limit of Milton's position on toleration. He excluded Catholics, since he saw the papacy as representing the epitome of tyranny, violence, and idolatry, and distinguished himself as a polemicist even during Cromwell's campaign against the Irish. On the whole, however, Milton developed the idea that religious tolerance is constitutive of, and beneficial for a free society, and freedom is necessary for a healthy life of the human soul and intellect. This is part of the reason he has been regarded by Whig historiography as a forerunner of Locke and, together with him, a point of reference for the drafting of the Constitution of the United States of America.

In 1644, Milton addressed the issue from a particular point of view in *Areopagitica*. Published in response to the parliamentary decree of preventive censorship proposed by the Presbyterians, this pamphlet was an impassioned protest against any limitations on the free expression of ideas. It was based on the thread of a very specific, modern vision of intellectual work. Such work is conceived here as a 'sort of demiurgic creative act', in which the book appears as a 'living creature, an image of God somehow endowed with its own perennial eternity'; as such, suppressing books is tantamount to murder. His statement is memorable:

To kill a good book is almost the same as killing a man. And in a certain sense it is even worse [...] because whoever destroys a good book destroys reason itself, destroys – I would almost say – the pupil of that divine image.<sup>31</sup>

This idea was part of a fully fledged fallibilist conception, on the basis of which Milton claimed ‘before all freedom, the freedom to know, to express myself, and to discuss freely according to conscience’ as a necessary factor of human progress. Conversely, in a significant reversal, it was outward adaptation to the opinions of others that represented heresy for the poet. Indeed, the innocence of will and conscience was a fixed point in Milton’s radical ethical vision. He therefore considered censorship in the political sphere detrimental to the spirit of Parliament; in the scientific sphere, he saw it as an impediment to the possibility of making new discoveries – the case of Galilei showed how constraint ‘extinguished genius’. Milton celebrated London, ‘the abode of liberty’ and discussion, as an ideal venue for the symphony of opinions. In response, a warrant was issued for his arrest – although it was not executed.

These texts helped to give a definite form to the heretical Antichrist execrated by conservatives with their blistering and virulent propaganda. The sects were portrayed by Thomas Edwards, in his violent book, eloquently entitled *Gangraena* (1646), as the architects of the subversion of the entire political, social, and religious order in force at the time; freedom of conscience was in turn the ‘weapon’ of their subversive action: ‘Toleration is the supreme design of the devil, his masterpiece [...] it overthrows all relations, political, ecclesiastical and economic’, leading up to the triumph of atheism.<sup>32</sup> Thomas Case expressed similar fears. In 1647, he declared to the House of Commons that

in time they may come to know also [...] that it is their birthright to be free from the authority of Parliaments [...] and kings, and they will take arms against both [...]. Freedom of conscience, which is deceptively so called, may at some point evolve to become freedom of property, and freedom of family, and freedom of wives.<sup>33</sup>

This is why Samuel Rutherford, in *A Free Argument Against the Pretended Freedom of Conscience* (1649), legitimised the idea that magistrates, called upon to act as a bulwark for Christian society, should destroy the false doctrines infecting the Church – in this case, as well, equated with blasphemy and idolatry.<sup>34</sup> Behind this religious clash lay the problem of the deep political vacuum created by the collapse of the traditional Church’s magisterium and civil authority, as the Presbyterians were terrified that this vacuum would be filled by anarchy.

The ‘radical galaxy’ was, indeed, in England as elsewhere, magmatic and open to experimentalism and contamination, characterised by an anti-authoritarian and fallibilist attitude. It showed a doctrinal extremism liquidating essential Christian principles, a passionate faith in the universality of grace and human rights, and a propensity for apocalypticism and inspirationalism, with all their egalitarian and subversive impetus. There was also a strong, if not prevalent, political interest in moving towards democracy. What made this all the more subversive was the sectarians’ formidable ability

to create a powerful revolutionary imagery, disrupting the public scene with their transgressive actions.

Radicalism penetrated all social strata, but mainly the lower ones, fuelled by both traditional heterodoxy and the severe economic crisis of 1620–50. It overflowed from the pulpits and printing presses into the squares and taverns, from the city to the countryside, and even into Cromwell's army: according to the Presbyterians, it was 'a vermin swarming and holding conventions in haystacks and cellars, preaching (or raving) in the woods, in the fields and stables, some in the hollows of trees, some on barrels, some on tables'.<sup>35</sup> With the increase in the number of masterless men (vagabonds, beggars, peasants, soldiers, sectarians, etc.), a mass of 'potential dissolvers' of the traditional order broke into religious and political spaces.<sup>36</sup> So did women, and on a massive scale. The involvement of the 'lowest and unknown people of the world' in this struggle brought them individual empowerment in the efforts to change society.<sup>37</sup> This was a right felt and claimed *by all and for all*. Hence the clear repudiation of all normative and coercive ecclesiastical institutions, and proliferation of independent, free, and democratic religious communities. Hence also the subsequent formulation of alternative models in the political and social spheres. The osmosis was often inevitable, so much so that it led to a call to democratise society in all its structures, and even the establishment of common property.

The banner uniting this disorderly army was the demand and practice of religious tolerance and individual freedom, considered foundational elements. Various factors contributed to this, starting with the widespread phenomenon of prophethood. The direct inspiration provided by revelations and visions had the power to affect all individuals and render the charismatic independent of, and superior to, both ecclesiastical and political authority. Commoners and labourers alongside members of the aristocracy thus took on a leading role in the Revolution by virtue of their charisma, intervening at crucial moments with predictions that the millennial kingdom was about to arise. The Fifth Monarchists and Quakers, for example, claimed that Christ would reign in all human beings, enabling the construction of a free, democratic, and republican society emancipated from aristocratic and ecclesiastical tyranny.<sup>38</sup>

The right to preach and minister on a voluntary basis was extended to all believers, men and women alike, representing a further expression of freedom. As ministers were no longer economically dependent on the faithful due to the abolition of tithes and the pastoral office, they were guaranteed independence from the community. Moreover, the same libertarian principles applied at the community level as well.

Women also took advantage of such freedom. Thanks to the spiritual equality accorded to them within the sects, they engaged in vigorous proselytising and organisational activities, as well as publishing and philanthropic enterprises, intervening in revolutionary events with prophecies or numerous petitions to Parliament (mainly anti-war and anti-tithe). In addition to

political and religious claims, demands were sometimes made for autonomy from male authority. Women's activities and writings created a dense network of communication among families, classes, geographical communities, traditions, and cultural models, contributing to the construction of the modern civil and state dimension.<sup>39</sup>

On the whole, however, libertarian practices and ideas were intrinsic to the sects. In the case of the Diggers, they were linked to communist demands.<sup>40</sup> The leader of this group was the haberdasher Gerrard Winstanley, a figure of formidable intellectual lucidity who engaged in fiery preaching against the tyranny of clerics and lords. His battle was based on the assumption that 'true republican liberty consists in the free enjoyment of the land'. He implemented this principle by squatting uncultivated land in Surrey, Kent, Buckinghamshire, and Northamptonshire, thus aggravating the already blatant infringement of property rights. This experiment was soon suppressed by the army at the request of landowners and shepherds, and the sect was persecuted from then on. Their utopian project was later articulately outlined in *The Law of Freedom in a Platform* published by Winstanley in 1652. Here, the 'law of liberty' translated into setting up a society governed by egalitarian and rational laws, aimed at guaranteeing the freedom and dignity of all people through the communal use of the land. Traditional state, society, church, and theology were eliminated – and, with them, the prerequisites of intolerance. Winstanley's aversion to theology was radical and politically, socially, and culturally motivated: likened to an 'all-tongue and no-hands monster' due to its extraneousness to empirical knowledge, he saw theology as hindering knowledge of God and the expression of natural rights and, even worse, a 'fraud' committed by ecclesiastics to preserve their monopoly over the sacred and the oppression of the people. The 'invention' of sin and the afterlife was instrumental to this logic of subjugation, he argued, distracting people from the transformation of reality: 'While men look up to heaven, dreaming of happiness, or fearing hell after death, their eyes are plucked out, so that they do not see what their innate right is, and what they must do on earth'. Winstanley contrasted the official church with the 'republican clergy', composed of democratically elected secular officials and disseminators of secular and scientific knowledge who served to protect the law against religious persecution ('no man shall be molested for his religious ideas or practices, provided he disturb not the peace of the State') and to establish universal religious toleration. Indeed, Winstanley envisaged salvation as universal, available to all humankind, on the basis of a conception that was itself highly subversive, centred on a materialistic pantheism and the prediction that a millennial world would come about where humans would regain their primitive conditions and live according to the omnipresent divine law of reason and freedom.<sup>41</sup>

A frontal attack on the foundations of Christianity was also launched by the Ranters.<sup>42</sup> The sect of the Ranters, a melting pot of mechanic preachers, intellectuals, theologians, and commoners of various orientations

(libertine, pantheist, spiritualist, etc.), advocated for social coexistence and a model of interpersonal relations involving extraordinarily modern and ahead-of-their-time conceptions of individual freedom. The cornerstone of their revolutionary conceptual system was ‘practical antinomianism’, i.e. the concrete enactment of sin as a means of emancipation from the prevailing model. Indeed, they considered sin to be a political and ecclesiastical invention to control the masses and guarantee the existence of the state and church by subjugating people to constrictive moral rules. The method they proposed for eliminating such rules was the programmatic transgression of all ‘honourable things’. The Ranters thus gave themselves over to free love, adultery, blasphemy, drunkenness, theft, and lying, but they also fought against inequality and the tyrannical oppression of the powerful on behalf of all humankind, in view of the universality of salvation and divine enlightenment within a millenarian perspective. Their proposal for a ‘libertarian and Dionysian utopia’ found expression in various works, including Jacob Bau-thumley’s *The Bright and Dark Side of God* and *A Single Eye: All Light, Not Darkness* by Laurence Clarkson.

Due to their ideas and the fact that they were widespread, the Quakers seemed equally subversive of society. The Society of Friends, the original name of the sect created by the weaver George Fox in 1648, achieved rapid popularity throughout the country, becoming almost as numerous as the Catholic community; the more than 1,000 pamphlets they published reached not only Europe but also the Ottoman Empire and America. There, William Penn founded the colony of Pennsylvania where religious freedom was the foundation of the state in line with his famous pamphlet *The Important Case for Freedom of Conscience* (1670).<sup>43</sup> One of the elements that proved highly attractive was the absolute centrality Quakers assigned to spiritual experiences involving visions, revelations, ecstasies, and cathartic journeys permeated by a mystical fervour so ardent as to make them ‘quake’ or ‘tremble’ before God. A heralding of the next millennium dominated their predictions. Fox himself traced his conversion back to a mystical experience of the living Christ within him, and his preaching took on extra impetus following the solar eclipse of 1652, as this event was seen as confirmation of Joel’s prophecy about the propagation of the divine Spirit in the world and its imminent end. From his experience of enlightenment, Fox derived the idea that the Messiah has a spiritual omnipresence in all human beings, regardless of their religion, and a commitment to full freedom to worship or manifest inspiration, with the certainty of universal salvation through inner faith. He also deduced from this the position that all institutional forms of worship, secular and ecclesiastical, along with compulsion, are to be rejected in the name of hardline pacifism. Fox did not merely theorise this position; despite his pacifist ideals, he engaged in provocative acts of insubordination towards religious and civil authorities, social norms and conventions, and practices of persecution, with the aim of completely overturning the world.

In Quaker communities, devoid of dogmatic and institutional structures, and free and egalitarian by virtue of shared charisma, women played a leading role as prophetesses and preachers: this gave rise to a veritable 'Commonwealth of Daughters'.<sup>44</sup> Fox's own wife, Margaret Fell, laid out a theoretical justification for women's right to speak in the famous text *Women Justified to Speak* (1667), putting this into action by petitioning all sorts of institutions and then Charles II. Some, such as Barbara Blaugdone, Katharine Evans, Sarah Chevers, Mary Fischer, and Mary Dyer, implemented this idea energetically, preaching in England and America and suffering harsh persecution for it: Dyer, for example, was executed in Boston, and a statue was later dedicated to her as a symbol of freedom of conscience. Repression also marked the life of the Quaker movement, both in their homeland and the colonies.

From 1650, however, it was Anna Trapnel, a follower of the Fifth Monarchists, who stepped onto the European prophetic stage with impressive predictions.<sup>45</sup> By that point, the English population, shocked and weakened by years of traumatic upheavals, had come to fervently await the coming of the millennium. The Fifth Monarchists were the most disruptive expression of this tendency. This sect of 'saints', popular among textile workers, artisans, and women, fought against the elites and clerics in the name of freedom, justice, and equality, with an expectation of establishing the messianic kingdom in 1666 (according to prophetic texts, the number 666 marked the end of tyranny). They also assumed an important role in the course of the Revolution, however, intervening in the choices made during the fateful years 1649–53.

In the struggle for tolerance and freedom, the New Model Army played a decisive role due to its political centrality in the institutional redefinition of the country.<sup>46</sup> The army was dominated by independents, Levellers, and sectarians who, initially, held differing views. The independents held moderate positions in favour of tolerance and the extension of suffrage, but within the framework of Protestantism and the existing social order based on property and tradition. The position of Cromwell was emblematic of this. He was a staunch defender of freedom of conscience, considering it to be one of the fundamental and natural rights of man, but legitimised the existence of an official church and the regulatory authority of the state towards Catholics and extreme religious non-conformists (atheists, anti-trinitarians, blasphemers, etc.) for fear of political and social subversion. For the Levellers and sectarians, on the other hand, individual liberty was combined with full religious tolerance as part of an organic conception of political citizenship and democracy inspired by principles of contractualism and natural law, and expressed by the institution of universal male suffrage. As a result, they rejected the idea that magistrates should exercise power in spiritual matters and, indeed, the idea of a Christian state *tout court*.

These divergences between the various currents were relegated to the background, however, in view of their common fight against the Presbyterians' determined and widely supported project to restore monarchical (under

the aegis of Parliament) and ecclesiastical power in the country – as tellingly represented by the 1646 Bill against Heresy. The propaganda battle was fierce on both sides, but it was the dissenters who suffered persecution. Their platform was expressed by Richard Overton, founder of the Levellers, as well as by Walwyn, Goodwin, and John Lilburn, the most radical of the group and author of the important *Legal Fundamental Liberties of the People of England* (1649).<sup>47</sup>

The Levellers' most incisive action, however, came in the arena of the Putney debates of October 1647 and at Whitehall the following year. Here, it became apparent that there was disagreement between the independents and moderates, led by the army grandees – Cromwell and Henry Ireton in the lead – and the Levellers, a majority among the agitators, and a sort of trade union representatives for soldiers. At Putney, the lively discussion focused on institutional reorganisation, touching on highly important and Modern problems of political philosophy that were set out in the *Agreement of the People*, the first ever historical example of a written draft constitution. The document envisaged the creation of a republican and democratic state elected by male suffrage and with a fair distribution of taxes, the closure of the House of Lords, the abolition of the State Church, and the establishment of freedom of religion without interference from civil power, since

All that concerns religion and worship cannot be surrendered by us to an earthly power, since we cannot without committing a wilful sin renounce even in the smallest degree what our conscience declares to be the will of God: moreover, the teaching in this matter to the whole nation – but never by force – remains entrusted to conscience.<sup>48</sup>

However, the *Agreement* was rejected by the Parliamentary Assembly and Grandees, the Whitehall meeting deepened the rift between the two sides, as they clashed on the issue of toleration – a touchstone for the overall vision of the state. The new *Agreement of the People* was written in 1649 in prison by Lilburne, Overton, and Walwyn: it prohibited Parliament from placing limits on freedom of faith and worship and on access to public office (with the exception of Catholics).

The scene changed again that year. Threatened with dissolution, the New Model Army had imposed a purge of strict Presbyterians in Parliament, and in 1649 the assembly voted resoundingly for the execution of the king and the proclamation of a Commonwealth, the united Republic of England, Scotland and Ireland. The *deus ex machina* of these events was Cromwell: due to continuing clashes with Scotland, Ireland and the radical opposition, he had the *Blasphemy Act* and the *Act for Relief of Religious and Peaceable People* enacted in 1650 to exclude Catholics, non-Christians, atheists, and religious extremists from tolerance. On the whole, however, Cromwell's religious policy was relatively tolerant, in line with the positions he expressed in the *Instrument of Government*. In the Cromwellian age, therefore, many

dissidents continued to enjoy widespread tolerance in practice. The treatment of ‘papists’ was much harsher, as they were brutally repressed in Ireland and opposed in the European theatre through alliances with Protestant states.

The toleration regime was extended *de facto* to the Jews as well.<sup>49</sup> They were readmitted to England in 1656 thanks to Cromwell and following a lively public debate, with Williams, Robinson, and Overton speaking up in their favour and, above all, the Dutch Rabbi Menasseh ben Israel exerting pressure. In *Hope of Israel* (published in Amsterdam in 1650 with a dedication to the English Parliament, and promptly translated), the rabbi expounded his admirable universal irenic project according to which all religions are legitimised by their observance of the sole moral law of nature. The fervent messianic hopes that pervaded the Jewish world at the time gave impetus to this: the discovery of alleged descendants of the ten lost tribes in Colombia was seen as proof of the presence of the Jewish people throughout earth and, in turn, of the imminent advent of the Messiah. These hopes converged with those of English millenarianism, which was widespread among the majority of pastors as well as sectarians. The return of Jews to the country was embraced with a view to converting them – their conversion was considered inevitable once they learned about the ‘pure Reformed religion’ – as a prelude to establishing the millenarian kingdom. The expectations of Christian millenarianism and Jewish messianism long nurtured by Christian Jews and Jewish Christians,<sup>50</sup> as well as radicals, reached their zenith in 1656 because that was the date of the fateful event. In the summer, London seemed to be pervaded by a frenzy of anticipation of the apocalyptic event. Ben Israel went there to make England a refuge for all persecuted Jews in Europe in the prospect of universal reconciliation. His irenic dream foundered, but the following spring Jews were allowed back into the country without restrictions on trade or worship, and the synagogue and a cemetery were reopened. The unofficial regime of tolerance then established remained a fixed point in the history of Jewish people in Britain. No law was enacted concerning their legal status, thereby leaving them with a special position, as neither citizens nor foreigners, and an existential dimension of Otherness in relation to the population. They did, however, obtain important privileges – such as becoming merchants and brokers in the Mercantile Exchange – that fostered their entrenchment in English society.

Appreciation of their cultural tradition was expressed in the sphere of republicanism, with important implications regarding speculation on freedom. In 1659, James Harrington published his utopian work *Oceana*, in which, like Milton, he made the Jewish political model the keystone of the republican conception. Individual freedom, linked to land reform, was a foundational element of this vision. Harrington, however, was not equally benevolent towards the Jews of his time.<sup>51</sup>

Nonetheless, other problems were weighing on England. After the failure of Richard Cromwell’s protectorate, the return of Charles II Stuart to the English throne in 1660 inaugurated the Restoration.<sup>52</sup> The sovereign was

obliged to sign the Declaration of Breda, committing him to respecting freedom of conscience and religious ideas as long as they were not subversive to the state. However, the need for peace and social order after the revolutionary years prompted Parliament to re-establish the State Church, the obligation of uniformity, and strict limits on dissidents (a prohibition on meetings, teaching, preaching, and access to public office) through a series of legislative provisions known as the *Clarendon Code* (*Corporation Act, Uniformity Act, Conventicle Act, Five Mile Act*), enacted from 1661 to 1665. A special law was applied to the Quakers in 1662. However, the situation improved for the Jews, and they were allowed to regulate their community independently from 1663.

The need for pacification gave rise to moderate latitudinarianism on rationalist grounds within the Anglican clergy but also beyond: this position was respectful of the State Church, but open to freedom of conscience in accordance with the higher principles of reason. Its main exponents were Jeremy Taylor, Edward Stillingfleet, and Joseph Glanvill with their *The Liberty of Prophesyng* (1647), *Irenicon* (1659), and *The Vanity of Dogmatizing* (1661), and the Archbishop of Canterbury, John Tillotson. The cultured, aristocratic circle of the Cambridge Platonists granted impetus to this perspective, but it was Newton's scientific thought that offered the most valid support, with his idea of a universe governed by immutable laws and consistent with the harmonious and rational order created by God: an idea that, in the minds of many, overturned the notion of Christianity founded on nature and reason as posited in particular by the Anglican Church.<sup>53</sup>

The debate on tolerance also developed in other, innovative directions as it branched out into the continent. In the 'crisis of the European conscience', it was thinkers such as Locke, free-thinkers, atheists, materialists, deists, or scientists who imbued reflection on this topic with a different rhythm. At the same time, a climate more tolerant towards religious non-conformists was established in England, due in part to the singular convergence between the interests of non-conformists and Charles II's intention to favour Catholics in agreement with Louis XIV. In 1672, Charles II proposed the *Declaration of Indulgence*, freeing public officials from official adherence to the State Church. It was rejected by Parliament, however, as this body acted as the guardian of the nation's Protestant identity, passing the binding *Test Act* instead. Aversion towards Catholics turned into hysteria with the denunciation of a (non-existent) conspiracy in 1678, which was followed by numerous death sentences. New contingents of exiles left for the lands of America and Holland, but at home, the search for practical compromises between the various religious components continued.

The tug-of-war between Parliament and the Crown became more intense in 1685, when James II, a Catholic committed to an absolutist policy, ascended to the throne. His imposition of a new Catholic-friendly *Declaration of Indulgence* in 1687, and fear of the establishment of a Catholic dynasty with the birth of a male heir precipitated events: in 1688–89, the

Glorious Revolution brought the Stuart era to a close with the installation of William III of Orange on the throne.<sup>54</sup>

In the same year of 1689, Parliament enacted the *Bill of Rights*. Signaling the establishment of the constitutional monarchy in England, this bill guaranteed political rights and individual religious freedom, and definitively turned away from persecution for reasons of faith and adherence to the State Church. The crowning achievement of this approach was the enactment of the *Toleration Act* in 1689, which marked a milestone in English history. Freedom of worship, preaching (with a government licence), and teaching was sanctioned for non-conformists, but not for Catholics or anti-Trinitarians, while access to public office and university was barred to all. The act did not legitimise freedom of religion in the Modern sense, but it did signal an important break between loyalty to the state and religious affiliation, and eliminated the exclusivism of the Anglican Church. It went on to become the legal basis for religious coexistence in England. Radicals and Catholics were emancipated in 1828–29. The *Toleration Act* sanctioned, in conclusion, a regime of religious toleration that entrenched the idea and practice of civilised coexistence in the country, despite its limitations and functionality in preserving a precise model of the British state.

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- 47 Overton wrote the *Large Petition* and *The Aignment of Mr Persecution*; Walwyn, *A Help to the Right Understanding of a Discourse Concerning Independence, A Whisper in the Eare of Mr Thomas Edwards Minister*; Goodwin *Hagiomastix*; J. Taylor, formerly a member of the *Tew Circle*, systematically demolished the principles of the *Bill* against heresy in *Theologia Heklektikh*.
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Part II

# From religious toleration to political freedom



## 5 The 16th century

### Community, civic religion, and the need for toleration

#### Toleration

The history of religious tolerance has shown that in modern Europe, tolerance is a concept that thrives as an antonym of intolerance.<sup>1</sup> Intolerance signified claiming the right to prevent the practice of religions incompatible with the dominant religious and political orthodoxy in a nation. In some cases, it even legitimized the attempt to ban in another territory the practice of worship judged false compared with the assumed universal truth of its own. An example of this was the Spanish intervention in support of the *ligueurs* in France in the second half of the 16th century. However, recent historians and philosophers have introduced a further distinction within tolerance: namely, between *tolerance* and *toleration*.

Toleration defines the attitude of disapproval towards an individual or minority group of dissidents adopted by a power that claims the right to repress doctrines and worship considered heretical in terms of its own orthodoxy, but that may also arbitrarily waive the exercise of such a right.<sup>2</sup> According to this line of research, the attempt to allow multi-confessional societies to coexist was independent from the set of doctrines on tolerance developed by the elites and the intellectuals.<sup>3</sup> From this perspective, toleration was the set of practices that permitted minorities to have their own religion and enabled the peaceful coexistence of people of different creeds within the same country or city. It was ‘an issue not just for intellectuals and ruling elites, but for all people who lived in religiously mixed communities’.<sup>4</sup> But why did it sometimes prevail and at other times succumb? Such practices could be immediately banned or could endure at length, but they were always overshadowed by the looming threat of an arbitrary and not unexpected change of policy, possibly leading to a pogrom which one had neither the right nor the strength to oppose. In the Christian States, toleration was a path of negotiation between minorities and the majority, but underlying it was the clash of enemies. It seems doubtful that toleration, or the permission to practice a religion other than the dominant one, could be identified with ‘peaceful coexistence’ and that toleration did not have theoretical support. Toleration largely ensured only a fragile coexistence in the modern confessional States

that maintained the Constantinian and Augustinian foundation of the Christianisation of the empire.<sup>5</sup> The awareness of the impasse in which the discourses on toleration and on tolerance had got into called for a new response to intolerance.

### Community and civic religion

It may seem surprising, but from our perspective, the Renaissance world of utopias is marginal to the history of tolerance. Not because the utopias were not tolerant societies, but because their tolerance was produced by an original system of norms established in time immemorial that did not allow opposition to emerge. In Thomas More's *Utopia* (1516), conflicts had been eliminated by the abolition of private property, which was later taken up even more decisively in Tommaso Campanella's *The City of the Sun* (1602). The State of the utopias was not based on religion but on the laws of natural reason, which could be joined by other beliefs without entering into competition with it. Their organisation appears to have been the policy of an abstract rationalist theocracy. In a world where States were founded on Christianity, the utopias mapped out impossible societies in which religious passion was absent. In decades dominated by the violence of and religious myths and social conflicts, the utopias had the consoling quality of the island that Don Quixote promised to Sancho Panza.<sup>6</sup>

The community to start from is that of the city. Up to Martin Luther, the European religious and political order had been monolithic. Neither the Church nor the Empire accepted heresies or powers other than their own universalism. The hierarchical subordination to unity was made up of the *continuum* between the parts that integrated with each other in the order generated by nature and not by the will of the *dominus*.<sup>7</sup> From the Late Middle Ages, the growing social and political tensions were settled and unified through the *corpus christianum* that was formed by the renewal or creation of public institutions and religious practices, such as hospitals, confraternities,<sup>8</sup> processions and flagellations, and the cults of saints.<sup>9</sup> These structures had the function of curbing and resolving the tensions between groups within the community.<sup>10</sup> If a community without religion was inconceivable, in the same way, Christianity could not exist without a community, without social forms of worship.

There can be no religious society, whether the religion be true or false, without some sacrament or visible symbol to serve as a bond of union. The importance of these sacraments cannot be overstated and only scoffers will treat them lightly. For if piety requires them, it must be impiety to neglect them.<sup>11</sup>

The first condition was definition of and respect for religious purity, ensured by the rituals and based on the doctrine of the bloody sacrifice of the death

of Christ and the rationale of the *satisfactio* as a sacred foundation. The desire to defend the purity of the communities as evidence of the truth greatly strengthened the need for the rectitude and uniformity of behaviour of their members.<sup>12</sup> The individual was offered maximum security in return for maximum adherence to the laws. Whether it was voluntary, as Max Weber sustained, or born of necessity as proposed by Simmel, the *Gemeinschaft* aimed to obstruct the inclusion of 'outsiders', to monitor the internal religious and moral lifestyle of its members, and to select the forms of participation in public life.<sup>13</sup>

These groups found their roots in the history of the apostolic communities, the model of religious and moral purity on which they anchored their nature.<sup>14</sup> The *corpus christianum* represented social unity in a space between Church and State in which the social conflicts – of kinship, wealth, status, and devotion – were refracted. Here, the ritual reappropriation of common Christian purity could open up a dimension of concord but not of tolerance. The communities built their cohesion within a social and political totality that integrated multiple and diverse groups in its vertical structure. Faced by the anguish of salvation and the common need for daily practices consistent with the fear of death,<sup>15</sup> the new form of the sacred that emerged was the sacralisation of the community.<sup>16</sup> In this representation of communal life, Christianity assumed the function of civic religion.<sup>17</sup> Religious and municipal functioning were intertwined, and the city elites played an active part in the management of both.<sup>18</sup> The communities were based on a general system of joint responsibility<sup>19</sup> that coordinated the multiple symbolic functions – religious, economic, social, and moral – and directed them towards the *salus populi* of the *Gemeinschaft*, both worldly and otherworldly. Alongside purity, there was also the idea that trust was indispensable, albeit grounded in the shared religious tradition. However, had they developed a different image of ideal purity, they could detach themselves from it. Civic religion believed in purification and Christian devotion, but its theological content was shaky, and it had no clergy. The community – from the village to the nation – found the premises of its historic identity through the meshing of sacred and profane history in civic religion.<sup>20</sup> They had distant origins that did not depend on sovereign will: not a pact between independent individuals, but networks of family, religious, and professional traditions that claimed the independence guaranteed by the mesh of privileges recognised by the *ancien régime* State; they had a public character that made up the political fabric enveloping State authority. Civic religion was a political and cultural force through which the genesis of the community was expressed, its symbolic and practical life organised, and its purpose shared. This made it possible to build the sense of belonging to the community and give Christian form to 'a corporate or national constitutionalism of corporative or nationalistic inspiration', which may have reached down to the lower levels of society, but 'it was essentially the preserve of the dominant and vocational groups in the State'.<sup>21</sup> In this way, society found its own religious, juridical, and historical definition, and

what made it similar to or different from other societies.<sup>22</sup> There were two dimensions of loyalty at work in civic religion. Political power was homogeneous to these groups and interacted with the multiple communities through a dual circuit of trust, vertical and horizontal. One was the sharing of political values, which was horizontal. The other was the administrative management of the constitutional norms, which was vertical.

In these societies, there was no tolerance, in the sense of recognition of the autonomy of the individual conscience as later claimed by dissidents in the second half of the 16th century. Instead, there was the coexistence of different religious communities that were required to maintain public order and increase the welfare of the State. Each of these communities adopted the function of representative of its members. It was, so to speak, a religious community pluralism that was ruptured by the Reformation and the new contradiction between individual freedom and communitarianism proclaimed by Luther. Religious power had been the bedrock of political power, but after 1517, it created rifts rather than unity.

When it became clear that it was precisely the religious aspect, which had built the community, that had caused the crisis of trust, a different path towards saving both the community and the individual was sought. At the same time, there emerged the problem of heresies, namely the rejection of the dogmas of the Trinity, Justification, and the Holy Supper, and the question of tolerance. This entailed rejection of the representation of Augustinian and Thomist Christianity and the policy of confessionalisation. The world of heresy, therefore, rested on apostolic Christianity without Christian politics; the tolerance it demanded and defended was that of an extremely latitudinarian Christianity, to the point of becoming irenicism and indiscriminate openness towards all creeds, as happened with Socinianism.

### **Forms of toleration**

The explosion of the Reformation transformed the living conditions of the communities. This could be immediately seen in Switzerland.<sup>23</sup> As early as the 1520s, the magisterial churches of Ulrich Zwingli and then John Calvin marked the path whereby the affirmation of the faith expanded to internal control of the church and then to control of the public space, until it became a political institution.<sup>24</sup> The initial exchange between Reformed groups morphed everywhere into a conflict of majorities and minorities, orthodoxy and heresy. Firstly, they were fingered as enemies of the faith and later as public enemies, with the reciprocal backing of political and religious power. The match played out on the question of the 'true church' was not just theological but political. The victorious reformers appropriated civic religion, assuming political leadership of the theocracies thus formed<sup>25</sup> and justified their brutal persecution through recourse to the Old Testament. This characteristic of the 16th-century clash emerged sensationally in the justification that Calvin adduced for the condemnation of Michael Servetus. Calvin opposed the

Lutheran predilection for the New Testament with the inspiration of the Old Testament, and based on this model the Protestant right to persecute heretics, who were judged as false prophets and blasphemers.<sup>26</sup> This Old Testament bedrock brought together various symbolic aspects: the representation of the just but implacable deity, and the nature of the community, which hinged on religious difference; the right to persecution was matched by the experience of martyrdom as salvific evidence of faith in divine justice and proof of the truth of belief.<sup>27</sup> The sects did not accept martyrdom in principle, except when they felt that they were in the situation of the first Christians. This was not the mechanical revival of a mythical legacy, but its active development, which, at the height of the conflict, converged in the affirmation of a new Christianity.

In the Catholic world, on the other hand, upon the conclusion of the Council of Trent, the uncertainty and violence of the arbitrary reason of State interpretation of toleration were seen in the horrible massacre of Protestants that took place in Valtellina in 1620. In 1526, in Raetia (now Valtellina), the confederal republic of the Three Leagues had accepted Catholic and Protestant bi-confessionalism and was, for around one hundred years, an extraordinary theological experience.<sup>28</sup> It was the first bi-confessional State in Europe because the Anabaptists were not accepted. Two different ideas of the Christian myth and apostolic community life at length found paths of coexistence. The Protestant communities of Valtellina were idealised as ‘a paradise of customs and faith’ because they melded the Lutheran freedom of faith with practice.<sup>29</sup> The conflicts of everyday life were tinged by different beliefs and brought the precariousness of these relations to the fore. European history resonated within these communities, which appeared to be awaiting inevitable persecution and martyrdom, almost aware that the symbolic violence that surrounded them would not be long in becoming bloody. After almost a hundred years, the Republic of the Three Leagues was destroyed with the violence of a species of pogrom launched by the Catholics against the Protestants in the early phases of the Thirty Years’ War.

The orthodoxy in power no longer tolerated coexistence with heresy. Sometimes the coercion to conversion was less dramatic, but no less brutal. From the end of the 16th century in South America, the Jesuit missionary strategy of adaptation gained precedence and tolerated forms of syncretism with local customs and beliefs.<sup>30</sup>

## **Leghorn**

The ineradicable uncertainty of toleration was heightened by growing confessionalisation; nevertheless, it could sometimes be sidestepped. An example is the *Livornine*, the laws issued by Ferdinand I de’ Medici in 1591 and 1593 to populate Leghorn (and Pisa).<sup>31</sup> Not many years earlier, ghettos had been established in Florence and Siena. In Leghorn, the opposite approach was taken, encouraging the arrival of craftsmen of all nationalities and religions,

excluding only ‘labourers and diggers’.<sup>32</sup> The objective was to stimulate a general immigration from abroad to increase commercial trade, even in the midst of a severe agricultural crisis. The goal was achieved: in 1591 Leghorn had a population of 530, but by the end of the 17th century the number of inhabitants had risen to 12,000. Privileges were granted, including facilitation in finding housing, setting up a business, and freedom of worship.<sup>33</sup> The grand duke had realised that relaunching the economy called for social and cultural energies that had to be granted autonomy. Numerous communities emerged – Jewish, German, French, English, Greek, and Armenian – each with its own places of worship and cemetery. The settlement of Spanish and Portuguese Jews was particularly encouraged. The internal organisation of the communities was independently managed;<sup>34</sup> their civic relations were regulated by the laws of the grand-ducal State, which took care to prevent sexual and matrimonial relations between the different *nationes*. Relations among those communities were controlled by political power. Prosperity and tolerance were two sides of the same project, which appeared to transform Leghorn into ‘another Geneva’.<sup>35</sup> The *Livornine* did not remove arbitrariness from political agency, but with the rules of toleration, the Medici State identified a different path of coexistence alongside the ghettos which had been created in Florence and Siena.

### Beyond Europe

The toleration perspective also emerged from comparison with countries beyond Europe. The fact that tolerance and religious pluralism existed in the Eastern empires where religion was considered monotheist, such as Turkey, Persia, and China, sparked reflection on the structures of Christianity, as studied, for instance, by Rolando Minuti and Malcolm Noel.<sup>36</sup> Knowledge of these empires led to the discovery of possible rules of toleration and the fact that it was a political issue as well as a religious one.

The model of toleration appeared to have been successfully constructed in the Turkish Empire.<sup>37</sup> In an approach that favoured the trans-imperial space, sights were trained on the horizontal interaction between communities and the vertical interaction between the communities and the State.<sup>38</sup> The strategy of coexistence was conceived and implemented as a convenience tactic.<sup>39</sup> Rather than a mosaic of communities (*millets*) as monads without contacts, the Ottoman Empire succeeded in creating a practice of toleration in which the *millets* interacted in a pluralist society,<sup>40</sup> where the absence of persecution of the non-Muslim communities allowed the empire to control and benefit from their presence. Reducing the conflicts of inequality and power merely to categories of tolerance or intolerance is inadequate. Like persecution, conversion, or expulsion, toleration was a practice of control aimed at the affirmation of central imperial power. It was a form of negotiation that never led to the granting of citizenship, and the integration of the diversities was never equal.

This is how travellers spoke of it. In the *Relation d'un voyage fait au Levant* (1665), Jean Thévenot expressed the traditional anti-Islamic approach while admitting that Greek and Christian communities enjoyed freedom of worship and the right to preach, since 'the Turks place no obstacles in their way, so that everyone is free to practice their own devotion'.<sup>41</sup> Paul Rycaut was at once more hostile and more attentive to grasping the forms of a tolerance that he traced back to the relation between Mohammed and Christianity. He attacked Islam for being an intolerant religion, explaining that although Christians were free to practice their creed, they were forced to lead a very difficult life since 'the tolerance that the Turks have for their religion is torture and persecution rather than a grace or a favour'.<sup>42</sup> A similar view was expressed in Jean-Baptiste Tavernier's *Six voyages en Turquie, en Perse et aux Indes* in 1676, and above all by the French Huguenot Jean Chardin, who travelled in Persia and whose fascinating work, completed in 1711, enjoyed vast success. He clearly expounded the crux of the issue, which lay in the fact that despotism offered the political solution to the tolerance question. Persia was a country that was even more despotic and cruel than Turkey; nevertheless, 'the tolerance [of the Persians] for religions they consider false or rather abominable' was indisputable.<sup>43</sup> The Jesuit missionaries, in their turn, identified the same coexistence of despotism and tolerance in the Chinese Empire. In 1696, in *Nouveaux Mémoires sur l'état présent de la Chine*, the Jesuit Louis Lecomte presented China as an ordered and tolerant country because the imperial edict of 1692 had given the Jesuits the freedom to worship and preach. However, his argument was the opposite of Chardin's. Lecomte admitted that the Chinese Empire tended to close its frontiers to alterity and not to countenance tolerance, which had been exceptionally granted to the Jesuits by the emperors who had appreciated their scientific and religious knowledge. It was a way of defending the position of intolerance, which might envisage arbitrary exceptions. In his critical comparison with Eastern civilisation, Chardin launched a critique against Western practices: 'In the East, the Christians learn to keep the peace and maintain good relations among themselves, despite the diversity of their religious sentiments'.<sup>44</sup> This was a bitter pill to swallow.

### Reason of State without tolerance. Botero and Althusius

The Catholic and Reformed confessional worlds employed the same strategy of intolerance, which was to shatter religious toleration. The reason of State aimed to impose what we could define as a theocratic State (monarchic or republican) in which power was subordinated to religion.<sup>45</sup> The prince held *potestas indirecta* from the deity through the mediation of the priesthood, and there was no space for multiconfessionalism.

In *The Reason of State* (1589), Giovanni Botero exhorted the sovereign to 'humble himself with his whole heart before the Divine Majesty and acknowledge that the kingdom and the obedience of his subjects come from

him' through the 'ministers of the sacred'.<sup>46</sup> Consequently, it was indispensable that every political 'deliberation' should be examined 'first in a council of conscience to which outstanding Doctors of theology and canon law belonged', because it was the Catholic religion that subjected to the princes

not only the bodies and faculties of subjects where this is appropriate, but the souls and consciences as well, and it binds not only the hands but even the affections and thoughts, and it that prescribes obedience be given to wicked princes as well to ordinary ones and that everything be endured in order not to disturb the peace.<sup>47</sup>

For Botero, as later for Johannes Althusius, intolerance was the political and religious principle to be respected. The infidels and the heretics, the populations of Brazil or of Germany, had been converted with 'much fruit' in the manner devised by the Society of Jesus. It was necessary that these teachers were 'persons from whom one is able to hope for edification and not to fear scandal' and that they were 'far from any avarice or sordidness'.<sup>48</sup> However, when all hope was lost of converting or subjugating the 'infidel' Mohammedans or Calvinists, then they had to be discouraged, weakened, and prevented from uniting in communities. And 'if they are heretics, let every incitement to heresy be taken from them, the preachers, the books, and printing press'. 'But if none of these things helps against the 'refractory', then they ought to be dispersed and transported into other countries'.<sup>49</sup>

The society idealised by the former Jesuit Botero was possibly more realistic than the one Philip II had in mind for Spain. In 1558, he resolved to control the bodies and consciences of his subjects by coordinating the two powers of the confessional State: combining 'the authority of the Holy Office with the good administration of justice'.<sup>50</sup> But the former prevailed. Although the inquisitorial ritual varied – there was no Spanish Inquisition in Naples and Milan – Philip II leveraged it to control the loyalty of State powers and the obedience of society. The Inquisition was a highly centralised body, subordinate to the sovereign for whom it performed with 'terrible efficacy' operations to control foreigners, local populations, and administrators of every level up to the viceroys; it ensured complete political and social control of the territory and of consciences, of the State and of public opinion.<sup>51</sup> It certainly had the purpose of confessional discipline, but also, and perhaps even more importantly, control of the State apparatus, monitored by religious power. The Inquisition was the principal tool for maintaining the kingdom and its peripheries because it was transformed from guarantor of the purity of faith into a cornerstone of the monarchical system that ensured control of heresies, discipline of social behaviour, and the internalisation of the norms and regulations of life. The balance between inquisitorial and civic power inclined instead towards the former, and absolutism rested on the pedagogy of fear. This was the paradigm of absolute Habsburg State that emerged in Spain in the mid-16th century and became the model for the Bourbon State

of Louis XIV.<sup>52</sup> The religious institution was the ‘supra-constitutional’<sup>53</sup> and unifying structure of the Spanish ‘composed monarchy’, and in general of the modern Christian States between the sixteenth and the 17th century.<sup>54</sup> Charismatic power brought the various administrative and social parts of the State together. In the European States, intolerance constituted a ‘fundamental law’,<sup>55</sup> and toleration was nothing more than the necessary compromise devised for reasons of political tactics.

### Althusius

Althusius’s *Politica methodice Digesta* was responsible for the Calvinist political theory of communitarianism and its intolerance. He maintained that communities established a policy of *consociatio universalis* through an ascending movement whereby the body politic – kingdom, empire – was ‘a people brought together in a single body and under the same law’.<sup>56</sup> Sovereignty as *imperium naturale*; the State and the social and political hierarchies as an order of obedience of a family nature of increasing complexity: these were the traditional concepts on which Althusius built the polity. At the base were the *consociationes*, which, despite being private associations (like the family and the corporation), were nevertheless of a public nature and constituted the mosaic of the State<sup>57</sup> through a symbiotic process of *mutua communicatione*.<sup>58</sup> The citizens were ‘symbiotic’ men of politics,<sup>59</sup> united by bonds of a charismatic nature derived from the biblical example.<sup>60</sup> ‘Distributed’ sovereignty,<sup>61</sup> in explicit opposition to that of Jean Bodin,<sup>62</sup> was concentrated in the body politic through a pact binding not individuals – as in natural law – but the various groups.<sup>63</sup> The State was the ‘consociatio publica universalis’ of all these *ordines*, which were not in a condition of ontological inferiority to the sovereign, who had the task of regulating them and administering their interaction, not according to his own absolute will, but in respect of the right reason and nature that were at the origin of the various communities. The prince was not a tyrant, but an ‘administrator’ of the common assets.<sup>64</sup> Althusius rejected the utopias by More and Plato, and his political model was a federative one in which Moses’s biblical theocracy and Calvin’s republic intersected. The public power was subject to the Church ‘with respect to admonitions, censures, and other provisions necessary for the salvation of the soul’,<sup>65</sup> and should not interfere with ecclesiastical life but submit to it and protect it.

Here, too, there was no tolerance. It was admitted only in those kingdoms where the Calvinist worship of God was absent, so that the ruler had no right to control faith ‘that resides solely in the soul and conscience of the individual’.<sup>66</sup> Orthodox Christianity legitimately slipped through the mesh of heterodox civil justice. If there were various Christian churches in one State and the ruler did not have the strength to impose the only orthodox one with force, then he ‘ought to tolerate the dissenters, closing an eye and permitting them to exercise unapproved religion until God

enlightened its followers'.<sup>67</sup> But where there was (Calvinist) orthodoxy, the ruler 'ought to establish and permit only one, true religion in his kingdom'<sup>68</sup> and foster the evangelisation of the 'infidels'. Althusius distinguishes two species of heresy: those that are not very dangerous, tolerable – albeit with punishments – and those which, like Arianism, uprooted the principles of faith and of society. Heretics of this second type were to be 'severely' punished with exile, prison, and death, and they had to be prevented from having relations with other believers.<sup>69</sup> Tolerance was denied, since the truth of two religions could not be admitted. The equivocal arbitrariness of toleration did not conceal Althusius's need for intolerance. Sensitive to the civil order of the Hanseatic cities, his theory of common sovereignty addressed religious conflicts with Calvinist harshness.

Botero and Althusius shared the same adversary: Bodin. *The Reason of State* had been written by Botero to refute Bodin more than Machiavelli,<sup>70</sup> and Althusius methodically criticised Bodin's *République*. The polemic hinged on the issue of tolerance. Fabio Albergati, who wrote on the reason of State, noted that Bodin – who was accused of being a crypto-Judaizer and of having praised biblical and Turkish institutions but never Christian policy – had sought by every means 'to move towards the freedom of conscience'.<sup>71</sup>

### Bodin and sovereignty

The solution that Bodin had indeed proposed – fully aware of its novelty – to overcome the crisis of the wars of religion, was a different theory of sovereignty.<sup>72</sup> For him, the religion being dealt with was fanatical Christianity, and this characteristic had to be borne in mind while addressing it. Superstition was not a niche belief, an anomalous deviation from Thomist doctrine, but the dominant characteristic of Christianity. In 1580, when Michel de Montaigne in his *Essays* deprecated religious fanaticism and contemplated a religion that was not overly religious, Bodin published the *Démonomanie des sorciers*, a 'terrifying' book that recognised the aggressive nature of religion resulting from the collective psychosis of fear.<sup>73</sup> Belief in witchcraft and other superstitions was not accessory, but constituted the central aspect of the Christian religion and could be verified.<sup>74</sup> The physician Johann Wier had been wrong not to believe in the representations of the witches, seeing such professions of faith as evidence of the mental illness of melancholy rather than the presence of the devil.<sup>75</sup> Christianity had forgotten its own original truth – that God was harmony – and had allowed itself to be deceived by demons. The human world had become infernal; the relations between individuals, between individuals and power, and between power and God had been turned upside down. The crisis had emerged because men had stopped observing the laws of nature that God had established, and crimes were no longer punished in compliance with divine justice. The conflict between the forces of good and evil, that were not to be conceived as a Manichean reality, had ruptured the harmony of original wholeness.

For Bodin, heresy too was a religious disease like witchcraft, although it was less serious and ought to be addressed by policy rather than by force. The clashes between different forms of Christianity were the expression of the intrinsically violent nature of religion, but the French monarchy had the resources to control the religious conflicts. Absolute government could avoid resorting to arms, which were proving useless, and did not have to side with one religion. Bodin saw the introduction of Calvinism into France as a mistake, since with a new religion the State risked losing the strength of its institutional traditions, and because Calvinism was based on the principle of faith alone, undermining social and political vigour. But once a religion had been introduced by common consent, it was counterproductive for the ruler to dispute its legitimacy since this would cast doubt on religion, which was, in any case, the foundation of the State. It had to be admitted that Calvinism had become rooted in France, and a solution had to be found that would recognise – as in the maxim attributed to Cassiodorus and greatly appreciated by Bodin<sup>76</sup> – that no one can be forced to believe against his will.<sup>77</sup> The State does not control the souls of its subjects,<sup>78</sup> and Bodin gave the example of the Turkish State, where everyone was permitted to live according to their own conscience.<sup>79</sup> It was impossible to conserve the Christianisation that the Emperor Constantine had imposed on politics, which had been theorised in Thomism and implemented in modern Christian States. For Bodin, the sovereign received power directly from God without the mediation of the clergy, and he organised the political and social world and his own *summa potestas* according to his own wishes.<sup>80</sup> It was sovereignty, not policy, that held the *majestas*. Sovereignty was the core of the social world, that was transformed by it into an ordered, hierarchical cosmos of immediate obedience. Here, communities of economic and religious kinds intersected, but although they had their own rationale, they had to be subject to that of the sovereignty. The social groups, from the family to the confraternities and the institutions, were not homogeneous with sovereignty. More than having a specific goal, or describing specific institutions, or defining those who held it, the concept of sovereignty acknowledged political power, the right to control with force the plurality of powers and their conflict, and to subject them to its own rule.<sup>81</sup> The indivisibility of sovereignty guaranteed the sovereign the autonomy of his objective, which was the achievement of the common good, and superiority over every other power, including religious power: the *salus populi* was in form and purpose its absolute principle. The State did not have to address the question of tolerance as something managed by an independent religious power with which solutions of toleration were to be negotiated: it was a political issue where the sovereign established the conditions. This was a radical divergence from the reason of State of Botero and Althusius. The order imposed by God as the rule of nature could be replicated in the social world through the force of sovereignty, not because of the role of Christ – who could be expunged from Christian religions – but due to the nature of the deity and its power over the human world. Bodin's religion was

Old Testament rather than evangelical, and its political structure was theocracy, which was aimed at the achievement of concord so as to avoid falling into anarchy and atheism, the worst evils for a commonwealth. Concord was the cultural reflection of the musical nature of the world, and in politics, it was able to give voice to all religions.<sup>82</sup>

Sovereignty blocked the violence of monotheism; Bodin asked himself whether monotheism alone offered a religious path towards tolerance. Investigation of the best religion, which had been shelved in the *Six Books of the Commonwealth*, was carried out in the *Colloquium Heptaplomeres*, which was unpublished but circulated widely.<sup>83</sup> Here, Bodin compared the various monotheisms, including the ‘most true religion of nature’,<sup>84</sup> likening it to Christianity, which had the ritual system indispensable for all religions.<sup>85</sup> Being detached from idolatry and superstition, it succeeded in recognising the divine reality of nature that harmonised the ontologically discordant natural elements in the cosmos. Tolerance would be achieved, and ‘it would be possible to live everywhere in the world in the same harmony as those who live under the Emperor of the Turks or Persians’ if we convinced ourselves that all prayers that come from a pure heart are pleasing to God, and that it is instead a crime to constrain someone to believe against his will.<sup>86</sup> The State recognised the churches’ right to consider their own religion to be true, but obliged them to recognise the truths of others in order to reach concord. No positive religion could claim to hold the truth, and therefore it was right that everyone should practice their own, even though ‘to protect publicly the authority of different religions in the same city has always seemed to me the most difficult matter of all’,<sup>87</sup> since the common people claimed the right to judge. The Christian religion generated conflicts, and the autonomy of belief was restricted to the elites. Tolerance, which was threatened by the violence of the mob, was achieved only in the community of the sages, where each held firm his own interior conviction and all agreed to hold ‘no other conversation about religions’.<sup>88</sup>

It was a solution still vacillating between theocracy and toleration.

### Erastianism and theocracies

Bodin’s sovereignty, although opposed to that of Botero and Althusius, had in common with them the fact that the *potestas* of the State had a divine foundation. But what State? In *The Prince*, Machiavelli had pointed out that politics had to rest on religion, and that the legislators should be armed prophets, like Numa and Moses. Over the 16th century, the image of Moses as founder of a State grew to the point of changing political reflection.<sup>89</sup> Flavius Josephus had added theocracy, where he had placed God as the foundation of both religious and political authority, to Aristotle’s tripartition of political forms.<sup>90</sup> By making God the builder of the Hebrew State, biblical theocracy had unified religion and politics; civil power was set above the priesthood and legitimized to control religion in the forms

prescribed by the deity.<sup>91</sup> Josephus's *Against Apion* was largely read. This model inspired Thomas Lüber, known as Erastus, a Swiss theologian disciple of Zwingli, and opposed to Calvin. In 1568, he completed the *Explicatio gravissimae quaestionis utrum excommunicatio mandato nitatur divino an excogitata sit ab hominibus*, that appeared posthumously in 1589. Erastus's idea of theocracy had its roots in Castellion's *Mosis institutio reipublicae graecolatina*, which appeared in Basel in 1546 at Oporinus.<sup>92</sup> The bond of Hebrew society was a civil bond of religious nature, and the State could control all public behaviour, even religious, that was deemed dangerous to the nation. However, it could not intervene in the individual conscience, to which only the deity had access. Starting from the same biblical texts and the same charismatic foundation, Erastus proposed a political solution opposite to that conceived by Calvin. The *summa potestas* descended directly from God to the sovereign, who guided also religious life. In this way, it was possible to give unity to the State. God 'would have considered two heads in one body to be a monstrosity. Hence, in the Christian community, He does not want there to be two distinct magistrates of equal power ruling the entire community'.<sup>93</sup> The Calvinists had the same goal, as Beza admitted, using Erastus's expression.<sup>94</sup> For Beza, too, the unity between the priesthood, which governed the *spiritual Christi regnum*, and the magistrate was crucial, because the danger of a monstrous two-headed society was real. In both cases, theocracy was conceived of as a formal polity built upon the structure of sacral law, which ruled the coexistence of the two 'capita', Church and State. In those decades, theocracy appeared as the only political solution for the modern Christian State.<sup>95</sup> It was split into two different models. On the one hand, Calvin subordinated the State to the Church, since the origin of political power was mediated by the priesthood. The Calvinist State was a theocracy denying religious tolerance and freedom of conscience. On the other hand, according to Erastus, theocracy was a tolerant political State independent of the church. Civil power could make its own decisions in social life, but it could not examine the individual conscience because only God judges the human heart.<sup>96</sup>

Grotius adopted Erastus's model of theocracy.<sup>97</sup> In *De republica emendanda*, written in the early years of the 17th century, Grotius revived the theory of theocracy as the form of the optimal State, since it was explicitly willed by God, who had been the sovereign of the Jewish people, and had hence endowed civil power with religious authority too. The theory of the identity of religious and civil power was expounded by Grotius in *Ordinum Pietas* (1613), again in *De imperio summarum potestatum circa sacra*, which appeared posthumously in 1647, and in *De iure belli ac pacis* (1625). He defended general tolerance insofar as the essential points of Christian religion were universal and beyond the pigeonholing that regulated the civil right to punish. Here too, the reversal of the Calvinist position was complete. Grotius championed not the superiority of Church over the State but their difference and division, albeit on the Erastian foundation of politics.

The clash between these two policies took place in the Netherlands in the ‘saddle period’ between the 16th and the 17th centuries, when the Calvinist republicans got the upper hand over the Arminian Remonstrants, including Hugo Grotius.

### **The objects of modern political thought: representations of the individual and of the state**

Coexistence rather than the desire for exclusion began to characterise the modern State. The concord grounded on an ontological Christian foundation began to morph into a political theory of tolerance. Emerging from the ambiguous story of theory and practice of toleration in the 16th century is another, closely linked, issue that came to the fore in the political theory of natural law. The shift towards new forms of coexistence and politics also entailed a new representation of the individual.<sup>98</sup>

This process has been underscored by Francesca Trivellato, who has traced the rise of cosmopolitan communitarianism to the Sephardic diaspora,<sup>99</sup> a brilliant formula that indeed illustrates both sides. The communities of merchants interacted with other communities on the basis of mutual and personal trust, while also intending to retain their own purity. This requirement triggered a new individual liberty that broke down the barriers of exclusion.<sup>100</sup> In the heretical diasporas, as a result of the violence suffered, the individual adhered to a new religion and a new society on the basis of a calculation between his interests and freedom of conscience. Even multilingualism was a significant factor in the ways in which conversion broke the bonds of belonging between the individual and his original community.<sup>101</sup> Or else he returned to his own original religion from which he had been forced to distance himself. The renegade, the apostate, was no longer branded as a criminal, but expressed the critical capacity to compare religions and choose his own. Research works into ego-documents and emotional history show us what such a rift can mean and reveal how this was one of the places where the modern individual made its appearance.<sup>102</sup> However, the refugees also remapped the spaces and boundaries of the communities within and without.<sup>103</sup> Jacques Basnage’s *Histoire des Juifs depuis Jésus Christ jusqu’à présent* described how by now the Jews could live safely in East and West, loyal to the policies of Christian or ‘infidel’ sovereigns,<sup>104</sup> and respectful of religion. In Holland, when they arrived in Amsterdam in the 1560s, the only condition they were required to accept was to ‘pray to God for the prosperity of the city’, and they were allowed to build the synagogue.<sup>105</sup>

In the intersection of different experiences of tolerance, the representation of the individual and the concept of religion changed: the modern idea of natural right began to be shaped.

Could theocracy, a polity the foundations of which lay in divine sovereignty, be a warranty of freedom of conscience and pluralism of faith? In those very years, the contradiction of the theocratic theory of the State that sought unification of religious and political power seemed irresolvable to Paolo Sarpi. The human world is governed by men, not by God, and a State

ruled by two powers, both subject to the same deity, would be no more lasting than Rome.<sup>106</sup> Either the State was subject to a single human power, or ‘the Christian State itself will be a two-headed monster’. Sarpi used Erastus’s expression in order to understand how the two powers had to be subject to one and the same power: otherwise, ‘the lay and the clergy will constitute two States’ because the ‘divine Majesty’ cannot give unity. Sarpi quashes the illusion that Erastus – and possibly he himself – had had of building concord between the two powers, and recognized the difficulty of a problem that ‘I simply cannot solve’.<sup>107</sup> The answer to Sarpi’s enigma was given by Hobbes through the theory of secular sovereignty, which was independent of religion. Sovereignty could not be theocratic.

Quentin Skinner has shown that by 1600, ‘the concept of the State ... had come to be regarded as the most important object of analysis in European political thought’. Its theoretical achievement was the emergence of ‘purely secular and wholly populist doctrines’, which became ‘available to be used by all parties in the coming constitutional struggles of the seventeenth century’.<sup>108</sup> By 1625, ‘it was possible to demarcate a sphere of the political, separate from ethics, religion, or the household, and with its own tools of analysis’, the foundations of which were natural.<sup>109</sup>

Nonetheless, the perspective of the history of tolerance unveils two other objects that were regarded as ‘most important’ by European political thought. One was religion, and the relationship between politics and religion;<sup>110</sup> the other was the new theory of the individual, who had needs and desires. It was the theory of jusnaturalism. As we shall see, the theory of a secular sovereignty was brought about also by the need for freedom of faith. Liberty of conscience and of speech became a feature of the constitutionalism of modern natural law. Every individual is free because his or her natural liberty is immune to civil subjection.<sup>111</sup> Liberty is therefore the immunity of the inner individual space, but it is as well the will of doing and creating social links, which bring forth conflicts. Among those needs, there was that for order. In this sense, the social order is a human invention, not an ontological order of reality. Coexistence called for the guarantee of safety in the relations among citizens and between citizens and the authority. The problem of tolerance was going to be thought of within the dialectic between freedom and conflict.<sup>112</sup>

But the achievement of a legal order could mean the loss of liberty. In this case, having lost their natural rights, women and men could feel the need for rebellion. Along with liberty, the right of resistance against the actual political power was the other feature of sovereignty, as John Locke explained in his *Second Treatise of Government*.

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## 6 The 17th century

### The strength of faith

Guy Patin, in the *Theophrastus redivivus*, said that there had never been a century that had greater contempt for faith or was more incredulous ‘than the one we live in’.<sup>1</sup> It was the century of atheism, but also of living faith.

#### Montaigne and weak religion

In his daring eulogy of Julian, the apostate emperor who returned to pagan faith and allowed the free choice of religious belief, Montaigne revealed all the intolerant traits of the Christians. Julian had never taken Christianity to heart, initially accepting it out of obedience to the laws. Once he took power, he ‘did his uttermost to set on foot and to encourage idolatry’. The imperial strategy of granting religious freedom to calm the passions and mitigate dissension rested on Julian’s experience of the cruelty of Christians and the conviction ‘that there is no beast in the world so much to be feared by man as man’.<sup>2</sup> Christianity, considered as one of the beliefs circulating in the world, was not adhered to for the cogency of its truth. One was a Christian in the same way that one was born in Germany or in Périgord. Sovereigns had to be guided by political prudence, not by confessional sentiment. The experience of Socrates had shown that wavering and indifference did not depend on the irrelevance of the belief in which one had been reared but on the fact that the laws of one’s country had to be respected, whatever they were – even if they were intolerant. It was relativism that grounded obedience to the State and curbed sectarian intolerance.<sup>3</sup>

The *Essays* shattered the holy mirror of conscience, in which ancient tradition had claimed to find eternal truths. Conscience was nothing more than a set of norms and customs that did not aspire to the status of theory. It generated behaviour that was affected by emotions rather than by reason: ‘so wonderful is the power of conscience. It makes us betray, accuse, and fight against ourselves’.<sup>4</sup> The appeal to the certainty of the truth of conscience was false and led to violent passions, as could be seen in the wars between Christians in France.

Unfurling before his eyes, Montaigne saw the risk of cruelty, which was absent in the American societies inspired by the natural sentiment of reason.

The wars of religion had undermined the Thomist trust in the compatibility between reason and religion. Two alternative models of religion were emerging: one of reason and the other of fanaticism. Either religion was rational, in which case it was not *religio*; or it was *religio* and hence was superstition: the terrible face of intolerant Christianity. In this case, being itself mere violence, it produced intolerance and shattered the *salus populi* that ought to have secured a reality devoid of violence. Faced by the drama of the wars of religion, the possibly crypto-Judaist Montaigne<sup>5</sup> chose the path of disenchantment with the world, waiving belief in one's own religion as the sole and absolute truth without ceasing to believe in one's own faith. The solution to the intolerance of fanatical superstition was a weak faith. Against fanaticism, Montaigne sought to suggest a praxis of reasonable prudence, despite his awareness that the rational appeal to natural law could not halt the spread of superstition. Religious belief needed to be defused because the stronger the passion in a belief, the greater the weakness of reason: 'An untoward disease, that a man should be so riveted to his own belief as to fancy that others cannot believe otherwise than as he does'.<sup>6</sup>

For Montaigne, the question of religious tolerance was an issue to be resolved pragmatically, weighing up the balance of power and aiming not at the affirmation of truth but at social stability. Toleration of infidels can reduce the political relevance of religious ideas. The subject had to obey the laws made by his princes.<sup>7</sup> Freedom of conscience, the right of resistance, that is, the active disobedience to the laws, leads to social conflicts and to war. As Montaigne saw it, the price of simulation was not too high; obedience to ecclesiastic censure and the waiving of one's own convictions was acceptable if it avoided the evils of civil war.<sup>8</sup> But this was not the religion of those times, nor that of Blaise Pascal.

### Pascal and heresy

The modern world consisted of a religious 'false peace'.<sup>9</sup> God had concealed himself, and the Jesuits – by making everything depend on probability – gave voice to the dominant religious attitude<sup>10</sup> that the 'natural' requirement of religion inclined towards an interested faith, not that of the Bible. 'The world naturally wants a religion but wants it easy'.<sup>11</sup> It was the Christianity of the Society of Jesus and of Montaigne. The *Essays* had described Montaigne's 'indifference about salvation, without fear and without repentance', the waiver of all devotion, 'his thoroughly pagan views on death'. Montaigne taught how not to be Christian: 'through the whole of his book his only conception of death is a cowardly and effeminate one'.<sup>12</sup> Pascal's apologetics refuted Montaigne's dual idea of an easy religion and the impossibility of a true belief. The religion described by Montaigne, defended by the sceptics and proposed by the Jesuits, was the religion that men had 'naturally'. He countered the sceptical and casuistic negation of biblical truth by arguing that men couldn't have imagined 'so many false religions, if there were

not one true'. And Pascal himself posed the most radical objection to his own hypothesis, namely, 'Savages have a religion'.<sup>13</sup> To respond and refute the theory that religious belief was a universal anthropological phenomenon born of fear and hence without truth, Pascal made recourse to biblical diffusionism. Natural religion, like all the others, was the falsification of the original Christian religion.

The sphere of the sacred was restricted to a sole truth, opposed to false, heretical, or schismatic religions. Self-love<sup>14</sup> and the social mechanism of adulation<sup>15</sup> led to the perversion of religion and prevented recognition of the true doctrine. Catholicism had adopted the Jesuit waiver of the truth and their conscious pursuit of power. Christ had been renounced, and the church had generated the false religion of probabilism, which had scrapped the differences between religions.<sup>16</sup> But the plurality of religions was necessary,<sup>17</sup> so that faith could be born of their conflict, essential to overcome the false belief produced by the false peace.<sup>18</sup> Religious conflict was indispensable: 'The most cruel war which God can make with men in this life is to leave them without that war which He came to bring'.<sup>19</sup> The conflict brought about salvation,<sup>20</sup> and Christianity was to be preferred above all the other religions.<sup>21</sup> Among the religions, the choice had to be made on the categories of faith and tradition, keeping reason at a distance since religion and reason belonged to two distinct spheres of existence. Knowledge of God was achieved 'by the heart'.<sup>22</sup> 'So we must surround our faith with feelings; otherwise it will be always vacillating'.<sup>23</sup> Religious sentiment freed itself from scepticism and probabilism – the two pilasters of reason – and from Deism, which was a weak rational religion without Christ and without worship.<sup>24</sup> On the contrary, despite the risk of superstition,<sup>25</sup> participation in the rites was a powerful instrument of conversion.<sup>26</sup> Faith was not only an interior belief but also called for ritual and social behaviour that was handed down by tradition.<sup>27</sup> Apart from the mental conviction of the wager, the appropriation of the true religion came above all from the decision to practice ceremonies and the deriving psychological effect that produced human faith.<sup>28</sup> But beyond this faith, which lived on works and was not inert, there was what Paul had called the living faith, the strength of which fired the believer.<sup>29</sup>

To combat the false peace of probabilism, heresies and freedom of conscience were called for, as St Paul had said.<sup>30</sup> Sectarian logic was intrinsic to Christianity, and heresies were necessary for salvation. The coexistence of contradictory truths in Christian doctrine,<sup>31</sup> as handed down in apostolic teaching,<sup>32</sup> was the 'true principle' that eluded Montaigne, and even St Augustine,<sup>33</sup> and that was also unknown to the current heretics, the Jesuits and the Protestants. Positioned within the doctrinal triangulation of the second half of the 17th century, between Jesuits, Calvinists, and Jansenists, Pascal denied being a heretic<sup>34</sup> and attacked the Jesuits for assigning him to 'an odd sort of heresy'.<sup>35</sup> He observed that a new species of heresy had been established, the personal heresy, of which both he and Antoine Arnauld had been accused,<sup>36</sup> which was as false as the false dominant doctrine that

produced it. The purity and truth of faith were not taken into consideration; religious belief and salvation were not discussed; one was a heretic based on the position adopted towards the church, not because of what one thought and said. Pascal appears to have been alone – with Thomas Hobbes – in having noted that modern heresy had no religious content and defined only the unfaithfulness to a particular alignment. Heresy was a relation of power. Such a heresy called for the alternative set forth in the *Provincial Letters*: to either turn traitor to one's own conscience, or change that of others by force.<sup>37</sup> Conscience was wrong to err, but should not waive itself since 'violence and verity can make no impression on each other'.<sup>38</sup>

### Jansenist intolerance

After Pascal, Antoine Arnauld, and Pierre Nicole chose the other horn of the dilemma and defended the right to resort to violence for conversion. They polemicised, not with the Jesuits but with the Protestants, about which was the true church. For them, it was that of Bossuet and Louis XIV. The day before the issue of the Edict of Fontainebleau (15 October 1685) that revoked the Edict of Nantes, Bossuet made a speech – since lost – before the king, appealing to the *compelle intrare* to justify Louis's decision. In 1682, he had begun work on the *Variations des Eglises*, in which the single church and confessional unity were considered essential instruments of political order. Christianity had no alternative to intolerance and had to return to Constantine and Augustine,<sup>39</sup> and the Jansenists confirmed that the foundation of the State was theocratic.<sup>40</sup>

In *Préjuges légitimes contre les calvinistes* (1671), Nicole had already praised Augustine for the way in which he had broken the Donatists, an example to rely on in fighting the Protestants.<sup>41</sup> Then, in the *Première Addition* against *An historical defence of the Reformation: in answer to a book intituled, Just prejudices against the Calvinists* by the Calvinist Jean Claude (1683), he attacked the dual Protestant schism embodied in the rejection of Catholic dogmas and rites and in the creation of a new church.<sup>42</sup> The errant conscience – even when the faith was sincere – was nonetheless sinful because it denied Catholicism. One had to follow one's conscience in the choice of faith, but if the contents of conscience were false, sin was inevitable. A Socinian could, in conscience, deny the divinity of Christ, but he continued to be in sin. This contradiction seemed irreconcilable, but Augustine had resolved it. He had acknowledged that the choice of faith had to be free, because pretence cannot save, but had with satisfaction admitted that the punitive rather than coercive measures imposed by the emperor had driven the Donatists to renounce their faith and return to the Church, not only – he maintained – due to the harsh taxation. Nicole defended the violence of Augustine,<sup>43</sup> who had explained that one never had the right to leave the Church, 'société matrice et radicale'.<sup>44</sup> This force had been a useful tool in evangelisation, since it had induced the apostate, the idolater, and the atheist to inform themselves better

about the faith to be chosen and the Christian faith. This informing entailed casting off one's erroneous conscience and becoming better instructed.<sup>45</sup> Thanks to Augustine's authority, it was possible to reject the theses of the Calvinists without even taking them into consideration, since the presence in and return to the true Church were obligatory.<sup>46</sup>

In 1682, in the *Apologie pour les catholiques*, Arnauld entered the fray against Pierre Jurieu, who had maintained in the *Préservatif contre le Changement de religion, ou idée juste et véritable de la religion catholique romaine* (1681) that of the around twenty thousand Huguenots who had converted to Catholicism in France, only a dozen had made this choice out of sincere conviction. Jurieu had defended the principles of tolerance and the right of every conscience to its own truth, but Arnauld was insensitive to this concept of tolerance. He contested Jurieu's statistics, denied that the Calvinists had been blackmailed, and praised Augustinian policy.<sup>47</sup> Like Augustine and Montaigne, he too was unable to see the contradiction that Pascal had placed at the core of Christianity: he defended the overbearing intolerance of the stronger party, and believed that 'l'habit fait la doctrine'.<sup>48</sup> As we have seen, recognition that authority prevails over free examination was also the main thesis upon which Nicole condemned the Lutheran schism.<sup>49</sup> This was the core of the polemics between the Jansenist and Jurieu on the true church. The former published in 1687 *De l'unité de l'église* [*On the unity of the Church*] and presented it as a response to Jurieu's *Le Vrai Système de l'église* [*The True System of the Church*] (1686), which was an attack on Nicole's *Prétendus réformés convaincus de schisme*. Here, it was said that there could be only one Church and that the Catholic Church was the universal Church of Christ. The protestant distinction between fundamental and non-fundamental articles of Christian faith was preposterous and had brought about the schism which shattered the Church into many sects.<sup>50</sup>

### The true church. Jurieu

Jurieu reiterated his concept of tolerance in the coeval *Politique du clergé de France*, where he affirmed that forceful coercion to adopt a different faith was always illegitimate, even if the religion imposed was the true one, because reneging one's own belief was an offence to God.<sup>51</sup> Most importantly, he maintained that claiming freedom of conscience for oneself entailed that one should concede it to others. This was the fundamental principle of tolerance: what was at stake was not the alleged voice of a *deus absconditus*, but the parity of consciences.

Nonetheless, according to Jurieu, Augustine had used perfectly just weapons against the schismatic Donatists. However, the Calvinists were not schismatics or heretics, nor were they innovators. They lived in 'full conformity' with Scripture and the apostolic church, which was worth 'more than conformity with the church of the tenth century and of the following centuries'.<sup>52</sup>

While he was still in France, Jurieu underscored the gentle quality of the apostolic church, ignorant of the coercion of the *compelle intrare*, and condemned the violence that had been introduced from the 11th century. He defended religious pluralism and concord, accepting it as the objective of the Bourbon monarchy. In France, the ‘chaleur’ that animated both sides could have been extinguished because it was not theoretical issues that were at stake but mere details (*adiaphora*). The irenic representation of the church was abandoned when he left France on account of the persecutions and went to Holland, where, since the end of the 16th century, Calvinism had been the religious pilaster of the republic. It seemed to him impossible to accept religious coexistence with the Catholics and the heretics (Socinians), who represented a threat to the unity of the country.

In the 17th century, the polemics on the truth of Christianity became contention about the true church, that it is to say the ‘kingdom of God on earth’, an instrument that was required to bring order to society and respond to new intellectual requirements. The debate was initiated by François du Plessis-Mornay’s *Traité de l’Eglise* (1600) and ended with Jurieu’s *Vrai système de l’Eglise* (1686).<sup>53</sup> For Jurieu, the true faith was not known through the church – as for the Jansenists, who maintained that reading of the holy texts had to be guided by the authority of tradition – but rather the true church was known through faith. Sentiment was sufficient to feel ‘the taste of truth’. He rejected recourse to ‘abstract and metaphysical ideas’ and proposed defining not the true church but the ‘true idea of Church’ by recourse to ‘experience and history’.<sup>54</sup> He stood by the Calvinist principle that the church could provide only external aid in the development of faith, whereas the conscious possession of faith was independent of and precedent to entry into the church. The Church was at once universal, determined by the unity of faith conceived as predestination, and specific, made up of the local churches. In polemic with Nicole, Jurieu followed Augustine and denied that planetary extension was a sign of truth for the Church of Rome, which was the modern face of Donatism.<sup>55</sup> In the *Histoire du Calvinisme et celle du Papisme, ou Apologie pour la Réforme et pour les Reformez* (1683), he reaffirmed that theological error prejudiced the salvation of the soul, and condemned Martin Clifford’s *Treatise of Human Reason* (1674) as a pernicious example of religious indifferentism.<sup>56</sup> Addressing the impasse between true and false Christian doctrine, Jurieu, on the one hand, acknowledged that the truth was felt in the autonomy of one’s own conscience, while on the other hand, he was stressing that doctrines proved themselves true if they succeeded in coming together and creating ‘communion dans le monde’. With the exception of Socinianism,<sup>57</sup> Christianity was made up of all the Christian sects united by general consensus on the articles of faith. The unity of the church had been expanded, but it was still determined by precise confines.<sup>58</sup> At the end of the 17th-century debate on the true church, Jurieu’s position appeared as archaic as that of the Jansenists. They had returned to late antique Augustinian orthodoxy, which could be found in the dictionaries, where it was by then circumscribed to theology.<sup>59</sup>

Against Jurieu, Basnage de Beauval wrote that Augustine had been 'content about the violence exerted on the Donatists, which constrained some to return to the church', but had not blocked the schism and had set the church on the path to persecution.<sup>60</sup> The rejection of the principle of Augustinian intolerance was the expression of the joint need to conceive the State on a different foundation, beyond the order created by the emperor Constantine.

### Socinianism and the separation of church and state

In the 17th-century debate, it was Socinianism that asserted the need to separate the State and the churches as a condition for the right to tolerance.<sup>61</sup> Following in the footsteps of his uncle Lelio, the Sieneese Fausto Sozzini elaborated a subversive conception of Christian doctrine. He denied the bedrock of Christianity: the Trinity, the value of Christ's death as an expiatory sacrifice, and the divine foundation of natural reason. In *De Jesu Christo Servatore* (1594), Socinus had claimed that all false religions were based on atoning sacrifice, and that Christianity, the only true religion, had excluded it.<sup>62</sup> According to him, the mythical-religious moment lay not in Christ's death on the cross, but it was his ascension (Jhn. 6:63). His non-dogmatic and tolerant religion contested the need for the Church. In *Tractatus de Ecclesia* (1585), he took up the ideas of Sebastian Castellion on the non-coercibility of consciences, the reduction of doctrine to a few *fundamentalia fidei* that were binding for the Christian community because they were derived from the 'explicit word of God' and proposed an ecclesiastical organisation of sectarian type, independent of the State and with broad doctrinal freedom within it.<sup>63</sup>

To escape the increasingly widespread persecution of the Catholic Inquisition and the Calvinists, like many other Socinians, Sozzini went to Poland, where the *pax dissidentium* signed by the sovereign upon his coronation guaranteed the independence of the aristocracy also through sectarian pluralism. With the support of part of the nobility, the Socinians were able to establish various settlements, the chief one being in Rákow. Unlike the Anabaptists in Moravia and southern Poland, who lived in accordance with apostolic communism in isolated communities, the Socinians were integrated within Polish society. They assured their obedience to the commonwealth, although on principle they refused to take the oath, enter the army, or take up public office; and organised their religious instruction independently. The Catholic attacks began at the end of the 16th century, led by the Jesuits, who considered the Socinians more dangerous than other sects and charged them with being incompatible with the Polish monarchy. In 1627, the Socinian temple in Lublin was closed; on the death of Sigismund III in 1632, the *pax dissidentium* was contested; in 1638, Rákow was destroyed, and in a crescendo of hostility, the Socinians were banished from Poland in 1658.

In this situation, in 1628, the Socinian Samuel Przypkowski published *De pace et armonia Ecclesiae*, a remarkable example of Christian irenicism.

Przyrkowski accepted the 16th-century distinction between fundamental and accessory Christian doctrines. For him, the fundamentals were faith in God, the intention to imitate the life of Christ, and tolerance, which rested on the coexistence of faiths that recognised at least partially shared beliefs. The believer could err, but the doctrinal error did not prejudice his salvation; the erroneous conscience could be discussed but not condemned, because only God could judge it. To defend the moral life of the community and not to punish those who had different beliefs, the Church could appeal to the *correctio fraterna*, but without requesting the support of political power. The State would intervene in religious controversies only if there were a threat to the *salus populi*.

### Crell

Shortly afterwards came the contribution of Johann Crell, a Socinian who corrected Sozzini's position. He accepted the antitrinitarian stance, but he restored an essential role to the expiatory sacrifice of Christ.<sup>64</sup> Christianity had introduced the *deus absconditus*, a novelty that Crell set against the religions of the Old Testament and of the pagans. God had concealed the signs of his presence, he did not evoke prophets 'but acts and orders all things more secretly, for so much the greater trial of mens faith'.<sup>65</sup> It had become easy to fall into the incomprehension of his will, but such error could be punished by God alone. The Church rested on the example of Christ's 'gentleness' and his 'Spirit of truth',<sup>66</sup> which was not theological but consisted of 'charity, peace, meekness, gentleness, bountifulness, and patience'.<sup>67</sup>

Behind Crell's *Vindication* was the Polish experience and the uncontrollable violence of the relations between religious communities that the authority of faith could not resolve. Recent history showed that transforming religion into a political force brought about the ruin of States, as had been seen in France, Germany, and Belgium.<sup>68</sup> Bearing in mind the action of Henry IV, Crell began to steer the religious clash into the civil arena to guarantee *libertas religionis*. He directly addressed the Catholics, who were in the forefront of the battle against the Socinians, as we have seen. It was not up to a religion to guide the State, and it was not up to the State to control the worship and belief of Christians. The biblical foundation of Calvinist theocratic policy had to be rejected as an expression of Old Testament fanaticism, and its characterisation of the heretic was false:

They which nowadays are termed heretics, worship none besides that true God, creator of heaven and earth, and Jesus Christ their Saviour; but only they hold different opinions from the Catholics concerning him, or about sacred matters, and such as pertain to the worship of that true God and Jesus Christ. Therefore they have not declined to the worship of false gods, so far is it from being just that they should be reckoned amongst false Prophets, which persuade other men to such a heinous crime.<sup>69</sup>

The Socinians ought not to be persecuted in the name of biblical principles, because they were not the false prophets that the laws of Moses in the Old Testament incited to kill, and because in the New Testament it was nowhere stated that Christians should torment apostates or heretics and put them to death:<sup>70</sup> the first Christians were persecuted but did not persecute.

However, to regulate the relations with the heretics, the natural law of 'Do not unto others what you would not have them do unto you' was not sufficient; the formalisation of the agreement through public oath was required. The heretics on their part did not breach the civil laws; they 'live peaceably with other men', and in good conscience, 'neither know that they sinne', so that they could incur no damage or risk to the consciences of others.<sup>71</sup> They therefore ought to be included in 'civill society' like the Catholics.<sup>72</sup> The 'liberty of religion' to be conceded to the heretics was nothing more than not hindering them from practising their religion.<sup>73</sup> The conflict between different forms of Christianity could not be eliminated and ought to be confined to the religious arena so as not to threaten civil concord.<sup>74</sup> Tolerance was a feature of Christianity, and it meant general freedom of conscience. Crell asked the Catholics 'to grant them, whom they deem Hereticks, the liberty of Religion which they promise', even though they had the strength to suppress them with impunity, 'for truth and faithfulness in promises ought to prevail as much with us as compulsion'.<sup>75</sup> St Paul's exhortation (*Corinthians* 6:14–16) not to have dealings with infidels did not relate to the 'civill peace' between citizens of the same State subject to the same laws.<sup>76</sup> 'A civill peace therefore may (...) consist even where there is difference of opinion in matters belonging to Religion', as proved by Turkish legislation.<sup>77</sup> Violent constriction should not be resorted to, since it had no hold on conscience and encouraged simulation but could never either extort or impose conviction: indeed, 'he sins most heinously, who violates his conscience'.<sup>78</sup> Furthermore, persecution would simply reinforce heresy<sup>79</sup> or even incline towards atheism, but without ever giving in to the persecutor. Zeal driven by intolerance and persecution was a sign not of Christian wisdom but of the 'rage and fury' of the people. Fanaticism confounded religious and civil laws and should be repressed by political power. Even assuming, for the sake of argument, that heretics ought to be persecuted, forceful coercion should not be 'executed by the tumult and sedition of the common people, but in a settled and lawfull way of Judgement by the Magistrate'.<sup>80</sup>

Crell's warning that if a sect hostile to Catholicism should take power, it might exert violence on the Church of Rome,<sup>81</sup> rather than sounding like a threat reveals that in his theory the intersection between law and religion was founded on the latter. But the independence of politics and religion that he asserts marks a turning point that was reconsidered both by those, like Locke, who conserved it, and by those who transformed it, as did Diderot and Holbach a century later.<sup>82</sup>

In 1658, the Jesuits got the upper hand, and the Socinians were expelled from Poland. This marked the beginning of their diaspora, especially in

Holland, Germany, and the United Kingdom. The persecution by institutional churches of political theories deemed dangerous and sectarian, Antitrinitarianism, was stepped up. In Holland, in 1678, the circulation of Arian and Socinian books was banned on the grounds that they were blasphemous and hence intolerable for a Calvinist. The Socinian *Bibliotheca Fratrum polonorum* was judged to be as dangerous as Hobbes's *Leviathan*, the *Tractatus theologico-politicus*, and the *Opera posthuma* by Spinoza.<sup>83</sup> Things had come full circle.

### Without a church. Aubert and Basnage

The polemic regarding the true church that we saw in the Protestant world at the end of the 17th century began to shift towards an investigation into Christianity and freedom of conscience without the authority of the magisterial church. Jurieu was at the hub of the debate, accused by Aubert of having sustained that everything that goes beyond the silent sphere of conscience was the pertinence of those 'to whom God gave the authority to regulate actions and words'.<sup>84</sup> It seemed to Aubert that Hobbes and Spinoza had said nothing more, and that Spinoza was more reasonable and wisely Christian than the Calvinist theologian. He noted the differences between Hobbes's *Leviathan* and Spinoza's *Tractatus Theologico-Politicus*, which appeared to him more liberal. The *Tractatus* had recognised that 'freedom of opinion' was a natural right and that everyone could expound and teach such opinions.<sup>85</sup> Aubert, a Socinian, grasped the novelty that the two philosophers were introducing into the debate with recourse to the idea of sovereignty, but did not share it. For him, the idea that the State had the right to control the church was dangerous because they were two separate spheres. His aim was to defend civil tolerance, as distinct from ecclesiastic. If 'civil tolerance were imposed', there would be 'general tolerance':<sup>86</sup> namely, dialogue between the various sects. The bedrock of this general tolerance was the inalienable need to allow everyone to follow their own conscience, which is 'the lieutenant, interpreter or oracle of God'.

Even more importantly, Basnage de Beauval's *Tolérance des religions* (1684) had already levelled criticism at intolerance. Having constructed the notion of religion not as doctrinal certainty but as the search for the truth of the individual conscience, the principle of religious coercion collapsed: 'Religion persuades, and does not command'. Within Christianity, Basnage contrasted the Protestants (who claimed that they alone followed the word of God) and the Catholics (for whom the truth rested on ecclesiastical traditions). The Catholics were to be held accountable for the horrors of the wars of religion, and the conversions of Protestants to Catholicism struck Basnage as a mystery, since experience had taught that even in exile it was possible to save the conscience, and that the freedom to pray to God according to one's conscience was sufficient to spread the gospel without forcing the will.<sup>87</sup> The separation of Church and State opened up a religious scenario

of free dialogue and debate inspired by the origins of the Christian church,<sup>88</sup> opposed – as Bayle said – to the intolerant church of Augustine.<sup>89</sup>

## Bayle

### *The dilemma of religious tolerance*

Bayle published the first two parts of the *Philosophic Commentary* in October 1686, hence a year after the Edict of Fontainebleau, and the third part in June 1687. It dealt with the words of Christ in the Gospel of Luke,<sup>90</sup> the violent literal sense of which was illustrated by the rigorous and religious cruelty of inhuman massacres and by the mechanisms of all torture.<sup>91</sup> In the background were the *dragonnades* through which Louis XIV imposed the Christian violence of both the *compelle intrare* and the *compelle exire*, which was, in its turn, ‘a kind of dragooning, not to compel to come in, but to compel to go out’.<sup>92</sup> Behind the *dragonnades*, one could glimpse the theory and practice of the 16th-century Spanish monarchy, which furnished the model for the 17th-century persecution of Louis XIV.

Bayle dismantled *ab imis* the Augustinian tradition that justified coercion to faith and refuted intolerance, which for him was the result of the churches’ desire for power. The *Miscellaneous Reflections Occasion’d by the Comet (Pensées diverses écrites à un docteur de Sorbonne, à l’occasion de la comète qui parut au mois de Décembre 1680)*, slightly earlier than the *Commentary*, criticised the Augustinian political confessional system that had produced the religious policy of coercion.<sup>93</sup> Like all historic institutions, the churches had only fragments of truth, and denying this partiality led to pyrrhonism and intolerance.<sup>94</sup> The relation between religion and politics had been interpreted by the institutional churches in a bloody and violent manner, opposed to the true nature of the Christian religion. The Catholics maintained that God demands of man ‘the knowing from certain and undoubted Knowledge, that what they take for Truth is not an apparent Truth, such as all other sects take for Truth, but Truth absolute and real’. This was a ridiculous demand because the world of historical beliefs did not have a *criterium veritatis*, but simply a moral certainty founded on ‘very high Probabilities’.<sup>95</sup> In addition to the *adiaphora*, the *Commentary* also eliminated the dogmatic differences between the various creeds and configured religion as religiousness, what Jurieu condemned as indifferentism.<sup>96</sup> The individual and his need for religion, rather than the community, were in the foreground.

The alternative to ecclesiastical doctrine, which yielded relativism or an illusory truth, was the individual’s sincere quest for the truth rather than his possession of it. Religion was the conviction of the free conscience, and forceful coercion convinced neither the *esprit* of the individual nor the dominant ecclesiastical community. Resorting to violence to constrain someone to believe in a religion that was extraneous to his conscience was plainly

counter to natural law and reason, 'in a word, to that primitive original Rule of distinguishing Truth from Falshood, Good from Evil'.<sup>97</sup>

Bayle reconstructed the religious traditions in the light of natural reason rather than in that (Spinozist) of history and exegesis.<sup>98</sup> His work was of a new kind because it was the work of a new kind of intellectual. Constrained to break social ties and without a defined community behind him, Bayle was a 'new species of being, a pure individual, without roots and hence independent'.<sup>99</sup> He was the new modern man born of the diaspora. He was able to understand the violence and the passions of his time precisely because he was 'abstracted from all private interest', and free from the customs of his country.<sup>100</sup> The instrument to be used to conduct this work consisted of 'the Axioms of natural Light, or metaphysical Truths' which were to be used as a gauge to 'compare' the doctrines handed down by the books and teachers 'to examine the particular Doctrines occurring in moral Treatises, or deliver'd by our Teachers...[to] find, as by a standard and original Rule, which are current and which counterfeit'. The 'primitive and metaphysical light' came from God and was the rule for God himself; it was the natural law marking the conformity of God and Man.<sup>101</sup> The 'eternal Law ... discovers, when we consult it attentively and without passion, that Religion is a matter of Conscience subject to no controul', and invincibly persuades those who are attentive to it.<sup>102</sup>

The *esprit* forms its own judgements of God in the inward state and in the 'compulsions' of reverence, love, and fear that it feels for the deity. 'The Nature of Religion is, its being a certain Persuasion in the Soul with regard to God'. This was natural law, strengthened by the Gospel,<sup>103</sup> which then shattered in the undefined plurality of beliefs. The 'impulses of conscience'<sup>104</sup> elaborate convictions of a moral certainty inspired by God and natural law, and the truths revealed by God demand a sincere faith, since they are not beliefs of a mathematical kind. God asks man to love not truth, 'but all Objects which appear true upon the utmost use of the Lights afforded him for discerning the Truth of 'them', because there is no belief of an absolute truth.<sup>105</sup> The heretic and the orthodox do not hold greater or lesser truth, but equal faith in their own religion, since the mechanism of orthodox and heretical conscience is the same. Even if they might be judged to be in error by other men, the convictions constructed by the conscience could not be opposed without committing sin, since they were produced by divine will.<sup>106</sup> The danger did not derive from ignorance or error,<sup>107</sup> but from the lapse of conscience that generated the fanaticism that was taken advantage of by the 'Directors of Conscience, flagitious men' to exert their interested spiritual power.<sup>108</sup> The melancholy, zealots, and victims of illusions allowed themselves to be led by ignoble persuasions in which religion became imposture.

Like Basnage, Bayle's notion of religion as the content of individual conscience made up not of dogmas but of the quest for truth undermined the right to intolerance. While there was no doubt that physical coercion had intellectual effects, 'general tolerance' founded on natural religion<sup>109</sup> recognised the

necessary unilaterality of orthodoxy and was the construction of a social world based on the probable rather than the true. The rule of tolerance was that affirmed by Jurieu – namely, reciprocity – which meant that there could be a plurality of faiths within a society. Missionary reciprocity, for instance, between Turks and Christians, could have been an instrument of tolerance ensuring the circulation of religions.<sup>110</sup> Therefore, ‘unless Reasons of State require, as sometimes they do, that the new Subjects of the old Religion be dislodg’d and banish’d, Christian Princes cannot in justice expel the Mahometans out of Towns taken from the Turk’. The only action that ought to be taken in such circumstances was that of ‘instructing them, but without any violence or constraint’.<sup>111</sup> The Socinians, Jews, Turks, and pagans ought to be tolerated in a State,<sup>112</sup> and everyone should have the right to convert freely.

However, the consistency of the inner right of conscience to err, or to have the strength of its convictions even when these were judged erroneous by others, did not rule out the possibility of conduct dangerous to the State. Admittedly, ‘it does not follow, that they act without sin because they act by conscience’,<sup>113</sup> so that the political authority had the right to intervene in the public sphere, *religionis causa*.<sup>114</sup> The relation between religious sectarianism and politics was also discussed in the entry GELDENHAUR in the *Dictionnaire*, where Bayle polemicised with Erasmus on two points. The sectarians, who believed they had ‘to convert the world to a new doctrine, and to destroy reigning errors’, had to be permitted to resort to ambiguous and violent language to convey the need for the reform they were claiming. The problem lay in the definition of the believer and of his rights. It was obvious that a sovereign would not kill his own faithful, but the question was whether the sovereigns could ‘punish those who serve God according to the dictates of their own consciences’. Up to the third century the Fathers of the Church had denied it; after this epoch Christianity had changed (as he violently wrote in the note E of the entry Japan of the *Dictionnaire*), and Bayle does not fail to mention that the Calvinist Jurieu sustained the right to the punishment of heretics:<sup>115</sup> the politicians found themselves facing the necessity of the right to persecute them. The *salus populi* legitimized political power so that any sect considered dangerous ‘deserves to be immediately cut off by the Sword of the Magistrate’.<sup>116</sup> The minority churches should not be hampered in their worship as long as they caused no damage to the State; ‘having publick Churches, or walking in Processions thro the streets’ was not ‘essential to Liberty in Religion’.<sup>117</sup> The State could not be indifferent to religious public life and, if necessary, tolerance was a value that could come after the *salus populi*, even that of absolutism, which imposed the superiority of one religion over another.

As Pascal had said, religion had an intrinsic sectarian rationale. In the *Réponse aux questions d’un provincial*, Bayle admitted that historic experience undoubtedly appeared to favour the intolerant, who had good reason to maintain that ‘religion is pernicious to the State when it generates schisms’; however, ‘the dogma of tolerance’ could equally well be praised. ‘The right of

erring conscience in good faith is absolutely the same as that of the orthodox conscience', and Bayle said that he did not deny 'that those who are really convinced that in order to obey God we must abolish the sects are obliged to follow the movement of their false consciences'.<sup>118</sup> Without tolerance, the diversity of religions was a 'real and terrible' evil, but although the sects themselves invoked tolerance, they would have immediately abandoned it as soon as they became dominant. It might have been believed that tolerance would have made the plurality of religion useful to society, but it was, nevertheless, a 'certain, incontestable and almost irremediable and inevitable fact' that tolerance became dangerous when 'the sects' emerged. The religious conscience, the foundation of which is God, may justify persecution.<sup>119</sup> The entry LOYOLA in the *Dictionnaire* showed that sovereigns had been deposed on the instigation of the clergy. Rebellions and seditions had had but religious roots. Between these two perspectives, both unassailable, between the inevitable sectarian chaos and the *salus populi*, the only certain conclusion was that 'the dogma of tolerance' was not useful in religious and 'temporal' conflicts.<sup>120</sup>

The dilemma of tolerance remained unresolved. Bayle's unflinching claim for freedom of conscience was yoked to the demand for political quietism<sup>121</sup> and approval of the severity of power against 'inevitable sectarian fanaticism'.<sup>122</sup> But of which power?

### *Whom to obey?*

There were three possible answers. One was that of Jurieu. It required a society where the political power was guided by the Church and without sects. But its order was a false order, which was created by violence. Coercion of conscience was an unacceptable strategy of power, because the very feature of human nature was the fallibility of reason. Christians contravened their own evangelical principles to the point of raging wildly against Jews, Turks, and heretics;

Judge ... whether those disasters considered normally inevitable in a civil society, as when the Christian religion breaks into two, have or not have some link with the principles of the theologians and whether it is necessary to believe that such principles are opposed to the remedies that a wise toleration can create in order to appease these troubles.<sup>123</sup>

An alternative could be to imagine an atheist society. Atheism did not necessarily produce corruption any more than Christianity produced goodness:<sup>124</sup> without divine grace, being an atheist or Christian was irrelevant.<sup>125</sup> Atheists could, of course, be corrupt like anyone else, but they could also be virtuous and civilised. The religious conscience based upon god's will was a will of persecution; atheism was a form of conscience based upon reason and natural ethics. Just as the heretic followed his own conscience, albeit in error, so

too did the atheist acknowledge that he did not understand the existence of God but that of social rules. What determined human behaviour was climate, physical complexion, passions, and laws. Men did not act on the basis of their ethical principles; real life had nothing to do with beliefs.<sup>126</sup> Virtue was the effect of the force of human justice, and so one could imagine a virtuous society of atheists that would ‘exactly resemble a Commonwealth of Pagans’ in its manners and civil life.<sup>127</sup> It would be driven by the passion of honour, which, together with the fear of the laws, was a strong social factor. While religion was indeed one of the bonds of society,<sup>128</sup> one could still do without it since it was no longer ‘a sufficient Curb to our Passions’.<sup>129</sup> The atheist did not have an interest to persecute somebody *causa religionis*. Atheist society lacked the support of religion and was thus weaker since it was sustained solely by passions and laws. Nonetheless, since it was tolerant, it was a lesser evil than a wicked Christian society.<sup>130</sup>

Several decades later, Montesquieu called this idea a paradox and rejected it.<sup>131</sup> Not only because political theory in the wake of Machiavelli had confirmed that a State should not sever the relation between religion and politics, but more importantly, because in Bayle’s atheist society, conflicts between individuals and power were absent. The atheists had to accept and obey the laws of the State. An atheist society was a danger, because it was an obedient one, not because it lacked religion.

The third historically-conceived solution was indeed the Erastianism, founded on natural reason and God, where the sovereigns did not tolerate the persecution of a secte ‘out of political interest, and not because of religion’.<sup>132</sup> This was Bayle’s choice. In this absolutism, as well, the foundation of which was God, subjects had no right to disobey their sovereign. In the *Avis importante aux réfugiés*, Bayle denied heretics the right to resistance even when they were unjustly persecuted – referring in particular to the Waldensians of Piedmont<sup>133</sup> – and accused the Protestants and Huguenots of being more intolerant than the Catholics<sup>134</sup> and of lacking political loyalism. He took sides against William of Orange when he became King of England.<sup>135</sup> This choice caused a strong moral disapproval among Protestants. But, as we have seen, Bayle harshly condemned the absolutism that emerged in the Spain of Philip II and had been taken up by Louis XIV. He was not interested in the theories of confessional absolutism. The entries devoted to Botero and Althusius in the *Dictionnaire* are cursory, whereas he paid great attention to Bodin, who was praised for being concerned with the public good and the peace of the State, without this judgment being diminished by his passage to the *Ligue*.<sup>136</sup> Bodin’s offered Bayle – who was familiar with the *Heptaplomères* – the categories to combat superstition, to think a State that had a theocratic foundation but was independent of the clergy, and that, through the separation of religion and politics, created a space for the freedom of one’s conscience sheltered from popular fanaticism and sedition.

The idea of absolutism Bayle looked to circulated in the Huguenot Refuge,<sup>137</sup> and was one of those discussed by Elie Merlat in the *Traité du*

*pouvoir absolu des Souverains: pour servir d'instruction, de consolation et d'Apologie aux Eglises Réformées qui sont affligées* (1685), which Bayle promptly reviewed in the *Nouvelles de la République des Lettres*.<sup>138</sup> Merlat had referred to the policy of Henry IV and had taken up several aspects of the politics of Hobbes, albeit without naming him.

In fact, Hobbes's theory of sovereignty seemed to Bayle as excessive and unrealistic as the utopias of Plato, More, and Campanella.<sup>139</sup> Between the absolutism of the former and the democracy of the latter, a 'happy mean' had to be found, maintaining the separation between political theory and policy, between Grotius and Machiavelli, which *Leviathan* had instead fused.<sup>140</sup> Bayle did not see that Hobbes had admitted the futility of the 'dogma of tolerance', but had avoided the dilemma of the theocracy split between two powers. According to *Leviathan*, the State had to be unitary, not an Erastian theocracy. The legitimacy of power did not come from God, but from men who made a pact to honour their commitments and constructed human society and authority on the natural law foundation of sovereignty. Both Bayle and Hobbes defended absolutism. But for Bayle, politics required obedience; for Hobbes, it meant considering liberty.

## Notes

- 1 G. Canziani, G. Paganini (eds.), *Theophrastus redivivus*, III, 5 (Florence: La Nuova Italia, 1981–82), p. 483. Cf. G. Mori, *Athéisme et dissimulation au XVII<sup>e</sup> siècle. Guy Patin et le Theophrastus redivivus* (Paris: Champion, 2022).
- 2 Montaigne, *Essais*, II, 19.
- 3 Montaigne, *Essais*, II, 12.
- 4 Montaigne, *Essais*, II, 5.
- 5 C. Ginzburg, 'Il segreto di Montaigne', in C. Ginzburg (ed.), *La lettera uccide* (Milano: Adelphi, 2021), pp. 163–83.
- 6 Montaigne, *Essais*, I, 56.
- 7 M. Schmoeckel, 'Liberty of Conscience and the Right of Resistance in Montaigne's *Essays* and Charron's *La Sagesse*', *Forum Historiae Iuris*, 2002, §§ 46–47, <https://www.hsozkult.de/journal/id/z6ann-99639>.
- 8 Montaigne, *Essais*, I, 23.
- 9 B. Pascal, *Pensée* 753, in P. Sellier (ed.), B. Pascal, *Pensées, opuscles et lettres* (Paris: Classiques Garnier, 2018). I use W. F. Trotter's translation, B. Pascal, *Thoughts*, introduction by T. S. Eliot (New York: Dutton, 1958), but giving also Brunschvicg's numbering, here: p. 137, Br. 498.
- 10 B. Pascal, *The Provincial Letters*, trans. Thomas McCrie, ed. O. W. Wight (New York: Hurd and Houghton, 1866), VI, pp. 213–29.
- 11 Pascal, *Pensée* 789, 'Le monde veut naturellement une religion, mais douce'.
- 12 Pascal, *Pensée* 559, p. 15, Br. 63.
- 13 Pascal, *Pensée* 615, p. 242, Br. 817.
- 14 Pascal, *Pensées* 743 and 510, pp. 31 and 136, Br. 100 and 492.
- 15 Pascal, *Pensée* 698, p. 270, Br. 919.
- 16 Pascal, *Pensée* 770, p. 269, Br. 918. An overview in M. Cavarzere *et al.* (eds.), *Making Truth in Early Modern Catholicism* (Amsterdam: Amsterdam University Press, 2021).

- 17 Pascal, *Pensée* 268, p. 161, Br. 578.
- 18 Pascal, *Pensée*, 771, pp. 226–7, Br. 949.
- 19 Pascal, *Pensée* 268, p. 161, Br. 578.
- 20 Pascal, *Pensée* 753. Cf. Matthew, 11:12: ‘The kingdom of heaven suffereth violence, and the violent take it by force’.
- 21 Pascal, *Pensée* 699, p. 146, Br. 544.
- 22 Pascal, *Pensée* 414, p. 81, Br. 287.
- 23 Pascal, *Pensée* 661, p. 74, Br. 252.
- 24 Pascal, *Pensée* 690, p. 154, Br. 556.
- 25 Pascal, *Pensée* 396, p. 73, Br. 249.
- 26 Pascal, *Pensée* 811, p. 228, Br. 952.
- 27 ‘The history of the Church ought properly to be called the history of truth’, Pascal, *Pensée* 627, p. 257, Br. 857.
- 28 Pascal, *Pensée* 680, pp. 66–69, Br. 233.
- 29 Paul, *Romans* 1:17: ‘iustus ex fide vivit’ (the just shall live by faith). S. Josset, ‘La foi vive et la foi humaine selon Montaigne et Pascal’, *Montaigne Studies. An Interdisciplinary Forum*, XXXIII (2021), pp. 39–58.
- 30 1 *Corinthians* 11:18–19 and *Galatians* 3:28.
- 31 Pascal, *Pensée* 798, p. 266, Br. 902.
- 32 Pascal, *Pensée* 23, p. 112, Br. 424.
- 33 Pascal, *Pensée* 480, p. 69, Br. 234.
- 34 Pascal, *Pensée* 796, p. 99, Br. 362.
- 35 Pascal, *Provincial Letters*, XV, p. 381.
- 36 Pascal, *Provincial Letters*, III, p. 167.
- 37 Pascal, *Provincial Letters*, XV, p. 381.
- 38 Pascal, *Provincial Letters*, XII, p. 336.
- 39 P. Brown, ‘St. Augustine’s Attitude to Religious Coercion’, in *The Journal of Roman Studies*, LIV (1964), pp. 107–16.
- 40 ‘The Christian republic—and even the Jewish republic—has only had God for ruler ... they considered their towns as belonging to God only, and kept them for God’, Pascal, *Pensée* 401, Br. 611, p. 169.
- 41 P. Nicole, ‘Préjugez Légitimes contre les calvinistes’ (1671), in P. Nicole (ed.), *Les préjugés légitimes contre les calvinistes, augmentés de deux additions considérables contre M. Claude dans sa Défense de la Réformation* (Paris: Frix, 1683), p. 105–13.
- 42 Nicole, *Préjugez Légitimes*, pp. 359–420.
- 43 Especially that expressed in *Letter* 93, requesting severe penalties for the Donatists for the correction of their faith.
- 44 Nicole, *Préjugez Légitimes*, p. 4.
- 45 Nicole, *Préjugez Légitimes* p. 393.
- 46 Nicole, *Préjugez Légitimes* p. 82 and Chapter XIII.
- 47 A. Arnauld, *Apologie pour les catholiques* (Liège: 1682), p. 238. The attack on the Socinians was virulent. Cf. Philippe Dubois-Goibaud, *Conformité de la conduite de l’Église de France pour ramener les protestants: avec celle de l’Église d’Afrique pour ramener les Donatistes à l’Église catholique* (Paris: Coignard, 1685), where Augustine’s letters are published under the auspices of the bishop of Paris.
- 48 Pascal, *Pensée* 791, p. 219, Br. 925.
- 49 P. Nicole, *Les Prétendus réformés convaincus de schisme* (Paris: Desprez-Josset, 1684).
- 50 P. Nicole, *De l’unité de l’Eglise, ou réfutation du système de M. Jurieu*, III, 3 (Rouen: Vaultier, 1708), pp. 360–8.

- 51 P. Jurieu, *Préservatif contre le changement de religion, ou idée juste et véritable de la religion catholique romaine ...* by Bossuet (The Hague: Arondeus, 1682), pp. 6–7, and *Politique du Clergé de France, ou Entretiens curieux de deux Catholiques Romains, l'un Parisien et l'autre Provincial, sur les moyens dont on se sert aujourd'hui, en ce royaume, pour détruire la religion reformée* (The Hague: Barent Beeck, 1682).
- 52 Jurieu, *Préservatif*, pp. 42–43.
- 53 Cf. R. Voeltzel, *Vraie et fausse église selon les théologiens protestants français du XVII<sup>e</sup> siècle* (Paris: PUF, 1956).
- 54 Jurieu, *Préjugez légitimes contre le Papisme* (Amsterdam: Desbordes, 1685), pp. 2–3.
- 55 P. Jurieu, *Le Vrai système de l'Eglise et la véritable analyse de la foi* (Dordrecht: Caspar-Goris, 1686), p. 129.
- 56 G. Tarantino, *Martin Clifford (1624–1677). Deismo e tolleranza nell'Inghilterra della restaurazione* (Florence: Olschki, 2000).
- 57 Jurieu, *Le Vrai système*, pp. 124–5, 59.
- 58 Jurieu, *Le Vrai système*, pp. 149–50, 142 ff.; A. Minerbi Belgrado, 'P. Jurieu, o le difficoltà dell'intolleranza', in H. Méchoulan et al. (eds.), *La formazione storica dell'alterità*, pp. 595–615.
- 59 The entry INTOLÉRANCE appeared in the *Supplement* (1701) to Furetière's *Dictionnaire universel* (1690), and was drafted by Basnage de Beauval (author of the *Tolérance des religions* of 1684, as we shall see). The term referred to the theological debate and indicated the intention 'not to bear the others'.
- 60 J. Basnage de Beauval, *Histoire de l'Eglise, depuis Jesus-Christ jusqu'à present, divisée en quatre parties. La première contient l'histoire du gouvernement de l'église dans les diocèses d'Alexandrie, d'Antioche, d'Afrique, des Gaules, de Constantinople, & de Rome. La seconde, l'histoire de ses principaux dogmes, du canon des écritures, ... La troisième contient celle de l'adoration du sacrement, ... Et la quatrième, l'histoire des Albigeois, & de la succession de l'Eglise, jusqu'à present*, IV, § 4, 'Histoire des donatistes' (The Hague: Husson, 1723), I, p. 181; see also § 12, p. 187, on similarity of the Donatist polemic with Rome and that of the Protestants and Catholics in the 17th century. In vol. II, a fierce polemic with Bossuet's *Variations*.
- 61 Cf. F. Quatrini, *I sociniani. Una chiesa ereticale in lotta con la cristianità. 1563–1638* (Napoli: Bibliopolis, 2023).
- 62 F. Socinus, 'De Jesu Christo Servatore', in F. Socinus (ed.), *Opera Omnia*, Irenopoli, 1656, reprint E. Scribano (ed.) (Siena: Giaccheri, 2004), II, pp. 115–246.
- 63 Socinus, *Tractatus de Ecclesia*, *Opera*, I, pp. 323–58.
- 64 S. Salatowsky, 'Die drohende Gefahr des Atheismus. Die Sozinianer Przypkowski und Crell über die möglichen Folgen von Intoleranz', in S. Salatowsky, W. Schröder (eds.), *Duldung religiöser Vielfalt – Sorge um die wahre Religion: Toleranzdebatten in der Frühen Neuzeit* (Stuttgart: Steiner, 2016), pp. 99 ff.
- 65 J. Crell, *Iuni Bruti Poloni Vindiciae pro religionis libertate* (Eleutheropoli: Typis Godfredi Philadelphi, 1637), p. 49; it was probably printed in Amsterdam by Joan Blaeu, *A LEARNED and Exceeding Well-Compiled Vindication of Liberty of RELIGION: Written by Junius Brutus in Latine, and Translated into English by N. Y. Who Desires, as much as in Him Is, to Do Good unto All Men: Wherein These Three Following Propositions Are Undeniyably Proved, and All Objections to the Contrary fully Answered* (London: n.t., 1646), p. 52.
- 66 Crell, *Vindication*, p. 57.
- 67 Crell, *Vindication*, p. 31.
- 68 Crell, *Vindication*, p. 26.
- 69 Crell, *Vindication*, p. 22.

- 70 Crell, *Vindication*, p. 24.
- 71 Crell, *Vindication*, p. 11.
- 72 Crell, *Vindication*, p. 13.
- 73 Crell, *Vindication*, p. 16.
- 74 Crell, *Vindication*, p. 37.
- 75 Crell, *Vindication*, pp. 1, 3.
- 76 Crell, *Vindication*, p. 18.
- 77 Crell, *Vindication*, p. 39.
- 78 Crell, *Vindication*, p. 47.
- 79 Crell, *Vindication*, p. 55.
- 80 Crell, *Vindication*, pp. 41–42.
- 81 Crell, *Vindication*, p. 42–43.
- 82 Crell's *Vindication* was translated into French and published by C. Le Cène, *De la tolerance dans la religion, ou de la liberté de conscience, Conversations sur diverses matières de religion. Où l'on fait voir la tolerance que les chrétiens de differens sentimens doivent avoir les uns pour les autres, et où l'on explique ce que l'écriture Sainte nous dit des alliances de Dieu, de la justification, et de la certitude du salut* (Philadelphia, PA: Timothée de S. Amour, 1687), pp. 220–87. Le Cène did not say who was the author of the text. See the debate between Israel and Van Eijnatten about freedom of speech as a key concept within Enlightenment thought in E. Powers (ed.), *Freedom of Speech. The History of an Idea* (Lewisburg: 2011), J. Israel, "Libertas Prophetandi in the Eighteenth Century," pp. 1–17; and J. van Eijnatten, "In Praise of Moderate Enlightenment: A Taxonomy of Early Modern Arguments in Favor of Freedom of Expression," 19–44 who offers a taxonomy of sixteen arguments in favour of freedom of expression developed in the post-Reformation decades and elaborated during 18th century.
- 83 J. Israel, 'The Intellectual Debate about Toleration in the Dutch Republic', in J. Israel (ed.), *The Emergence of Tolerance in the Dutch Republic* (Leiden: Brill, 1997), p. 30 n. 86.
- 84 Noël Aubert de Versé, *Traité de la liberté de conscience, ou De l'autorité des souverains sur la religion des peuples, opposé aux maximes impies de Hobbes et de Spinoza, adoptées par le sieur Jurieu dans son Histoire du papisme et dans son Systeme de l'Eglise* (Cologne: Pierre Marteau, 1687), pp. 55–56. F. Benigni, 'The "Hereticide". Freedom of Conscience and Popular Indignation in a Debate around Pierre Jurieu', in *Intellectual History Review* 32 (2022), pp. 1–19.
- 85 Aubert, *Traité*, pp. 57–64.
- 86 Aubert, *Traité*, pp. 82 and 244.
- 87 H. Basnage de Beauval, *Tolérance des religions* (Rotterdam : de Graef, 1684), pp. 100–1, 93–4, 26, 31, 54.
- 88 'One must not remain uncertain or turn one's certainty into a principle of injustice. What one can do, whichever church (*parti*) one has chosen out of love and interest for the truth, is to maintain fairness towards all others, and not do violence to them because they do not think and consider reality as we do', Basnage de Beauval, *Tolérance*, p. 49.
- 89 Basnage de Beauval discussed Bayle's *Commentaire* in *Traité de la conscience, dans lequel on examine sa nature, ses illusions, ses craintes, ses doutes, ses scrupules, sa paix, et divers cas de conscience, avec des réflexions sur le Commentaire philosophique* (Amsterdam : Brunel, 1696).
- 90 Luke 14:23, 'Go out into the highways and hedges, and compel them to come in, that my house may be filled'.
- 91 P. Bayle, *A Philosophic Commentary on These Words of the Gospel, Luke XIV.23: Compel them to come in that my House may be full* (London: J. Darby, 1708), t. II, 3, pp. 188–9.

- 92 P. Bayle, *Historical and Critical Dictionary*, FERRIER (Jeremie), (London: J. J. and P. Knapton et al., 1736), t. 3, p. 40.
- 93 P. Bayle, *Miscellaneous Reflections Occasion'd by the Comet which Appear'd in December 1680*, 2 vols (London: J. Morphew, 1708), t. I, p. 229. *The Pensées diverses* appeared in 1682, and then revised in 1683. In the *Addition to the Reflections* (1694) Bayle replied to Jurieu's refutation of the *Miscellaneous Reflections*. Cf. H. Bost, A. McKenna (eds.), *L'Affaire Bayle. La bataille entre P. Bayle et P. Jurieu devant le consistoire de l'Église wallonne de Rotterdam* (Saint-Etienne: Université J. Monnet, 2006).
- 94 Bayle, *Philosophic Commentary*, I, 1, pp. 55–57.
- 95 Bayle, *Philosophic Commentary*, II, 10, pp. 338–9.
- 96 P. Jurieu, *Des Droits des deux Souverains en matière de Religion, la Conscience et le Prince. Pour détruire le dogme de l'indifférence des Religions et de la tolérance universelle. Contre un livre intitulé Commentaire Philosophique sur ces paroles de la Parole Contrains-les d'entrer* (Rotterdam: Henri de Graef, 1687), pp. 256–8.
- 97 Bayle, *Philosophic Commentary*, I, 2, p. 62.
- 98 Bayle, *Philosophic Commentary*, I, 1, pp. 43–44. Bayle read Spinoza's *Tractatus Theologico-Politicus* before the *Commentary*. In a letter to Vincent Minutoli dated 26 May 1679, about the *Traité des cérémonies superstitieuses des juifs* [= H. C. Diebolt, J. Porrée, *Traité des Anciennes Ceremonies*, Amsterdam, 1678], he wrote: 'Ce qu'il dit sur la fin, que le prince est le souverain maître de la religion, me feroit penser que l'auteur est le fameux Spinoza, qui a composé de semblables pensées dans son *Tractatus theologico-politicus*', P. Bayle, *Correspondance*, lettre 171, (Oxford: Voltaire Foundation, 2004), III, p. 181.
- 99 E. Labrousse, *Introduction to P. Bayle, Ce que c'est que la France toute catholique sous le règne de Louis le Grand* (1686), (Paris: Vrin, 1973), pp. 17–18.
- 100 Bayle, *Philosophic Commentary*, I, 1, p. 49.
- 101 Bayle, *Philosophic Commentary*, I, 1, pp. 48–49 and II, 2 p. 169.
- 102 Bayle, *Philosophic Commentary*, II, 7, p. 263.
- 103 Bayle, *Philosophic Commentary*, I, 2, pp. 60, 61; I, 1, p. 51.
- 104 Bayle, *Philosophic Commentary*, II, 10, p. 350.
- 105 Bayle, *Philosophic Commentary*, II, 10, p. 333.
- 106 Bayle, *Philosophic Commentary*, II, 8, pp. 282–4. Awareness of the criminal nature of one's action accentuates guilt. Bayle makes the surprising example of two sons who kill their father, one with full consciousness, the other with only 'a confus'd Knowledge of its being a Sin', p. 274.
- 107 Bayle, *Philosophic Commentary*, II, 9, p. 313.
- 108 Bayle, *Philosophic Commentary*, II, 9, p. 312–8.
- 109 J. M. Hooks, 'Pierre Bayle and Richard Simon: Toleration, Natural Law, and the Old Testament', in *History of European Ideas*, 48, 4 (2022), pp. 382–401.
- 110 Bayle, *Philosophic Commentary*, II, 7, p. 262.
- 111 Bayle, *Philosophic Commentary*, II, 7, p. 263.
- 112 Bayle, *Philosophic Commentary*, II, 7, pp. 265–6.
- 113 Bayle, *Philosophic Commentary*, II, 9, p. 307.
- 114 J.-L. Solère, 'The Coherence of Bayle's Theory of Toleration', in *Journal of the History of Philosophy*, LIV (2016), pp. 21–46.
- 115 Bayle, GELDENHAUR (Gerard), *Dictionary*, t. 3, p. 147.
- 116 Bayle, *Philosophic Commentary*, II, 5, p. 228.
- 117 Bayle, *Philosophic Commentary*, II, 5, p. 237.
- 118 Bayle, *Philosophic Commentary*, II, 9, pp. 289 and 299.
- 119 The problem has been discussed by G. Mori, 'Pierre Bayle, the Rights of Conscience, the Remedy of Toleration', *Ratio Juris*, 10 (1997), pp. 45–60.

- 120 'This is why the dogma of Tolerance is no more useful against the temporal evils that schisms cause than if no one supported it'. (C'est pourquoi le dogme de la Tolérance n'est pas plus utile contre les maux temporels que les schismes causent, que si personne ne le soutenait'), P. Bayle, 'Réponse aux questions d'un provincial', IV, 1, in P. Bayle (ed.), *Ceuvres diverses* (The Hague: La Compagnie des Libraires, 1737), III, p. 1011.
- 121 J. C. Laursen, 'Baylean Liberalism: Tolerance requires Intolerance', in J.C. Laursen (ed.), *Beyond the Persecuting Society*, p. 213; and A. McKenna, 'Questions de souveraineté chez Bayle et chez Jurieu: un contexte politique déterminant', in L. Simonutti (ed.), *Religious Obedience and Political Resistance in the Early Modern World* (Turnhout: Brepols, 2014), p. 378.
- 122 S. Brogi, 'Eresia e persecuzione in Bayle', in E. Scribano (ed.), *Le ragioni degli altri. Dissidenza religiosa e filosofia nell'età moderna* (Venezia: Ca' Foscari, 2017), pp. 101–16.
- 123 Bayle, *Réponse*, p. 1012.
- 124 Bayle, *Miscellaneous Reflections*, Section 174, t. II, p. 353.
- 125 Bayle, *Miscellaneous Reflections*, Section 160, t. I, p. 323.
- 126 Bayle, *Miscellaneous Reflections*, Section 176, t. II, p. 361–3.
- 127 Bayle, *Miscellaneous Reflections*, Section 161, t. II, p. 329. Bayle follows St Paul's equivalence between paganism and atheism and Augustine's defence of grace.
- 128 Bayle, *Miscellaneous Reflections*, Section 106–8, Vol I, pp. 224–6.
- 129 Bayle, *Miscellaneous Reflections*, Section 165, Vol II, p. 336.
- 130 G. Cantelli, 'La virtù degli atei nei *Pensieri diversi sulla cometa* di Bayle. Una premessa per una società tollerante', in H. Méchoulan et al. (eds.), *La formazione storica dell'alterità*, pp. 679–706.
- 131 Montesquieu, *The Spirit of Laws*, XXIV, 1, 6 (Montesquieu, *The Spirit of Laws*, p. 1, 6).
- 132 Bayle, *Réponse*, p. 1012.
- 133 P. Bayle, *Avis important aux réfugiés. Réponse d'un nouveau converti*, G. Mori (ed.) (Paris: Champion, 2007), pp. 229 ff.
- 134 Bayle, *Avis*, pp. 157–8.
- 135 Bayle, *Avis*, pp. 168–228.
- 136 Bayle, BODIN (Jean), *Dictionary*, t. 2, pp. 43–53 and rem. Q.
- 137 L. Simonutti, "'Absolute, Not Arbitrary, Power": Monarchism and Politics in the Thought of the Huguenots and Pierre Bayle', in H. Blom et al. (eds.), *Monarchisms in the Age of Enlightenment: Liberty, Patriotism, and the Common Good* (Toronto: University of Toronto Press, 2007).
- 138 *Nouvelles de la République des Lettres*, August 1685. D. Spini, 'Il *Traité du pouvoir absolu* di E. Merlat', in *Il pensiero politico*, 29 (1996), pp. 279–89.
- 139 Bayle, HOBBS (Thomas), *Dictionary*, t. 3, pp. 467–71, rem. E and F.
- 140 P. Bayle, review of U. Huber, *De Jure civitatis libri tres* (1684), *Nouvelles de la République des Lettres*, September 1684, II, p. 151.

## 7 The 17th century

### Tolerance and sovereignty

#### Hobbes: conscience and power

Conscience was a phenomenon of communication. ‘When two, or more men, know of one and the same fact, they are said to be conscious of it one to another’ because they have direct and independent experience of it. As a result, it has always been considered very wrong to speak against one’s own conscience, or to force another to do so. Subsequently, men defined conscience as ‘the knowledge of their own secret facts’ which were then held to be ‘true’.<sup>1</sup> Finally, there was a third component of conscience, based not on definitions of reality, but on personal convictions or statements made by another individual whom one does not doubt. In this case, it is a question not of the thing to be believed but of the person to be believed: ‘and the resolution is called belief, and faith:... So that in belief are two opinions; one of the saying of the man; the other of his virtue’.<sup>2</sup> Conscience is a subjective awareness triggered by an inter-individual dynamic; its immediacy has nothing to do with the reason, which then re-elaborates it.<sup>3</sup> Its contents depend on a religious or political authority.

Since power produces beliefs, it requires worship. Worship is the external manifestation of a thought through which one pays respect to a power considered to be superior; it can be addressed to the deity, being divine worship, or to men, when it is ‘civill worship’.<sup>4</sup> The sentiment of honour, which is ‘of its own nature, secret, and internal in the heart’, when it appears outwardly, takes the form of worship,<sup>5</sup> which stems from the desire for ‘compleasance’<sup>6</sup> or pleasure. There are two forms of divine worship. One is public, through which the commonwealth regulates the external worship of every citizen in a necessarily uniform manner; the other worship is individual or of groups.<sup>7</sup> In a society that allows the different worship of ‘private men’, the commonwealth does not have a religion,<sup>8</sup> and in this case, tolerance does not have political significance and is the result of negotiations.

In the commonwealth, *civill worship* was crucial as the form through which politics exercised spiritual power. Inner beliefs coincide with public beliefs, and the citizen takes precedence over the natural individual. This is what happened in the fully human, vital, and passionate classical world.<sup>9</sup>

Christianity, with its otherworldly beliefs, had created an interior space unknown to the classical world, which in the Christian commonwealth depended on a spiritual power different from the political.

### *Natural and religious condition*

For Hobbes, the natural condition 'is called war; and such a war, as is of every man, against every man'. It is characterised by the insecurity of community life, threatened by 'continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short'.<sup>10</sup> This was the condition in which men lived before they had or when they no longer had the commonwealth. It was the contemporary condition of life both in America, where 'the savage people... live at this day in that brutish manner', and in Europe, where social life had degenerated into 'a civil war'.<sup>11</sup> To resolve this situation, men build the 'commonwealth' which binds them through civil laws. 'These bonds, in their own nature but weak, may nevertheless be made to hold, by the danger, though not by the difficulty of breaking them'.<sup>12</sup> But the political bond should not be reinforced by religion. The history of European conflicts demonstrated that the foundation of Christian societies was incompatible with that of commonwealths. Political society was regulated by natural law, religious society by charismatic rationale. Modern confessional commonwealths had dissolved the State in the Church, and conflicts had become uncontrollable. When 'kings were pastors, or pastors kings',<sup>13</sup> the freedom of conscience, of preaching, and of listening disappeared. That is, when Christianity ruptured the unity of the ancient State and brought about the subordination of politics to religion, with variable but irrelevant balances. 'If this superstitious fear of spirits were taken away... and many other things depending thereon, by which crafty ambitious persons abuse the simple people, men would be much more fitted than they are for civil obedience'.<sup>14</sup> Religious doctrine hampered shared forms of civil life. Hobbes – who experienced the events of the English Commonwealth, was familiar with the religious wars in France,<sup>15</sup> and read Bodin<sup>16</sup> – did not propose alternative political strategies,<sup>17</sup> but considered the autonomy of political sovereignty opposed to the charismatic.<sup>18</sup> The commonwealth conceived by Hobbes was neither theocratic nor Calvinist, nor Erastian.<sup>19</sup> Against the modern Christian State, the sovereignty of *Leviathan* was founded on a purely worldly rationale. The Roman (and Machiavellian) example was not sufficient for the new reality.

### *Religion and spiritual power*

During the Restoration, Hobbes was accused of being at least sympathetic to the sectarian movements of the Interregnum and heretical doctrines.<sup>20</sup> In the posthumous *An Historical Narration concerning Heresie and the Punishment thereof* (1680), he stated that heresy was characteristic of Christianity, going

beyond the classic reconstruction that traced it back to the Age of Constantine.<sup>21</sup> In the classical world, heresy indicated a ‘private’ philosophical doctrine;<sup>22</sup> with Christianity, philosophers entered the religious arena and interpreted its doctrines using their language. Theological issues became philosophical and political, but maintained the character of religion. In the early Christian age, conflicts within the communities were resolved through the exclusion and ‘ignominy’ of whoever had opinions that weren’t shared. Orthodoxy and heresy were a dynamic polarity in which the second term, ‘a name of disgrace’, in turn determined the mobile confines of the first. Starting from that time, in Christian history, there were three cruxes – excommunication, the creation of bishops, and papal power – which distorted the original apostolic life, and Christianity assumed the structure of politics. The turning point came with Constantine, who convened the Council of Nicaea to find support in the control of public order.<sup>23</sup> The soteriological doctrine of the Trinity, relevant only theologically, entered the political power game and became a matter of civil heresy.<sup>24</sup> The theory upheld by power was orthodox; heresy became a crime since Constantine had allowed spiritual control to be in the hands of the Church.<sup>25</sup>

The priestly orders secured spiritual power through a new form of preaching. They did not teach ‘what to do’<sup>26</sup> and what to believe, namely justice, but rather whom to believe. This was an unjustified practice: ‘What needs so much preaching of faith to us that are no heathens, and that believe already all that Christ and his apostles have told us is necessary to salvation, and more too?’<sup>27</sup> This was a dangerous practice because it allowed a priest

to harangue all the people of a nation at one time, whilst the State is ignorant of what they will say; and that there is no such thing permitted in all the world out of Christendom, nor therefore any civil wars about religion.<sup>28</sup>

It was the exercise of the spiritual power of the Roman Church, whereby, as Bellarmin had said, ‘although the pontiff as such does not have temporal power, nevertheless as far as the spiritual world (*bonum spirituale*) is concerned he has the supreme power to dispose of every temporal reality of all Christians’.<sup>29</sup> Spiritual power had been successfully contended by the Christian religion, which had brought the afterlife onto the scene. Salvation and eternal punishment proved *enjeu* incommensurable with worldly punishment that sovereignty had perforce to make do with.<sup>30</sup>

This power of absolving subjects of their obedience, as also that other of being judge of manners and doctrine, is as absolute a sovereignty as is possible to be; and consequently there must be two kingdoms in one and the same nation, and no man be able to know which of his masters he must obey.<sup>31</sup>

The upshot was that the Christian commonwealth lived in a constant state of war.

### *Religion and community*

In the natural condition, the same fears, hopes, and anxieties were developed in institutions and in political and religious thought. The religion which 'can never be so abolished out of human nature',<sup>32</sup> and 'hath place in the nature of man before civil society',<sup>33</sup> was a feeling of fear about an invisible power,<sup>34</sup> an invisible power that had two religious roots. One was superstition, called religion by those who believed it; the other was religion, because officially imposed. The natural seeds of religion had 'received culture from two sorts of men' who had made them the instruments of either politics or religion, such as Abraham, Moses, and Christ.<sup>35</sup> The first case gave rise to the commonwealth, based on the laws of nature and utility; the second gave rise to the sects, which rested on the imaginary world of the afterlife that annihilated the natural world.

The English Revolution had shown how dangerous freely preached belief could be, expressing as it did the independence and the right of the individual conscience to judge political and religious issues. The 'seducers'<sup>36</sup> who militated in the sects and disobeyed the State had dragged the people towards another law.<sup>37</sup> They claimed 'the kingdom of God to be of this world' and aspired 'to have a power therein, distinct from that of the civil State'.<sup>38</sup>

The congregationalists had returned to 'the independancy of the primitive Christians' that represented the ideal of freedom since there was 'no power over the consciences of men, but of the Word itself',<sup>39</sup> and men did not have to absurdly obey others in the choice of their own salvation. The initial community was made up of 'the first elements of power, which are wisdom, humility, sincerity, and other virtues of the Apostles, whom the people, converted, obeyed out of reverence, *not by obligation*';<sup>40</sup> they lacked the 'legislative power' that belongs to civil sovereigns. So why, Hobbes asked himself, did the apostles – and the clergy after them – want to decide which faith and which worship should be taught 'if no man were obliged to observe their decrees?' Christian doctrine required evangelisation and internal control, but it could not require Christians to obey the precepts as if they were laws, when they were not; similarly, nor were those who had not accepted Christian doctrine guilty.<sup>41</sup> The apostles preached that Christ was the king of a kingdom that did not exist because it was in the future and did not impose interpretation of the laws: 'For to interpret the laws, is part of the administration of a present kingdom, which the apostles had not'.<sup>42</sup> The Christian community did not rest on the pact that, in the natural condition, individuals draw up between each other to create a commonwealth, but on an alleged contract with God based not on the calculation of natural reason but on the fear of death in the afterlife.<sup>43</sup> It was not the rational overcoming of a fearful condition of life, but its effect. It consisted of sharing a religious belief that gave an answer to such fear and brought together a number of people who followed a single and identical 'master' of their choice through a charismatic bond.<sup>44</sup> This was a prophet who professed to work for the happiness

of others, or a holy man who claimed that God had declared his will to him 'supernaturally'.<sup>45</sup>

In such a lawless community, obedience is offered to him who offers counsel not for his own advantage – that being the nature of political power – but for 'the salvation of our souls'.<sup>46</sup> Christ did not dictate laws, but simply gave counsel.<sup>47</sup> But why give counsel for another's good? And why follow it? Fear of the afterlife and faith in the invisible divine power motivated a conduct and an ideal of moral justice different from political justice. Justice was accepted not through coercion but through 'the inward conversion of the heart, which is not the work of laws, but of counsel and doctrine'<sup>48</sup> as required by Christ,<sup>49</sup> and out of trust in he who acts with particular wisdom<sup>50</sup> and for nothing more than the happiness of others.<sup>51</sup> God had only once communicated his will in a different, prophetic manner: 'wherein having chosen out one peculiar nation, the Jews, for his subjects, he governed them, and none but them, not only by natural reason, but by positive laws, which he gave them by the mouths of his holy prophets'.<sup>52</sup> Divine prophecy was a counsel, and obedience to it did not serve to increase already omnipotent divine power, but to help those who followed it. It was the theocratic society.

But there was a deep crack in this system. The sectarian rationale intrinsic to religion and its trust in a future and non-existent kingdom created a proliferation of doctrines, and the injunction to believe in contradictory things jeopardised the reputation for wisdom of whoever had founded a religion. It was inevitable that 'they that have the government of religion' should begin to doubt both the saints and the doctrines.<sup>53</sup> The counsels could be rejected<sup>54</sup> and debated.<sup>55</sup> They were not rules of natural law and of 'right reason', which were universal and through which God governed the 'natural kingdom' and 'many of mankind'.<sup>56</sup> Conflict was the fate of charismatic communities, and politics responded with a different rationale.

### *Reason and the State*

The political State that emerged from the pre-existent religious chaos was of two forms. In both cases, men build the sovereign power 'for fear'.<sup>57</sup>

The greatest of human powers, is that which is compounded of the powers of most men, united by consent, in one person, natural, or civil, that has the use of all their powers depending on his will; such as is the power of a common-wealth: or *depending on the wills of each particular*; such as is the power of a faction or of divers factions leagued.<sup>58</sup>

However, only the power of a commonwealth ensured unity and security. It had two genealogies. In its 'institutional' form, power was given to one individual so as not to give it to another who is feared; in the 'conquest' form, power is given to the one who is feared. In both cases, the procedure for the formation of civil power is that of natural law. Natural individual passions

are translated into the logic of utility that drives individuals to build the rational sovereignty of the commonwealth. Unlike Althusius, Hobbes did not believe that a natural political community existed prior to the State. Driven by the right to survival, at the time of the institution of the commonwealth, individuals were equal and rational, capable of assessing the expedience of their choice. The commonwealth did emerge from the need for peace, but it was not based on moral sentiments.

The natural individual was incapable of feeling trust, so that the *Leviathan* conciliated 'the most antisocial aspect of the individual with the most authoritarian aspect of the State'.<sup>59</sup> Sovereignty was founded on the intersection between the aggressiveness of the individual and that of the State, and this continuity formed the citizen who himself made the law that was to be obeyed. 'No law can be unjust, insofar as each man with his assent creates the law that he is bound to abide by and that hence cannot but be just, unless a man can be unjust with himself'.<sup>60</sup> The law is the individual conscience made public:<sup>61</sup> 'all the kingdoms of the world... proceed from the consent of people, either for fear or hope'.<sup>62</sup>

The prince was not the image of God.<sup>63</sup> The *Leviathan* was an 'artificial man' or 'mortall god', conceived by man for his own protection. Its two centres are sovereignty, which was its soul,<sup>64</sup> and the *salus populi*, that was its 'business'.<sup>65</sup> This second task consisted of 'the procuration of the safety of the people; to which he [the sovereign] is obliged by the law of nature'.<sup>66</sup> The sovereign's aim was to prevent sedition and maintain domestic peace. Safety, however, did not simply mean physical preservation, but all 'contentments' of life acquired 'by lawful industry, without danger, or hurt to the commonwealth'.<sup>67</sup> The sovereign was entrusted with 'making good laws'. But what is a good law?<sup>68</sup> A law is such because it is the sovereign's incontestable decision;<sup>69</sup> instead, a good law is such because it 'is that, which is needful, for the good of the people, and withal perspicuous'. A good law cannot be made only for the benefit of the sovereign since 'the good of the sovereign and people, cannot be separated'.<sup>70</sup>

It was not military force that sustained the *salus populi*. The foundation of sovereignty was more profound than that of arms, since they did not constitute 'the whole sovereign power'.<sup>71</sup> Instruction, namely spiritual government, was the centre of sovereignty and its exercise. 'For the power of the mighty hath no foundation but in the opinion and belief of the people'.<sup>72</sup> The power instructed the citizens in the 'essential rights of sovereignty',<sup>73</sup> teaching them to be aware of them:

the right of judging what doctrines are fit for peace, and to be taught the subjects, is in all commonwealths inseparably annexed, as hath been already proved (chapter XVIII.), to the sovereign power civil, whether it be in one man, or in one assembly of men. For it is evident to the meanest capacity, that men's actions are derived from the opinions they have of the good or evil, which from those actions redound unto themselves.<sup>74</sup>

Spiritual power constituted sovereignty, since it was the rational management of hope and fear. The law is the public conscience: this was the *civill worship* of the Leviathan, and education in civic religion too was a 'good law' that created identification between citizens and power. The citizen was educated in the worldly values of rational politics.

The belief in the afterlife had entered European intellectual life, and the modern State had to respond to it. Religious anxiety had to be curbed and for the well-being of individuals, whose religious belief was restricted to the internal arena, to one's own conscience. Spiritual power, which in the language of the priests consisted in being 'judges in the inner court of conscience of moral duties', was in the State conversely limited to 'judging and punishing those actions that are done against the civil laws'.<sup>75</sup> The principle of the *salus publica* did not admit the religious conscience<sup>76</sup> and otherworldly salvation. 'For internal faith is in its own nature invisible, and consequently exempted from all human jurisdiction; whereas the words and actions that proceed from it, as breaches of our civil obedience, are injustice both before God and man'.<sup>77</sup> The autonomy of the State guaranteed the independence of conscience. The consciences of the people 'were free', and their words and actions subject to none but the civil power.<sup>78</sup>

The conscience of the 'private man'<sup>79</sup> could not be transformed into words or deeds that went against the rules and ideals taught by the Leviathan,<sup>80</sup> but nevertheless continued to be active<sup>81</sup> and could disapprove of an action or a law.<sup>82</sup> There were two forms of this dissidence, known as heresy. The first contradicted the opinion of power. If men, whether Christian or of other religions, openly contested their king, 'whatsoever law he maketh, though it be concerning religion', they violated the divine, natural, and positive law. Heresy was, in this case, 'a private opinion *obstinately* maintained, contrary to the opinion which the public person, that is to say, the representant of the commonwealth, hath commanded to be taught'.<sup>83</sup> In the second case, heresy again indicated a 'private opinion' which 'has only a greater tincture of *choler*'.<sup>84</sup> The obstinate choler of the conscience and the impossible coercion of its heresy made room for the exercise of freedom. The critical element of liberty, which rendered the religious community incapable of suppressing reason, also made the State incapable of silencing the strength of conscience.

Hobbes's theory of politics revolved around the category of spiritual power, which he used to refute the prophetic power of illusory theocracy and false 'Christian liberty'.<sup>85</sup> Moving from the social and political need for tolerance, Hobbes addressed the issue of sovereignty, both of its liberty and of its critique.<sup>86</sup> The debate about tolerance became the debate about modern sovereignty.

## Spinoza

Spinoza, too, resolved the question of tolerance in the theory of sovereignty, but, 'at least from a theoretical angle', the nature of tolerance was absorbed into freedom of thought and speech.<sup>87</sup>

The human world was pervaded by violence and persecution, which was the result of superstition:

Matters have long reached such a pass, that a Christian, Turk, Jew, or heathen, can generally be recognised as such only by his physical appearance or dress... or by his profession of a particular belief and his allegiance to some leaders. But as for their manner of life, it is the same for all.

The cause of this 'unhappy State of affairs' lay in the construction of the ecclesiastical hierarchy conceived and lived pursuant to the conception of the masses.

Little wonder, then, that of the old religion [Christianity as a non-institutional belief] nothing is left but the outward form – wherein the common people seem to engage in base flattery of God rather than his worship – and that faith has become identical with credulity and biased dogma.<sup>88</sup>

It seemed to Spinoza that superstition and intolerance were threatening the Dutch Republic, 'where freedom of judgment is fully granted to the individual citizen and he may worship God as he pleases, and where nothing is esteemed dearer and more precious than freedom'. Therefore, Spinoza undertook the task of demonstrating that 'the peace of the commonwealth and piety depend on this freedom'.<sup>89</sup> He interrupted the writing of the *Ethics* to defend the *libertas philosophandi* against the excessive authority of preachers, and to refute the charges of atheism levelled at him by both superstitious people and theologians. If under civil law, that is *ex iure imperii*, as Tacitus says, 'only deeds were arraigned, and words were not punished, persecutions of this kind would be divested of any appearance of legality, and disagreement would not turn into persecution'.<sup>90</sup> The aim of the *Tractatus Theologico-Politicus* was to show that intolerance was the nature of religion and that the latter had to be controlled by politics: *A theologico-political treatise Containing certain discussions wherein is set forth that freedom of thought and speech not only may, without prejudice to piety and the public peace, be granted; but also may not, without danger to piety and the public peace, be withheld.* The *Ethics* had separated philosophic truth and religion, maintaining that salvation could be achieved without religion. The truth of reason was based on human nature and natural right, and not on the arbitrary nature of an instrumental assessment of expediency. The possibility of individual salvation and the foundation of the freedom of conscience and thought were the sphere of philosophy. In the *Tractatus Theologico-Politicus*, the separation of philosophy and theology confined the latter to the imagination and fanatical deviation. Religion was transformed into violent and sordid superstition by the force of the *conatus*, whereby the 'natural right of the individual man is determined

not by sound reason, but by his desire and his power'.<sup>91</sup> No longer concealed by the proximity with reason, religion inevitably slid towards superstition, which comes to all men naturally, because 'it is fear, that engenders, preserves, and fosters superstition': though some assign 'it to a confused idea of deity possessed by all mortals'.<sup>92</sup> Spinoza's (and Hobbes') interpretation recognised the origin of religion in the emotions of hope and fear, anger and deceit, and demonstrated the constantly revived link between superstition and politics, since it could 'easily' happen that the mob 'under the guise of religion', namely out of fear, would 'worship its rulers as gods'.<sup>93</sup> Every religion, including Christianity, inevitably became the stage for conflicts of power. Religious beliefs and representations were imaginary and the result of imposture, even when they appeared to conform to the interests of the kings, even in the Christian States.<sup>94</sup>

Intolerance was expression of the false certainty of an individual or group that they possessed the only religious truth and could entertain the only human relation that was acceptable to God. Sacred history was not the exclusive heritage of a group that could boast on historical-philosophical grounds that it had been chosen by the deity to bear witness to the revelation, and there were no groups or individuals who could claim to be the custodians of the true religion. The Hebrew anomaly did not exist<sup>95</sup> because the divine was universal, and prophecy belonged to all peoples. The external manifestations of worship did not contribute to the knowledge of the true God of reason, but were sources of superstition. No true religion existed, and the fact that religion was necessary and involuntary made it an experience of *pietas*, hence an individual sentiment.<sup>96</sup> God had not favoured any individual in the capacity to be virtuous and to achieve beatitude through the understanding of reality according to science. The only exception was Christ, who – in a Hobbesian manner – was not a legislator but 'was expounding his teachings as a teacher ... intent on improving men's minds rather than their external action'.<sup>97</sup> No political or religious institution could claim control or coercion of belief since the mind could not be controlled. The natural right to the use of reason<sup>98</sup> and the right to freedom of conscience,<sup>99</sup> which were individual autonomy of perception and reason,<sup>100</sup> could not be annulled.

While religious coercion generated instability in society, the plurality of religions was a factor of justice and peace, and should be fostered and controlled by the State.<sup>101</sup> The inalienability of natural right granted the individual an irrepressible independence, the conatus of which determined the action of each in accordance with the necessity<sup>102</sup> of natural right<sup>103</sup> that sovereignty could not deny. Religion did not interfere with sovereignty.<sup>104</sup> The modern State was founded on natural law, and Spinoza, unlike Hobbes, recognised the individual's right to publicly express the convictions of his conscience. Spinoza wanted to defend not only liberty of conscience, but the freedom of speech and of publication. This was his novelty. 'Thus the purpose of the State is, in reality, freedom'.<sup>105</sup> The ideal of the biblical theocratic republic and the experience of the identification of religious and political power were by

now a thing of the past. Spinoza himself, in his *Tractatus politicus*, begun in 1676 and published as posthumous in 1677, against Josephus's *Contra Apionem* wrote that theocracy was not a political model: 'status Civilis tria dari genera, nempe Democraticum Aristocraticum et Monarchicum' (the forms of political societies are three, Democracy, Aristocracy, and Monarchy).<sup>106</sup> A new republican sovereignty was possible, as shown by the recent history of the Dutch society, which had become a free republic by overcoming the religious and theocratic polemic between Remonstrants and anti-Remonstrants around the end of the 16th century.<sup>107</sup>

The overcoming of the theocratic, Erastian or Constantinian politics set Spinoza too the problem of not depriving politics of the support of religious belief. The spiritual power that prescribed the truth of a doctrine in a State was 'violent' and against natural right. And although political power had the *ius* to decide on the doctrines of law and piety, and could legitimately consider those who dissented as 'enemies', nevertheless, the definition of sovereignty brought into play not only the right of the sovereign but also the social utility, and so natural reason had to be respected.<sup>108</sup> Spinoza found the meeting point between these two values in civic religion. 'Devotion to one's country is the highest form of devotion',<sup>109</sup> which was the belief of the citizens in the republic and the guarantee of its freedom.

### **The Restoration. 1660–89**

In republican Great Britain, freedom of conscience had been upheld. Founded on the tradition of the New Testament, it had separated Church and State and had guaranteed religious freedom in a commonwealth that, while it had adopted apostolic values in line with sectarian politics, was capable of accepting and regulating the conflicts between the various heresies.<sup>110</sup> This was not the concord of early 17th-century France, but an idea of sovereignty that Cromwell sought to combine with Castellion's principle of tolerance. On the termination of the republican experience, in the Declaration of Breda of 4 April 1660, Charles II promised 'a liberty to tender consciences' and indulgence towards those who did not intend to recognise the authority of the Anglican church.<sup>111</sup> Nevertheless, the parliament that was elected the following year – with a large pro-Stuart and pro-Anglican majority – then passed Act of Uniformity, which prescribed respect for the rites of the Church of England and the rejection of Presbyterianism. Over the Restoration period, the Church of England adopted positions of increasing intolerance, here too, as in France, following the example of Augustine's struggle against heresy and the revival of the biblical formulas condemning false prophets and heretics.<sup>112</sup> Moderate Anglicans and Presbyterians sought to arrive at a policy, if not of tolerance, at least of 'understanding', but the Church of England was inflexible and, obsessed by the threat of schism, rejected even the most tentative opening towards the nonconformists. However, as has been observed, although the ancient statutes that prescribed the death sentence were still in

force, capital punishment for strictly religious offences – heresy, blasphemy, etc. – practically disappeared, whereas there were numerous sentences for treason that brought together political and religious offences.<sup>113</sup>

This was the situation in which the voices of Harrington and Locke came to the fore.

### Harrington

Harrington was an opponent of absolutism and a defender of the classical republican tradition; however, he shared Hobbes's idea of modern civic religion,<sup>114</sup> connecting it with freedom of conscience.<sup>115</sup> For Hobbes, the rational foundation of the State required that 'civill worship' should not be religious but political; instead, for Harrington, religious freedom was the principal liberty and hence the core of republican policy. In the ancient world, ecclesiastical laws had been controlled by political power; 'according unto the common practice of modern prudence since the Papacy, torn out of his hands'. In the modern world, they had been separated and they ought to remain so.<sup>116</sup> 'Liberty of Conscience intire, or in the whole, is where a man, according to the dictats of his own Conscience may have the free exercise of his Religion, without impediment to his preferment or imployment in the State'.<sup>117</sup> Alongside this individual freedom, the 'national conscience' was essential for the republic,<sup>118</sup> since it represented the belief of the majority of the population. Harrington related the 'national religion' to the classical religious system, which in Athens and Rome had involved the coexistence of two religious regimes – public and private – without any coercion of the majority or the minority. The sole function of the national religion was 'a public leading'.<sup>119</sup> In *Oceana* the 'council of religion' has 'the care of the national religion and the protection of the liberty of conscience', and may offer the 'right application of reason unto Scripture', which was 'the foundation of the national religion';<sup>120</sup> secondly 'this council, as to the protection of the liberty of conscience, shall suffer no coercive power in the matter of religion to be exercised in this nation', and assured the equal maintenance both of the national religion and of the liberty of conscience'.<sup>121</sup> In this way, civil religion and civil liberty gave each other reciprocal support.<sup>122</sup> One ought not to be deceived by the incontrovertible fact that in despotic regimes such as that of the Turkish Empire, orthodox Christians and the faithful of other religions were allowed freedom of conscience: in such countries, there was no civil liberty.<sup>123</sup>

### Locke

The originality of John Locke in the history of tolerance is that he discussed both aspects of the question that, up to now, we have found separated. He addressed the political issue of toleration and, sharing Bayle's position, he too separated Church and State; however, in the wake of Hobbes,<sup>124</sup> he responded to it with the theory of sovereignty.

The question of toleration is in fact absent from the *Two Treatises of Government*. Political sovereignty ruled out the direction of religion; religious life ruled out the intervention of the State. In the political sphere, to the rights acknowledged by the *Leviathan* – liberty, life, physical safety – Locke added the right of ownership and the rights that permitted its enjoyment and defence. But, unlike Hobbes, he limited the power of the sovereign. Locke actually had an anti-Hobbesian model of sovereignty that set limits on central power, and he was interested in writers such as Althusius who had reduced sovereigns to ‘officials and agents of the people’.<sup>125</sup> Nevertheless, while for Althusius political order stemmed from the mesh of traditions of immemorial origin, for Locke sovereignty was triggered by the associative pact of natural law through which the individual voluntarily created society. Non-political associations were compatible with the State and not an inevitable threat. Prior to the introduction of government, in the State of nature men had come together in communities that lived peacefully, until peace was ruptured when the communities became too large. For Locke, the institution of political power was not antithetical to that of nature: it did not call for a radically different rationale hinging on the voluntary and artificial nature of power as required by *Leviathan*.

### *Church and State*

The relations between Church and State, the nature of the ecclesiastical community, and the theories of Hobbes were the dominant topics in the English debate on tolerance during the Restoration. The unification made in *Leviathan* – where spiritual power was conferred on the State and the Church absorbed within the civil order – was refuted. Church was a society distinct from the polity and was not its *instrumentum regni*.<sup>126</sup> In 1681, in *The Unreasonableness of Separation*, Edward Stillingfleet repeated that there should be one national religion, that the Church was distinct from and superior to the State, that it did not have the duty of tolerance but the right to prevent schisms within it, and that the State should faithfully sustain and follow the Anglican church in this direction.

Locke replied in the *Answer to Stillingfleet*,<sup>127</sup> where he rejected the idea that the sovereign should have spiritual power over the consciences of individuals to exercise on behalf of the Church or that he should interfere within it. Locke had addressed the subject in the *Essay concerning Toleration*, which dates to 1667 but remained in manuscript form up to the end of the 19th century. Natural religion consisted of truths to be identified without recourse to revelation, for instance, the reality of God. Deism was not a rationalistic dogmatic corpus, and the criticism that the Deists had made of the priesthood and its intolerance could be accepted. Religious worship was ‘that homage which I pay to that God I adore in a way I judge acceptable to him, and so being an action or commerce passing only between God and myself’.<sup>128</sup> It was not for the religious power to regulate tolerance.<sup>129</sup> Since individual

conscience is independent and incoercible, no power, either political or religious, could interfere in this relation.<sup>130</sup> Tolerance was, moreover, a feature of early Christianity and ought to be practised by the Christian churches to achieve the apostolic ideal of charity. Liberty of conscience was ‘the great privilege of the subject’ and the right to impose was ‘the great prerogative of the magistrate’,<sup>131</sup> hence restricted to the civil sphere. It was the task of the magistrate to protect men ‘from being invaded and injured in [their interests] by others... which is a perfect toleration’.<sup>132</sup> The magistrate was an arbiter only ‘between man and man’ and could not defend the citizen ‘against’ his God. ‘Speculative opinions and religious worship’ which are ‘wholly separate from the concernment of the State’ had title ‘to universal toleration’; harmful beliefs were to be rejected, while indifferent actions and opinions had to be defined in practice.<sup>133</sup>

The *Essay Concerning Toleration* had separated Church and State and denied religious power to the sovereign. Written during the Restoration to guarantee political stability, it opposed the authoritarian attempts of the Church of England and, in the defence of the independence of the sects, displayed a sensitivity to the reasons for nonconformism. Intolerance created tensions, while ‘indifferent toleration’ and the rejection of coercion of conscience brought about the proliferation of small groups – which emerged as an upshot of the nature of religious sentiment that is punctilious about its particular belief – that posed no danger to the safety of the State.

Locke had been struck by the fact that Christian religion had caused more ‘factions, tumults and civil wars’ than any other.<sup>134</sup> Possibly in connection with his sojourn in France, and definitely in relation to the debates in England, in the *Letter concerning Toleration*, written in Holland in 1685, published there in 1689 and in London in the same year, he shifted his attention to the nature of Christianity and Church:<sup>135</sup> ‘The end of a religious society is the public worship of God and, by means thereof, the acquisition of eternal life’.<sup>136</sup>

The *Letter* showed that ‘the refusal of toleration to those that are of different opinions (which might have been granted), ... has produced all the bustles and the wars that have been in the Christian world upon account of religion’.<sup>137</sup> The Church had reunited the two powers under its superiority and had created intolerance. ‘The heads and leaders of the church ... mixed together and confounded two things that are in themselves most different, the church and the commonwealth’. The confusion between the religious and political spheres brought about the tyranny of the State directed by priesthood. Only the commonwealth of the Jews, ‘different in that from all the others, was an absolute theocracy:’ ‘nor was there, or could there be, any difference between that commonwealth and the church’.<sup>138</sup> But in modern Europe ‘there is absolutely no such thing, under the Gospel, as a Christian commonwealth’.<sup>139</sup> Instead, ‘if each of them [Church and State] would contain itself within its own bounds’<sup>140</sup> there would have been no discord, since one would have attended to worldly goods and the other to the salvation of souls. Religion should be condemned only when it proved dangerous to

the property of the citizens and their safety. Public utility did not require a specific religious belief. 'The public good is the rule and measure of all law-making'.<sup>141</sup> The separation between politics and religion had been imposed and had eliminated biblical theocracy. The State could not favour a particular religion, as had instead been done when the empire was christianised<sup>142</sup>; civil power, which did not have the care of souls, ought not to have interfered in individual belief.<sup>143</sup> Everything could be doubted in religious matters, but a faith in which one did not believe was of no advantage: 'men cannot be forced to be saved whether they will or no. And therefore when all is done, they must be left to their own consciences'.<sup>144</sup> The distinctive feature of the 'true church',<sup>145</sup> coherent with the Gospel and reason, was tolerance, which guaranteed 'true religion'<sup>146</sup> that was 'the inward persuasion of the mind; and faith is not faith without believing ... without which nothing can be acceptable to God'.<sup>147</sup>

So what does religion become if men are 'free' from domination of one by the other?<sup>148</sup> Locke affirmed the freedom of the believer and the unfathomability of the error of belief,<sup>149</sup> but he recognised the need for a community of faith for the individual believer. Everyone knows 'that God ought to be publicly worshipped' and therefore 'a religious society' must be entered into so as to carry out the functions of worship and 'perform such other things in religion as cannot be done by each private man apart'.<sup>150</sup> These things were necessary for private edification, for the public testimony of faith, and for evangelisation. The church was a 'free and voluntary society', which men created 'of their own accord' for the 'public worshipping' of God, effectual to the salvation of their souls,<sup>151</sup> but it was also necessary to the life of the State, and every individual, including slaves, should be part of it.<sup>152</sup> Like any association, the church had the right to exclude the believer who violated its laws; however, all the rights and franchises that belong to him as a man, or as a citizen, 'are inviolably to be preserved to him'.<sup>153</sup> The ceremonies were a matter of internal policy, and the question of heresy was downplayed.<sup>154</sup> The heretic was seen as one who abandoned the common faith because, for him, it was inadequate to clarify the obscurity of the Scriptures; the schismatic was one who broke off to join a different creed.

### *Reasonable Christianity*

Locke was familiar with Pascal's *Provincial Letters* and the *Pensées*,<sup>155</sup> of which he discussed those on atheism and on the wager on the existence of God.<sup>156</sup> Like Pascal, he too believed that deism was a notion too weak and remote from the need for religion:

the belief of a deity is not to be reckoned amongst purely speculative opinions, for it being the foundation of all morality, and that which influence the whole life and actions of men, without which a man is to be considered no other than one of the most dangerous sorts of wild beasts, and so incapable of all society.<sup>157</sup>

However, as opposed to Pascal, Locke claimed reason as the criterion of choice of the religious tradition. Reason was not a repository of rationalist dogmas, but the critical function that, being based on empirical experience, identified its own limits and those of religion. Through the rational and historic-antiquarian analysis of religious histories, it was possible to arrive at a religion that was reasonable rather than natural, which was Christianity. The core of Christianity was the historic experience of Christ, and the imitation of Christ furnished the faith content of belief. The encounter between reason and religion triggered the need for tolerance, which was a dialogue between the beliefs of individuals who were aware of holding nothing more than a probable truth. Although the Christian religion was not immune from superstition and fanaticism, for Locke, *The Reasonableness of Christianity* (1695) was the only religion that could keep these two risks at bay. Tolerance was a vital institution for the conservation of the true religion and was a resource of the State since it prevented the revolts that could break out in the name of liberty of conscience, and protected it from the social and political tyranny generated by the undue intrusion of the church in politics.

Locke had unveiled that Christianity's essence was not the distance from the world, but the desire to transform it. This is why 18th-century culture must perforce be called Lockean.<sup>158</sup>

### Right of liberty and of resistance

The right to toleration and freedom of speech was a side of human nature and therefore inalienable. It was the right to give or not to give 'free consent' to standing Laws'.<sup>159</sup> For the preservation of this right and of their property 'men enter into Society',<sup>160</sup> in 'a full State of Liberty',<sup>161</sup> in order to put an end to the state of nature that had become a state of war. Locke showed that the State had the right to block ecclesiastical intrusion into its sphere because it threatened precisely that right. But what if it was politics itself that denied the right to free speech, that is, to freedom? If the trust between government and people was betrayed by the former? The remedy was 'the right of revolution'.<sup>162</sup> Locke described two 'intractable' rights. The right of the ruler to use political power against the law for *salus populi*; the right of the people to resist the ruler if he abuses his power.<sup>163</sup>

Hobbes had thought impossible the idea of rebellion. He had urged citizens to prefer the present condition to any expectation of improvement. The remembrance of the terrible condition of the state of nature or of the religious society was supposed to make everyone not be seduced by preachers and not to believe that rebellion was legitimate.<sup>164</sup> The false desire 'to renew the ancient government' fomented by the eloquence 'of ambitious men', gave rise to factions, which destroyed the body politic without reforming it, as in the mythological case of Medea.<sup>165</sup> In contrast, in the last chapter of the second *Treatise of Government*, Locke analysed cases in which 'Governments are dissolved from within',<sup>166</sup> in particular when the Legislative, or

the Prince ‘act contrary to the Trust’ reposed in them.<sup>167</sup> When legislators endeavour ‘to invade the Property of the Subject, and to make themselves, or any part of the Community, Masters, or Arbitrary Disposers of the Lives, Liberties, or Fortune of the People’,<sup>168</sup> they put themselves ‘into a State of war with the people’.<sup>169</sup> They actually introduce ‘a State of War, which is that of Force without Authority’, and they may be called ‘rebels’.<sup>170</sup> If the people ‘universally’ have a firm and rational persuasion ‘grounded upon manifest evidence, that designs are carrying on against their Liberties’,<sup>171</sup> they ‘are absolved from any farther Obedience, and are left to the common Refuge, which God hath provided for all Men, against Force and Violence’.<sup>172</sup> In this case, in a controversy between the prince and ‘some part of the people, in a matter where the Law is silent, or doubtful, and the thing be of great Consequence’, its ‘proper umpire’ is the body of the people.<sup>173</sup> But passive obedience becomes impossible if the relationship between the people and the prince is that of Polyphemus in his den with Ulysses and his companions, who ‘had nothing to do but quietly to suffer themselves to be devoured’.<sup>174</sup> The right of resistance arose from a condition of war and suffering, but was the result of a rational evaluation, which gave rise to the expectation of regeneration and the regaining of the natural right of political liberty from the actual dissolution of the State. When for a people peace was of no concern, then ‘the Appeal lies nowhere but to Heaven’.<sup>175</sup> Locke’s theory of the dissolution of government ‘from within’ opened up a new horizon to Enlightenment thought.

## Notes

- 1 T. Hobbes, *Leviathan*, VII, N. Malcolm (ed.) (Oxford: Clarendon, 2014), t. I, p. 100.
- 2 *Leviathan*, VII, p. 100.
- 3 C. A. Viano, *La scintilla di Caino. Storia della coscienza e dei suoi usi* (Torino: Bollati Boringhieri, 2013), p. 137.
- 4 *Leviathan*, XLV, t. II, p. 1028.
- 5 *Leviathan*, XLV, p. 1028.
- 6 *Leviathan*, XXXI, t. I, p. 562.
- 7 *Leviathan*, XXXI, p. 564.
- 8 *Leviathan*, XXXI: ‘that the Common-wealth is of any Religion at all’, *Leviathan*, p. 570.
- 9 Where the subjects ‘reverenced the supreme power, whether residing in one man or in a councell, as a certain visible divinity ... for they could not entertain so strange a phansie as not to desire the preservation of that by which they were preserved. Wherefore it was peace, and a golden age, which ended not before that Saturn being expelled, it was taught lawfull to take arms against Kings’, T. Hobbes, *Philosophicall Elements of a True Citizen, Preface to the Reader* (London: Royston, 1651), n. p.
- 10 *Leviathan*, XIII, p. 192.
- 11 *Leviathan*, XIII, p. 194. See *Leviathan*, Appendix, Chapter 2, *On Heresy*, p. 1206 and p. 1204: “for if one sinner punishes another sinner merely for a sin, after the law has been satisfied, it is like civil war.”
- 12 *Leviathan*, XXI, p. 328.

- 13 *Leviathan*, XLII, p. 812.
- 14 *Leviathan*, II, p. 34.
- 15 J. H. Salmon, *The French Religious Wars in English Political Thought* (Oxford: Clarendon, 1959); G. Baldin, 'Thomas Hobbes, le guerre di religione e il mito dell'Ercole gallico', *Rivista di Storia della Filosofia*, 1/2018, pp. 1–28; J. Collins, 'All the Wars of Christendom. Hobbes's Theory of Religious Conflict', in L. van Apeldoorn et al. (eds.), *Hobbes on Politics and Religion* (Oxford: Oxford University Press, 2018), pp. 220 ff.
- 16 Cf. P. King, *The Ideology of Order. A Comparative Analysis of Jean Bodin and Thomas Hobbes* (London: Allen, 1974); S. Goyard-Fabre, 'La notion de souveraineté de Bodin à Hobbes', in Y. Ch. Zarka (ed.), *Le vocabulaire de Hobbes* (Paris: Vrin, 1992), pp. 207–30; L. Foisneau, 'Sovereignty and Reason of State: Bodin, Botero, Richelieu and Hobbes', in H. Lloyd (ed.), *The Reception of Bodin* (Leiden Boston: Brill, 2013), pp. 323–42.
- 17 *Contra* see Q. Skinner, 'Conquest and Consent: Thomas Hobbes and the Engagement Controversy', in G. E. Aylmer (ed.), *The Interregnum. The Quest for Settlement, 1646–1660* (London: MacMillan, 1972), pp. 79–98.
- 18 J. Collins, 'Thomas Hobbes's Ecclesiastical History', in K. Hoekstra et al. (eds.), *The Oxford Handbook of Hobbes* (Oxford: Oxford University Press, 2016), pp. 521–44.
- 19 The always welcome theory of Hobbes being Erastian is well expounded by E. Nelson, *The Religious Origins of Religious Tolerance* (Philadelphia, PA: FPRI, 2010).
- 20 Barlow requested that the philosopher be put on the pyre. J. Collins, *In the Shadow of Leviathan. John Locke and the Politics of Conscience* (Cambridge: Cambridge University Press, 2020), p. 104.
- 21 J. Champion, 'An Historical Narration Concerning Heresie: Thomas Hobbes, Thomas Barlow, and the Restoration Debate over "Heresy,"' in D. Loewenstein, J. Marshall (eds.), *Heresy, Literature and Politics in Early Modern English Culture* (Cambridge: Cambridge University Press, 2009), pp. 221–53.
- 22 T. Hobbes, 'Behemoth, or an Epitome of the Civil Wars of England from 1640, to 1660', in T. Hobbes (ed.), *Tracts* (London: Crooke, 1682), p. 8. To comply with the wishes of Charles II, Hobbes left the four dialogues of *Behemoth* (1667–68) in manuscript form up to a few months before his death (4 December 1679).
- 23 This is the subject of *Leviathan*, Chapter XXIX.
- 24 In the Christian Church heresy comprehended 'a sinful opposition to him that was chief judge of Doctrines in order to the Salvation of men's soul', *Behemoth*, p. 13.
- 25 Cf. *Leviathan*, XLII, p. 820.
- 26 *Behemoth*, p. 26.
- 27 *Behemoth*, p. 104.
- 28 *Behemoth*, p. 75; and *Leviathan*, XLII, p. 850: 'And therefore in all commonwealths of the heathen, the sovereigns have had the name of pastors of the people, because there was no subject that could lawfully teach the people, but by their permission and authority'.
- 29 R. Bellarmin, *Disputationes de controversiis Christianae fidei, adversus huius temporis haereticos, tribus tomis comprehensae*, V, 6 (Ingolstadii: D. Sartorius, 1586–93), col. 1089. F. Motta, *Una teologia politica della Controriforma* (Brescia: Morcelliana, 2005); and S. Tutino, *Empire of Souls. Robert Bellarmin and the Christian Commonwealth* (Oxford: Oxford University Press, 2010).
- 30 *Leviathan*, XIV, p. 216.
- 31 *Behemoth*, p. 12.

- 32 *Leviathan*, XII, p. 180.
- 33 *Leviathan*, XIV, p. 216.
- 34 *Leviathan*, XI, p. 162.
- 35 *Leviathan*, XII, p. 170. Cf. XXXVI, p. 666 ff.
- 36 *Behemoth*, pp. 4–5; for the Presbyterians and the other ‘democratical men’, p. 32.
- 37 *Behemoth*, pp. 37–41.
- 38 *Leviathan*, XLVII, p. 1124.
- 39 *Leviathan*, XLVII, p. 1116. Cf. R. Collins, *The Allegiance of Thomas Hobbes* (Oxford: Oxford University Press, 2005), pp. 125–9.
- 40 *Leviathan*, XLVII, p. 1114 (italics mine).
- 41 *Leviathan*, XLII, p. 828.
- 42 *Leviathan*, XLII, pp. 810.
- 43 S. Mortimer, ‘Christianity and Civil Religion in Hobbes’s *Leviathan*’, in *The Oxford Handbook of Hobbes* (Oxford: Oxford University Press, 2016), p. 506.
- 44 *Leviathan*, Appendix, Chapter 2, On Heresy, p. 1190 and 1206. F. Toto, ‘An Association without Power? Gift, Recognition and Democracy in Hobbesian Conception of Early Christian Communities’, in A. del Prete et al. (eds.), *The Philosophers and the Bible* (Leiden Boston: Brill, 2022), pp. 177–95.
- 45 *Leviathan*, XII, p. 180.
- 46 *Leviathan*, XLII, p. 898.
- 47 *Leviathan*, XLI, p. 766.
- 48 *Leviathan*, XLII, pp. 896.
- 49 *Leviathan*, XLII, p. 872.
- 50 *Leviathan*, XLIII, pp. 932–34.
- 51 *Leviathan*, XII, p. 180.
- 52 *Leviathan*, XXXI, p. 556.
- 53 *Leviathan*, XII, pp. 102–3.
- 54 *Leviathan*, XXV, p. 398.
- 55 Cf. *Leviathan*, XXV, pp. 402–4 and XXVI, p. 414.
- 56 *Leviathan*, XXXI, p. 556. Cf. J. Pocock, ‘Time, History and Eschatology in the Thought of Thomas Hobbes’ in *Politics, Language and Time* (Chicago: University of Chicago Press, 1989), pp. 148–201.
- 57 *Leviathan*, XX, p. 306.
- 58 *Leviathan*, X, p. 132 (italics mine).
- 59 C. A. Viano, *John Locke. Dal razionalismo all’illuminismo* (Torino: Einaudi, 1960), p. 88.
- 60 Th. Hobbes, *A treatise of liberty and Necessity*, in W. Molesworth (ed.), *The English Works* (London: Bohn, 1839–45), t. IV, pp. 252–53. See F. Lessay, ‘Tolerance as a Dimension of Hobbes’s Absolutism’, in *Hobbes on Politics*, p. 65.
- 61 *Leviathan*, XXIX, p. 502.
- 62 *Behemoth*, p. 11.
- 63 See P. Costa, ‘*Princeps imago Dei?* Il problema della sovranità nell’orizzonte della secolarizzazione’ (2011), in *Saggi di storia della cultura giuridico-politica. V. Storie di concetti: sovranità*, 2024, [https://doi.org/10.69134/QFArchivio\\_24\\_06](https://doi.org/10.69134/QFArchivio_24_06), pp. 114–41.
- 64 *Leviathan*, XVII, p. 152.
- 65 *Leviathan*, p. 3.
- 66 *Leviathan*, XXX, p. 520.
- 67 *Leviathan*, XXX, p. 520.
- 68 *Leviathan*, XXX, p. 540.
- 69 A law ‘is the commandment of that man or assembly, to whom we have given sovereign authority to make such rules for the direction of our actions as he shall

- think fit, and to punish us when we do any thing contrary to the same', *Leviathan*, XLII, p. 820.
- 70 *Leviathan*, XXX p. 540.
- 71 *Behemoth*, p. 132. Cf. C. Ginzburg, 'Reading Hobbes today', in *Fear, Reverence, Terror. Five Essays in Political Iconography* (Calcutta: SeagullBooks, 2017), ch 2.
- 72 *Behemoth*, p. 26.
- 73 *Leviathan*, XXX, pp. 524.
- 74 *Leviathan*, XLII, p. 850.
- 75 *Behemoth*, p. 9.
- 76 *Leviathan*, XLII, p. 912, where the polemic is against Bellarmin.
- 77 *Leviathan*, XLII, p. 822.
- 78 *Leviathan*, XLVII, p. 1114.
- 79 *Leviathan*, XXXVII, p. 696: 'A private man has always the liberty, (because thought is free) to believe or not believe in his heart ... But when it comes to confession of that faith, the Private Reason must submit to the Publique'.
- 80 Calvinists and Huguenots instead claimed the right of resistance.
- 81 *Leviathan*, VII, p. 100.
- 82 F. Toto, 'Hobbes e l'eresia: teologia e politica', in *Rivista di storia della filosofia*, 4 (2018), pp. 598–9.
- 83 *Leviathan*, XLII, p. 920 (italics mine). Compare the definition of heresy given by B. Carpov in 1635: 'I call heresy an obstinate error in the articles of faith', quoted by J. Hunter, 'Tomasius on the Toleration of Heresy', in J. C. Laursen et al. (eds.), *Heresy in Transition: Transforming Ideas of Heresy in Medieval and Early Modern Europe* (Aldershot-Burlington: Ashgate, 2005), p. 161.
- 84 *Leviathan*, XI, p. 158 (italics mine).
- 85 *Leviathan*, XLII, p. 1114.
- 86 F. Pirola, 'The Dissolution of the Commonwealth in Hobbes', in *Historia philosophica* 13 (2015), pp. 33–50.
- 87 F. Mignini, 'Spinoza: oltre l'idea di tolleranza?', in M. Sina (ed.), *La tolleranza religiosa. Indagini storiche, riflessioni filosofiche* (Milano: Vita e pensiero, 1991), p. 165.
- 88 B. Spinoza, *Theological-Politicus Treatise*, S. Feldman (ed.) on the basis of the Gebhardt edition (Indianapolis, IN-Cambridge: Hackett, 1998 [1991] = *TTP*), *Preface*, p. 4. The expression *Tractatus theologico-Politicus* was used also by other writers. H. Krop, 'The Tractatus Theologico-Politicus and the Dutch: Spinoza's Intervention in the Political-Religious Controversies of the Dutch Republic', in *Philosophies* 6 (2021), p. 6.
- 89 *TTP*, *Preface*, p. 3.
- 90 *TTP*, *Preface*, p. 3.
- 91 *TTP*, XVI, *Preface*, p. 180. Cf. Spinoza, *Ethics*, III, 7. M. A. Rosenthal, 'Spinoza's Republican Argument for Toleration', in *The Journal of Political Philosophy*, XI (2003), p. 322.
- 92 *TTP*, *Preface*, p. 2.
- 93 *TTP*, *Preface*, p. 2.
- 94 *TTP*, XIX, p. 226.
- 95 *TTP*, III, p. 42: 'the individual Jew, considered alone apart from his social organization and his government, possesses no gift of God above other men, and there is no difference between him and Gentile'.
- 96 *TTP*, VII, p. 106.
- 97 *TTP*, VII, p. 94.
- 98 *TTP*, XX, p. 230.
- 99 *TTP*, XVII, p. 191 ff.

- 100 *TTP*, XX, p. 231.
- 101 *TTP*, XIX, pp. 222–3, and compare *TTP*, XX, § 16, where Spinoza says that this liberty may be granted without risk to the political peace and the religious piety.
- 102 *TTP*, XVI, p. 179
- 103 *TTP*, XX, pp. 236, 237.
- 104 *TTP*, XX, p. 230.
- 105 *TTP*, XX, p. 232. See D. van Mill, “Freedom of Speech,” *The Stanford Encyclopedia of Philosophy*, <https://plato.stanford.edu/archives/spr2021/entries/freedom-speech/>. On Spinoza’s idea of tolerance, cfr. J. Israel’s acute ‘Introduction’ to Spinoza, *Theological-Political Treatise*, ed. Jonathan Israel, transl. M. Silverstone and J. Israel (Cambridge: Cambridge University Press, 2007).
- 106 B. Spinoza, ‘Tractatus Politicus’, in C. Gebhardt (ed.), *Opera* (Heidelberg: Winter, 1925), t. III, p. 284.
- 107 *TTP*, XX, p. 237.
- 108 *TTP*, XX, p. 231.
- 109 *TTP*, XIX, p. 223.
- 110 P. Adamo, *La libertà dei santi: fallibilismo e tolleranza nella rivoluzione inglese, 1640–1649* (Milano: FrancoAngeli, 1998).
- 111 A. Browning (ed.), *English Historical Documents, 1660–1714* (London: Eyre and Spottiswoode, 1953), p. 57.
- 112 M. Goldie, ‘The Theory of Religious Intolerance in Restoration England’, in O. P. Grell et al. (eds.), *From Persecution to Toleration* (Oxford: Clarendon Press, 1991), pp. 331–68.
- 113 A. Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500–1700* (Manchester: Manchester University Press, 2006), esp. Chapter 2. Nonetheless, almost 500 Quakers died in prison during the Restoration, see J. Coffey, *Persecution and Toleration in Protestant England, 1558–1689* (Harlow: Longman, 2000), p. 170.
- 114 ‘A commonwealth is nothing else but the national conscience. And if the conviction of a man’s private conscience produces his private religion, the conviction of the national conscience must produce a national religion’, J. Harrington, ‘The Commonwealth of Oceana’, in J. G. A. Pocock (ed.), *The Commonwealth of Oceana and A System of Politics* (Cambridge: Cambridge University Press, 1992), p. 39. R. Beiner, ‘Civil Religion and Anticlericalism in James Harrington’, in *European Journal of Political Theory*, XIII (2014), pp. 388–407, and Collins, *Alliance of Hobbes*, p. 277.
- 115 Harrington, *Oceana*, p. 39.
- 116 Harrington, *Oceana*, p. 39.
- 117 J. Harrington, *A System of Politics*, Chapter VI, 2, in *The Commonwealth of Oceana*, p. 282.
- 118 Harrington, *Oceana*, p. 39.
- 119 ‘The major part of the people, being in matters of religion enabled to be their own leaders, will in such cases therefore have a public leading; or, being debarred of their will in that particular, are debarred of their liberty of conscience’, Harrington, *A System*, Chapter VI, 3, p. 282.
- 120 Harrington, *Oceana*, pp. 126–7.
- 121 Harrington, *A System*, Chapter VI, 31, p. 285.
- 122 M. Goldie, ‘The civil religion of James Harrington’, in A. Pagden (ed.), *The Languages of Political Theory in Early-Modern Europe* (Cambridge: Cambridge University Press, 1987), pp. 197–222.
- 123 ‘Absolute monarchy, being sole proprietor, may admit of liberty of conscience to such as are not capable of civil or military employment, and yet not admit of the means to assert civil liberty; as the Greek Christians under the Turk, who,

- though they enjoy liberty of conscience, cannot assert civil liberty, because they have neither property nor any civil or military employments', Harrington, *A System*, Chapter VI, 7, p. 282.
- 124 R. Tuck, 'Hobbes and Locke on Toleration', in M. Dietz (ed.), *Thomas Hobbes and Political Theory* (Lawrence: University of Kansas Press, 1990), pp. 153–71; J. Collins, *In the Shadow*, pp. 1–7.
- 125 Among Locke's manuscripts there is a short transcription of Bayle's review of Ulrich Huber's 1684 *De Jure civitatis libri tres. Editio plus tertiâ parte nova*, in 'Nouvelles de la République des lettres', September 1684, pp. 140–60. On page 151 we read Huber's critique of Hobbes: 'Hobbes et quelques autres étendent si fort l'autorité du Souverain, qu'ils luy attribuent un droit sur les autres hommes presque semblable à celui que l'on exerce sur les bêtes. Mais celui qui s'est caché sous le nom de Junius Brutus (on croit que c'est Hottoman), Althusius & quelques autres donnent au contraire tant de bornes à l'autorité de ceux qui commandent dans l'Etat, qu'ils n'en font à proprement parler que des Valets, des Commis, ou des Procureurs du Peuple', in F. Waldmann, 'John Locke as a Reader of Thomas Hobbes's Leviathan: A New Manuscript', in *The Journal of Modern History*, 93 (2021), p. 281. On Huber, A. Raath, S. De Freitas, 'The Covenant in Ulrich Huber's Enlightened Theology, Jurisprudence and Political Theory', in *Acta Theologica* 26 (2006), pp. 199–226.
- 126 Cf. J. Rose, *Godly Kingship in Restoration England: The Politics of the Royal Supremacy* (Cambridge: Cambridge University Press, 2011).
- 127 Cf. Collins, *In the Shadow*, pp. 226–37.
- 128 J. Locke, 'An Essay concerning Toleration', in D. Wootton (ed.), *John Locke, Political Writings* (London: Penguin, 1993), p. 189.
- 129 'Whoever meddle in the concernments of the other world have no other power but to entreat and persuade'. *Essay*, p. 195.
- 130 J. Dunn, 'The Claim to Freedom of Conscience: Freedom of Speech, Freedom of Thought, Freedom of Worship?', in *The History of Political Theories and Other Essays* (Cambridge: Cambridge University Press, 2010), pp. 100–120.
- 131 Locke, *Essay*, p. 194.
- 132 Locke, *Essay*, p. 188.
- 133 Locke, *Essay*, p. 201.
- 134 J. Locke, *A Letter concerning Toleration, translated by Popple*, in *John Locke, Political Writings (=Letter)*, p. 431.
- 135 D. Lucci, 'Political Scepticism, Moral Scepticism, and the Scope and Limits of Toleration in John Locke', *Yearbook of the Maimonides Centre for Advanced Studies*, (2018), pp. 109–43.
- 136 *Letter*, p. 399.
- 137 *Letter*, p. 431.
- 138 *Letter*, p. 418.
- 139 *Letter*, p. 418.
- 140 *Letter*, p. 433.
- 141 *Letter* p. 411.
- 142 *Letter*, p. 402.
- 143 *Letter*, p. 405.
- 144 *Letter*, p. 410.
- 145 *Letter*, p. 390.
- 146 *Letter*, p. 390.
- 147 *Letter*, p. 396.
- 148 'Having thus at length freed men from all dominion over one another in matters of religion, let us now consider what they are to do', *Letter*, p. 410.

- 149 Letter, p. 422: 'leaving in the mean while to every man the care of his own eternal happiness, the attainment whereof can neither be facilitated by another man's industry, nor can the loss of it turn to another man's prejudice, nor the hope of it be forced from him by any external violence'.
- 150 Letter, p. 411.
- 151 Letter, p. 396.
- 152 J. Locke, *Fundamental Constitutions of Carolina* (1669), in the drafting of which he participated with conviction. The conditions for acceptance in the colony of South Carolina were a firm recognition of God, the desire or rather the obligation to worship him (§ 95), the necessity to make one's faith evident, for instance in the ceremony of the oath (§90); the respect of tolerance (§100), which entailed waiving conflicting practices of conversion (§ 97). The foreigner who signed the *Constitutions* was 'naturalized' (§109), in M. Goldie (ed.), *John Locke, Political Essays* (Cambridge: Cambridge University Press, 1997), pp. 160–81.
- 153 Locke, Letter, p. 400.
- 154 Letter, *Postscriptum*, p. 433 ff.
- 155 Purchased in France before 1677. G. Bonno, 'Les relations intellectuelles de Locke avec la France', in *University of California Publications in Modern Philology*, XXXVIII (1955), p. 59.
- 156 R. I. Aaron, J. Gibb, *An Early Draft of Locke's Essay* (Oxford: Clarendon, 1936), pp. 81–82.
- 157 Locke, *Essay*, p. 188.
- 158 J. Marshall, *John Locke, Toleration, and Early Enlightenment Culture: Religious Intolerance and Arguments for Religious Toleration in Early Modern and 'Early Enlightenment' Europe* (Cambridge: Cambridge University Press), 2006.
- 159 J. Locke, *Two Treatises of Government. The Second Treatise of Government, An Essay concerning the Original, Extent and End of Civil Government*, XVII, § 192, P. Laslett (ed.) (New York: Mentor Book, 1965), p. 442.
- 160 Locke, *The Second Treatise*, XIX, § 222, p. 460.
- 161 Locke, *The Second Treatise*, XVII, § 192, p. 442.
- 162 J. Dunn, *Locke. A very Short Introduction* (Oxford: Oxford University Press, 2003), p. 60.
- 163 Dunn, *Locke. A very Short Introduction*, p. 58.
- 164 Hobbes, *Philosophicall Elements of a True Citizen, Preface to the Reader*, n. p.
- 165 Hobbes, *Philosophicall Elements of a True Citizen*, XII, § 13, pp. 188–9.
- 166 Locke, *The Second Treatise*, XIX, § 212, p. 455.
- 167 Locke, *The Second Treatise*, XIX, § 221, p. 460.
- 168 Locke, *The Second Treatise*, XIX, § 221, p. 460.
- 169 Locke, *The Second Treatise*, XIX, § 222, p. 460.
- 170 Locke, *The Second Treatise*, XIX, § 227, p.465.
- 171 Locke, *The Second Treatise*, XIX, § 230, p. 466.
- 172 Locke, *The Second Treatise*, XIX, § 221, pp. 460–1.
- 173 Locke, *The Second Treatise*, XIX, § 242, p. 476.
- 174 Locke, *The Second Treatise*, XIX, § 228, pp. 465–6.
- 175 Locke, *The Second Treatise*, XIX, § 242, p. 477. J. Dunn, *The Political Thought of John Locke: An Historical Account of the Argument of the Two Treatises of Government* (Cambridge: Cambridge University Press, 1975), p. 165 ff.

## 8 The 18th century

### Holland, Germany, and Empire

#### Noodt. State and Church

In Holland, the reading of Locke, widely used by Bayle, had the paradoxical result of serving Bayle's refutation. In his *Réponse aux questions d'un provincial*, Bayle had polemicized with rationalist theologians Le Clerc, Jacqueslot, and Bernard on the opposition of reason and faith, on the critique of theodicy, which he had demolished, and on the idea of a God foreign to human values. In particular, the contrast with Jean Le Clerc was profound.<sup>1</sup> Le Clerc, faithful to Grotius' theory of natural law, separated the universal truths of Christianity from the marginal ones and affirmed the validity of faith in the revelation of a Lockean reasonable Christianity; Bayle, as we have seen, had abandoned faith in the Christian religion and believed in the power of reason. In the eyes of Le Clerc, an Arminian theologian, it was the hypothesis of an atheistic society and the criticism of the Christian religion in the name of Manichaeism that revealed Bayle's position to be incompatible with Christianity. Bayle responded harshly in the *Entretiens de Maxime et Thémiste, ou réponse à ce que M Le Clerc a écrit dans son X<sup>e</sup> tome de la Bibliothèque choisie*, written in 1706 and appearing posthumously in 1707. According to Bayle, Le Clerc condemned Catholic intolerance, but was himself intolerant of those who did not share his beliefs. Precisely in 1706, when the publication of the *Réponse aux questions d'un provincial* was completed and when, in November, Bayle died, Barbeyrac wrote to Jean Le Clerc that Bayle's scepticism made his works 'even more dangerous than the books by Hobbes and Spinoza'.<sup>2</sup>

But the argument of the *Second Treatise* did not belong to Le Clerc's and Barbeyrac's horizon. They returned to Locke's *Letter Concerning Toleration* to confirm the religious principle of human sociality and take up the political theme of tolerance.<sup>3</sup> They reiterated the need to separate Church and State to avoid the risk of the French absolute State. In those years, in Dutch culture on the topic of tolerance the most important voice was that of Gerard Noodt, an Arminian, philologist and historian of Roman law.<sup>4</sup> Noodt delivered the *Dissertatio de religione ab imperio iure gentium libera* at the University of Leiden on 8 February 1706. The beginning of the *Dissertatio* maintained that nobody

had the right to forbid the practice of a religion and to punish a refusal.<sup>5</sup> The aim of the short work was to show that religion was divine, not human matter, and that ensuring religious tolerance was a political problem of the State.<sup>6</sup> Noodt was careful to explain how tolerance was to be thought of as freedom of conscience within a State founded on modern natural law and consensus. The Lockian legacy was clear.<sup>7</sup> The inhuman and irrational thesis of intolerance was the cause of the State's downfall, because it was the result not of reason, but of greed, ambition, the desire for power, of tyranny over consciences.<sup>8</sup> The prosperity and freedom of the Dutch republic were guaranteed by the rejection of intolerance and respect for the sacred and inviolable authority of the law of nature and of people.<sup>9</sup> Natural law was the foundation of divine and human law, of the moral independence of individual actions and the pursuit of the useful. This autonomy was also to be guaranteed to religion.<sup>10</sup> Religion was not to be subservient to human authority.<sup>11</sup> No one could stand as judge of another's idea of god or punish it with violence, because by divine will religious discourse has a universality that is different from mathematics, and is based on personal conscience.<sup>12</sup> Natural law assured the individual that the choice to join a Church and the choice to leave it was free, just as a Church was entitled to control believers.<sup>13</sup> Individual religious choice could not be put to a vote, and belonged to a sphere distinct from the political one.<sup>14</sup> Mindful of Pufendorf rather than Hobbes, Noodt argued that it was not religion that gave rise to the State, which was produced by the fear that scattered and isolated men felt from the violence of others. The State maintained natural laws, by which it guaranteed the material well-being of the common good. It had to exclude from its intervention the religious sphere, understood in a broad sense, containing all religions, without distinguishing true or false, idolatry or superstition.<sup>15</sup> Civil power had to keep itself out of ecclesiastical jurisdiction and its problems.<sup>16</sup> Erastianism was now over. Like Locke, Noodt also relinquished the political theme of theocracy. In the Jewish government of the Old Testament, God was the temporal ruler and therefore Moses had imposed the principle of condemning idolaters to death.<sup>17</sup> But social and cultural systems change with time and in the 1700s the penal system was based on 'publica utilitate'. Noodt took up the Lockian principle that required that Church and State would contain themselves within their 'own bounds' and investigated the nature of freedom 'within a juridical perspective'.<sup>18</sup>

Le Clerc and Barbeyrac were critics of Pufendorf for the same reason.<sup>19</sup> According to Le Clerc and Barbeyrac toleration was one of the eternal and fundamental laws of the State, where the Church was an independent power distinct from political power. But Pufendorf failed to investigate the concept of conscience, as Barbeyrac observed, and had given no answer to the problem of the union between individual beliefs and public religions.<sup>20</sup> He was judged to be closer to Hobbes than to Locke, because his theory had been based more upon the notion of laws than upon the moral strength of the law of nature. According to Pufendorf, toleration was a tool the State used in order to give a solution to momentary conflicts.<sup>21</sup>

**Pufendorf**

Nonetheless, the case of Pufendorf is perhaps more interesting than Barbeyrac's.

After the conclusion of the Thirty Years' War, *tolerantia* was recognised no longer merely as a concession of the sovereign, but as a right that the citizens of the three confessions, Lutheran, Calvinist, and Catholic, had mutually recognised. The political power could not intervene, although the existence of a national Church maintained the dialectic between orthodoxy and heresy. The structure of the empire and its territorial fragmentation transformed the problem of toleration primarily into a legal and *police* issue, to which the demand for universal toleration was increasingly linked. On 1699–1700 the pietist Gottfried Arnold published the *Unparteiische Kirchen-und Ketzerhistorie: vom Anfang des Neuen Testaments bis auf das Jahr Christi 1688* [*Impartial History of the Church and its Heretics, from the new Testaments through 1688*].<sup>22</sup> To heresies, Arnold recognised the profound function of keeping the authentic spirit of Christianity alive.<sup>23</sup> In the Christianity of the first three centuries, there had been no rules of faith and interpretation. These had been invented by priesthood to persecute opponents. Impartiality was achieved through the historical perspective. On the one hand, the historian had to reconstruct the conflicts and the political contexts of the visible Churches as simple historical facts; on the other hand, he had to overcome those conflicts and participate in the purity of the invisible Church. Theology had moved out of politics. Roman law was rediscovered as capable of negotiating conflict with the goal of civil peace. The horizon of this view of heresies could be called *Staatskirchenrecht*, the 'political jurisprudence of Church law'.<sup>24</sup> Two paths opened up in order to discuss the issue of tolerance: the uncontrollable individual belief, confined to the invisible Church and thus without the support of communitarian ritual, and the visible Church, understood as a civil association of the Lockean kind.

Pufendorf addressed the problem of tolerance without discussing heretical doctrines. He took 'two different languages of political thought'.<sup>25</sup> Against Machiavelli, in *Dissertatio de concordia verae politicae cum religione christiana*, Pufendorf said that a modern State should have a Christian foundation, and the idea of toleration had to be ruled by the sovereign on the basis of the needs of the State and the notion of reason of State.<sup>26</sup> Christian religion was useful for the unity of the State, which controlled the Church and its ceremonies. In a State where *conciliation* among different religions was impossible, there were two kinds of toleration. One was 'concession and beneficence' from the political authority; the other depended on the rights and norms stipulated by the citizens themselves, which had to be respected by the prince. In both cases, it was the practice of toleration in the sense we have seen. Pufendorf's other political language was that of natural law, exposed in *De habitu religionis christianae ad vitam civilem* (1687). Here, toleration was not a concession of the sovereign but a limit to his *potestas*, because religion

was one of the natural rights of citizens. Private religion was different and independent from public religion, which was determined by politics. Internal beliefs and religious ceremonies were not under political control.<sup>27</sup> The sovereign had the right to outline a public standard of religious belief, but he had to tolerate the dissidents.

In his posthumous *De ius feziale, sive de consensus et dissensu Protestantium* (1695) the synthesis of the two lenses was not found. Pufendorf discussed Jurieu's *De pace* and rejected the two perspectives Jurieu had proposed in order to get union among Protestant Churches.<sup>28</sup> Ecclesiastical union was conceived of as a confederative system based on natural law and contract, and not on the dogma of predestination. 'Tolerantia ecclesiastica' had to be distinguished from political toleration.<sup>29</sup> The latter concerned the relationship between politics and religion: and in a State with two or many religions citizens may obtain freedom of religion either 'suo iure' or through concession of the sovereign: in this case, people are said to be tolerated.<sup>30</sup> In a nation, one could have complete toleration, general toleration, or limited toleration. The ecclesiastic toleration, which concerned dogmas, could be based upon fundamental principles of faith, which had to be in accord with the principles of natural law. Pufendorf did not accept that religions were equal deserving the same right of each other.<sup>31</sup> Tolerance was a 'preliminary stage towards union', which had to be directed by the political power.

#### *Berlin. 1780s*

The German tradition of thinking toleration within a primarily legal horizon became a political strategy in Berlin and Vienna in the 1780s.<sup>32</sup> In Berlin, the distinction between State-recognised and tolerated Churches was maintained. The Huguenots were admitted in 1785 with the Edict of Postdam. Three years later, in 1788, the edict concerning 'the Religious Constitution of the Prussian State' granted the Reformed, the Lutheran, and the Catholic equal status 'in their prior condition' and equal privileged public recognition.

More extensive was Joseph II's *great project*.<sup>33</sup> The break in his policy from the traditional one of his mother, Maria Theresa, was apparent. He wanted to change the relationship between Church and State, to expand freedom of the press, a wide-ranging suppression of monastic foundations, and the reform of peasant property and serfdom.<sup>34</sup> Within this framework, Joseph II imposed, as he put it, 'eine christliche Toleranz', 'a Christian tolerance', which was united with a remarkable improvement in parochial provision and in primary and secondary education. In 1781–82 Joseph II issued several *Toleranzpatents*, which were uniform in outline but differed in relation to the various territories.<sup>35</sup> The Lutheran, the Reformed and the Greek Orthodox confessions were tolerated in their 'private exercise'; they could erect schools and houses of prayer, although their Churches could not have 'public entrance' from the street. Also the Jews had a relevant improvement in their condition. Toleration was a limited grant of liberty, without a

long-term guarantee and was permitted in order to transform non-Catholic subjects into good citizens. It was the most important example of a 'permission concept of toleration', characterised by the connection between freedom and disciplining and inclusion and exclusion.<sup>36</sup>

Public opinion was deeply affected by these reforms. Pope Pius VI realised the danger and tried to curb the Viennese action. The clash over religious and political tolerance was too important an enjeu and the pope embarked on an astonishing journey that took him to Vienna on 22 March 1782, where he was welcomed by the emperor and large crowds. The trip of the pontiff aroused curiosity and stir, but the laws wanted by the emperor were not withdrawn.

### *Kant*

Neither Joseph II nor Friedrich William II had built a free society; but they had conceded tolerance in religious beliefs. Joseph II was called 'the great reformer', although his political line, like that of Friedrich William II, seemed to the new Enlightenment culture to be too closely linked to the idea of toleration of the 'civil enlightenment' of the early 1700s.<sup>37</sup> On the contrary, the true 'enlightened' prince had the duty 'not to prescribe anything to human beings in religious matters but leave them complete freedom' and therefore he had even to decline 'the arrogant name of tolerance'.<sup>38</sup> In *What does it mean to orient oneself in thinking?* (1786) Kant observed that even if a 'superior power' could take freedom to speak and to write from us, 'freedom to think cannot be' as 'it is opposed first of all to civil compulsion'. Freedom of think and the recognition of the right to dialogue and to communicate one's ideas were the foundation of human civilisation.

Thus one can very well say that this external power which wrenches away people's freedom publicly to communicate their thoughts also takes from them the freedom to think - that single gem remaining to us in the midst of all the burdens of civil life, through which alone we can devise means of overcoming all the evils of our condition.<sup>39</sup>

This was not only a right, but 'a duty of virtue', 'not to isolate oneself, but to use one's moral perfections in social intercourse'. The 'citizens of the world' have to cultivate their 'disposition of reciprocity - agreeableness, tolerance, mutual love and respect ... and so to associate the graces with virtue'.<sup>40</sup> In order to achieve this aim, freedom of press was crucial. The motto of these cosmopolitan citizens was *Sapere aude*, 'Have courage to make use of your own understanding', because Enlightenment 'is the human being's emergence from his self-incurred minority'.<sup>41</sup> The main point of Enlightenment lay 'chiefly in *matters of religion*' and the enlightened legislator had to admit there was no danger 'in allowing his subjects to make *public* use of their own reason and to publish to the world their thoughts'.<sup>42</sup> The distinction between

public and private (as civil servant) of reason does not limit this liberty, and anyway to renounce Enlightenment 'is to violate the sacred right of humanity and trample it underfoot'.<sup>43</sup> Nonetheless, 'a public' could achieve enlightenment, that is, civil liberty, only slowly. 'A revolution may well bring about a falling of personal despotism ... but never a true reform in one's way of thinking'.<sup>44</sup>

## Notes

- 1 S. Brogi, 'Plastic Natures and Divine Drawings. The Controversy between Bayle and Le Clerc', in *Studi settecenteschi*, 20 (2000), pp. 51–88.
- 2 J. Barbeyrac, letter to J. Le Clerc, of April 10, 1706, in J. Le Clerc, *Epistolario*, M. Sina (ed.) (Firenze: Olschki, 1994), t. III, p. 14, quoted by F. Lomonaco, *Tolerance. Stages in the Modernity from Holland to Italy* (Bern: Lang, 2013), p. 102.
- 3 A. Rotondò, *Europe et Pays-Bas. Evolution, réélaboration et diffusion de la tolérance au XVII<sup>e</sup> et au XVIII<sup>e</sup> siècle. Ligne d'un programme de recherche* (Firenze: Università degli Studi, 1992).
- 4 G. C. J. van den Bergh, *The Life and Work of Gerard Noodt (1647–1725). Dutch Legal Scholarship between Humanism and Enlightenment* (Oxford: Clarendon Press, 1988).
- 5 G. Noodt, 'Dissertatio de religione ab imperio jure gentium libera', in G. Noodt (ed.), *Opera Omnia* (Leiden: Haak, 1767), t. I, p. 518a. J. Barbeyrac translated and edited Noodt's *Dissertatio*, with the title 'Discours sur la Liberté de Conscience. Où l'on fait voir que par le Droit de la Nature et des Gens la Religion n'est point soumise à l'Autorité Humaine', in *Recueil de Discours sur diverses matières importantes* (Amsterdam: Humbert, 1731), t. I, pp. 119–231.
- 6 Noodt, *Dissertatio*, p. 526b.
- 7 Noodt, *Dissertatio*, p. 526b.
- 8 The doctrines of the intolerants are examined and refuted at pp. 521b–524a.
- 9 Noodt, *Dissertatio*, p. 520a.
- 10 Noodt, *Dissertatio*, pp. 518b–519a.
- 11 Noodt, *Dissertatio*, p. 520a.
- 12 Noodt, *Dissertatio*, p. 519b.
- 13 Noodt, *Dissertatio*, p. 520a. In his translation Barbeyrac quotes Lockes's *Epistola de tolerantia*, *Recueil*, p. 145.
- 14 Noodt, *Dissertatio*, p. 521b.
- 15 Noodt, *Dissertatio*, p. 524b.
- 16 Noodt, *Dissertatio*, p. 522a.
- 17 Noodt, *Dissertatio*, p. 525b.
- 18 F. Lomonaco, *Tolerance*, p. 66.
- 19 Jean Le Clerc in *Bibliothèque universelle et historique*, XII (1689), art. IX, *Eclaircissements de quelques endroits du tome VIII*, p. 475 ff., violently criticised Pufendorf's *Introductio ad historiam praecipuorum regnorum et statuum modernorum in Europa* (Frankfurt a.M.; Knochii, 1688) that had maintained that the sovereign had to take advantage of toleration on the basis of the rules and the needs of the State. Against this Hobbesian and utilitarian theory of politics, Le Clerc said that Christian gospel and natural justice brought about true toleration within a State.
- 20 See Lomonaco, *Tolerance*, p. 97.
- 21 On this controversy, S. Zurbuchen, 'From Denominationalism to Enlightenment: Pufendorf, Le Clerc, and Thomasius on Toleration', in J. C. Laursen (ed.), *Religious Toleration. 'The Variety of Rites' from Cyrus to Defoe* (New York: St. Martin Press, 1999), pp. 194–9.

- 22 H. Schneider, 'Arnold, Gottfried', *Religion. Past and Present Online*, 2011; C. Dixon, 'Faith and History on the Eve of Enlightenment: Ernst Salomon Cyprian, Gottfried Arnold and the History of Heretics', *The Journal of Ecclesiastical History*, 57 (2006), pp. 33–54.
- 23 Against Arnold's *History*, L. Mosheim published *Versuch Einer Unpartheyischen und Gründlichen Ketzergeschichte* (1746), M. Mulsow (ed.) (Hildesheim: Georg Olms, 1998).
- 24 J. Hunter, 'Thomasius on the Toleration of Heresy', pp. 158 and 156–7, and in general M. Heckel, 'Das Säkularisierungsproblem in der Entwicklung des deutschen Staatskirchenrechts', in G. Dilcher, I. Staff (eds.), *Christentum und modernes Recht. Beiträge zum Problem der Säkularisation* (Frankfurt a. M.: Surrkamp Verlag, 1984), pp. 35–95.
- 25 S. Zurbuchen, 'Samuel Pufendorf's Concept of Toleration', in C. J. Nederman, C. Laursen (eds.), *Difference and Dissent. Theories of Toleration in Medieval and Early Modern Europe* (New York-London: Rowman and Littlefield, 1996), pp. 165–6.
- 26 Zurbuchen, 'Pufendorf', pp. 166–72.
- 27 S. Pufendorf, *De habitu religionis christianae ad vitam civilem*, Section 7 (Stuttgart-Bad Cannstatt: Fromann, 1972), pp. 20–23.
- 28 S. Pufendorf, *Jus feziale divinum*, § 92 *De tolerantia* (Lübeck: A.R.S., 1695), pp. 375–83, and § 93 *De silentio*, pp. 383–7.
- 29 Pufendorf, *Jus feziale*, § 4 *Tolerantia dissidentium*, p. 18.
- 30 Pufendorf, *Jus feziale*, § 4, p. 20.
- 31 A. Schunka, 'Union, Reunion or Toleration? Reconciliatory Attempts among Eighteenth-Century Protestants', in H. Louthan et al. (eds.), *Diversity and Dissent. Negotiating Religious Difference in Central Europe, 1500–1800* (New York-Oxford: Berghahn Books, 2011), p. 197.
- 32 H. Rudolph, 'Öffentliche Religion und Toleranz. Zur Parallelität preußischer Religionspolitik und josephinischer Reform im Lichte der Aufklärung', in P. F. Barton (ed.), *Im Zeichen der Toleranz. Aufsätze zur Toleranzgesetzgebung des 18. Jahrhunderts im Reiche Joseph II* (Vienna: Institut für protestantische Kirchengeschichte, 1981), pp. 221–49.
- 33 F. Venturi, *The End of the Old Regime in Europe, 1776–1789*, Part II: *Republican Patriotism and the Empires of the East* (1984) (Princeton, NJ: Princeton University Press, 2014), Chapter 8. See also C. O'Brien, *Ideas of Religious Toleration at the Time of Joseph II. A Study of the Enlightenment among Catholics in Austria* (Philadelphia: The American Philosophical Society, 1969).
- 34 E. Winter, *Der Josefianismus. Die Geschichte der österreichischen reform katolizismus* (Berlin: Rütten und Loening, 1962), p. 173, and J. Karniel, *Die Toleranzpolitik Kaiser Josephs II* (Gerlingen, 1986).
- 35 P. F. Barton, 'Das Toleranzpatent von 1781. Edition der wichtigsten Fassungen', in P. F. Barton (ed.), *Im Zeichen der Toleranz. Aufsätze zur Toleranzgesetzgebung des 18. Jahrhunderts in den Reichen Joseph II., ihren Voraussetzungen und ihren Folgen: eine Festschrift* (Wien: Institut für protestantische Kirchengeschichte, 1981), pp. 154–98. There, a reprint of the patents, pp. 199–202.
- 36 Forst, *Toleration in Conflict*, p. 332.
- 37 Hunter, 'Thomasius', p. 156.
- 38 I. Kant, 'An Answer to the Question: What Is Enlightenment?', in M. Gregor (ed.), *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), p. 21.
- 39 I. Kant, 'What Does It Mean to Orient Oneself in Thinking?', in A. W. Wood, G. di Giovanni (eds.), *Religion and Rational Theology* (Cambridge: Cambridge University Press, 1996), p. 16.

- 40 I Kant, *The Metaphysics of Morals*, Appendix. On the virtues of social intercourse, § 48, in *Practical Philosophy*, p. 586.
- 41 Kant, 'What Is Enlightenment?', p. 17.
- 42 Kant, 'What Is Enlightenment?', p. 21.
- 43 Kant, 'What Is Enlightenment?', p. 20.
- 44 Kant, 'What Is Enlightenment?', p. 18.

## 9 The 18th century

### After the glorious revolution – Great Britain

The Glorious Revolution started off as a reaction to the threat of a despotic Catholic king and ended with the creation of a new monarchy in which the king was Protestant and the government was mixed. Moreover, during the years of the Restoration, the Church of England had displayed a very marked intolerance towards dissent, claiming that political power required that there should be only one religion in the State. The Restoration had imposed censorship with the Licensing Act of 1662. The licensing system was abandoned in 1695, and a free press began its rise. It was feared that Catholicism and the court party would pave the way to tyranny, while the Protestant succession was the bulwark for the defence of the English constitution. This polarisation was reflected in the opposition of the Whig and Tory parties. The upshot was that around the turn of the century, the debate on the freedom of conscience was not an echo of previous debates, but an aspect of the passage to political freedom and a party-based system.<sup>1</sup>

The question of freedom of conscience and of tolerance pointed the way to secularisation and raised three main issues. The first was the presence of sectarian Christianity, which by its very enthusiastic nature was opposed to an institutional church, which – even if Protestant – appeared to run the same risks as the papacy. The second was the need for a civic religion that should be a vehicle for the cohesion of the State and take the form of a public institution, as Harrington had proposed. The third was the very nature of belief as the principle in the past of religious sects and in the present of political parties.

#### Shaftesbury

The crucial point for making an assessment of the Glorious Revolution was stated by Shaftesbury:

'Tis only in a free Nation, such as ours, that Imposture has no Privilege; and that neither the Credit of a Court, the Power of a Nobility, nor the Awfulness of a Church can give her Protection, or hinder her from being arraign'd in every Shape and Appearance. 'Tis true this Liberty

may seem to run too far... But who shall be Judge of *what* may be freely examin'd, and *what* may not? *Where* Liberty may be used, and *where* it may not?<sup>2</sup>

The danger for the exercise of liberty was that imposture could take over the helm of politics and the power of censure. The Huguenot *camisards* who had come to London from France in 1706 to escape persecution had shown the power and the weakness of fanaticism. Their affair unveiled that the most radical way to combat imposture was with the weapon of ridicule.<sup>3</sup> Truth was the most powerful thing in the world,<sup>4</sup> and it had to be recognised not only in the fictions of art, but even more in politics and religion. Liberty called for adherence to reality and reason: 'Trial and Experience': 'Let but the Search go freely on, and the right Measure of every thing will soon be found'. The example of 'antient polity' should not be lost. For Shaftesbury and the *commonwealthmen*, the republican prudence of the ancients was essential for a nation that wished to be free.<sup>5</sup> Even the religion of the ancients should be an example, despite being criticised. 'But we Christians, who have such ample Faith ourselves, will allow nothing to poor Heathens'.<sup>6</sup> Religious beliefs and Christianity were compounds generated by inner 'commotions' and passions. These passions included enthusiasm, 'horrors' of a superstitious kind, and panic. Panic was the passion that took over the mob and became a fury, like all 'social and communicative' passions.<sup>7</sup> Religion was one of the many forms of fear and panic. It emerged in situations of public calamities, such as earthquakes, floods, 'or other amazing Prodigys'. The 'natural Passion of Enthusiasm' could become illness, which the magistrate should cure not by violence but with gentler methods and kindness; he ought to take the passions of the people upon himself and seek to divert and heal them. Harrington's notion of a public institution of reference in religion was indispensable.<sup>8</sup> The national church was necessary and did not contradict the independence of individuals any more than public and private libraries were incompatible with each other. Enthusiasm was ambivalent precisely because it was natural. It could take the religious forms of fanaticism and be successfully addressed through the irony of reason, which in turn recognised the germs of such humours even in itself.<sup>9</sup> Enthusiasm, the bequest of the sectarian tradition, turned out to be the energy of reason without which the ideals of civil life, of beauty, justice, and morality, could not be shaped.

## Toland

John Toland was a singular intellectual. With Swift, Defoe, and Davenant, he shared the goal of Robert Harley, earl of Oxford, who wanted and created indeed a propaganda machine in order to influence electoral opinion and to oppose the political press. Connected with Locke's deism, he expounded radical philosophical theories such as pantheism and materialism. He travelled in Europe on diplomatic missions and took part in the English philosophical

and political debates. In *Militia Reformed* (1698), he followed Harrington, putting together the model of the Roman republic and the myth of the Anglo-Saxon constitution. In *the State-Anatomy of Great Britain*, his aim was to demolish in the eyes of the ‘populace’ the Tories’ claim that the battle between Whigs and Tories was about a ‘religious distinction’, whereas in actual fact it was ‘purely civil’.<sup>10</sup> For the group of republican intellectuals that gravitated around Robert Molesworth – and that Justin Champion has dubbed ‘the Molesworth connection’<sup>11</sup> – this was the achievement of the Glorious Revolution. Toland’s pamphlet defended the dissociation that underpinned the arguments of the Whigs and the commonwealth men. The first part deals with the analysis of the two parties and the dynamic of tolerance and public opinion, which Toland identified as new even for the English. The second part describes the social and economic aspects and the political institutions of Great Britain.

The pivotal issues concerned the nature of monarchy based on the Protestant succession, the role of national religion, and the pluralism of the parties. Toland had an easy time defending the Protestant succession and refuting the alleged religious nature of the monarchy, the true root of which was instead the immemorial constitutional tradition of a latitude such as to encompass even dissident sectarianism. He shared the rejection of any opening whatsoever towards Catholicism, but also curbed the authority of the Anglican Church. Like Shaftesbury, Toland saw Harrington’s republicanism as the ideological bond of the commonwealth men group. There was no ‘imaginary Republican faction’.<sup>12</sup> The commonwealth men supported the royal prerogative, fighting against Papism and the tyranny that the Tories wanted to introduce into Great Britain. They denied the superiority of the king, placing him within the polity on a par with the other two actors. There were no ‘Democratick Commonwealthsmen’, as the Tories insinuated, but zealous ‘supporters’ of the ancient constitution ‘under King, Lords, and Commons’. The term faction, with a negative connotation, was reserved for the ‘politick impolitick’ Tories who sought to impose tyranny and a sole religion, opposing freedom of the press, civil liberty, and freedom of conscience.<sup>13</sup> A single religion would generate superstition and violence,<sup>14</sup> whereas the plurality of religions and sects, along with a national religious institution, was a guarantee of liberty of conscience. There was no doubt that Great Britain needed a national religion, like all societies where there were different religions, in line with Harrington’s principle.<sup>15</sup> In the United Kingdom, tolerance should not be partial but complete, as the degree of tolerance was indicative of the degree of ‘Civil Liberty’ of a country.<sup>16</sup> Toland uncovered the political legacy of decades of religious conflicts. A shared political creed existed to which party interests had to be subordinated: ‘since Parties in the State are just of the like nature with Heresies in the Church’ they should not be judged pernicious because they keep it from stagnation,<sup>17</sup> while opinions of ‘bare speculation’ should be tolerated because the equity of liberty is grounded on reason.<sup>18</sup> Parties were not an absolute good,<sup>19</sup> but they were necessary to the nation to identify

the best political strategy.<sup>20</sup> The freedom of political press became a feature of British society. For Toland, not the experience of toleration but the religious struggles transformed tolerance into political liberty and Christian sects into parties. Their history and the nature of modern society and of the ‘fourth estate’, public opinion, were explained by David Hume.

## Hume

### *Tolerance, liberty, parties*

David Hume observed the cultural and political history of modern Europe as an anthropologist.<sup>21</sup> He took up the threads of the debate on tolerance, not to indicate prescriptions, but to make a historic reconstruction of it. He wanted to show that the new political life and the ‘mixed government’<sup>22</sup> of the British monarchy had banished intolerance.<sup>23</sup> The ‘improvements in reason and philosophy’ that were taking place demonstrated that England had become ‘a land of toleration and of liberty’.<sup>24</sup>

For Hume too, the new aspect of politics was the birth of the parties, and he too saw their origin in the religious conflicts that had brought about a profound change in mentality.<sup>25</sup> As well as by interest, men were ‘entirely governed by opinion’, which had been transformed over the last fifty years by the progress ‘of learning and of liberty’. With the mixed government, the British monarchy found more strength in the opinions circulating in society than in royal power. All reverence ‘to names and authority’ had been cast off. The name of the king inspired little respect; the clergy had lost their credit; ‘even religion can scarcely support itself in the world’.<sup>26</sup>

Tory and Whig parties had emerged from this shattering of authority and transformation of opinions, created at the time of the Civil War in the clash between cavaliers and roundheads.<sup>27</sup> Hume had little sympathy for the radicals. Honour and respect were due to the ‘legislators and founders of States’, whereas ‘as much ought the founders of sects and factions to be detested and hated; because the influence of faction is directly contrary to that of laws’.<sup>28</sup> Men had changed even more than the institutions, and the relation between strength and opinion had altered. To explain the ‘surprising’ fact – and rather the ‘miracle’ – that the many in a State obeyed the few and adopted their sentiments, Hume observed that while strength lay with the governed, ‘the governors have nothing to support them but opinion’. The Egyptian or Roman tyrant might ‘drive his harmless subjects, like brute beasts’, but ‘he must, at least, have led his *mamalukes* or *praetorian bands*, like men, by their opinion’.<sup>29</sup> The power of authority was based on interest, the right to power, and the right to property, all variously tied up with sentiments of fear and affection.<sup>30</sup> This balance had been overturned by the civil wars.

The factions could be divided into personal and real; the real were then further divided into three types deriving in turn from interest, from a principle, and from a personal affection. The first of these was obviously ‘the most

reasonable, and the most excusable'; the last was characterised by attachments to families or individuals.<sup>31</sup> The second type was new: 'Parties from *principle*, especially abstract speculative principle, are known only to modern times, and are, perhaps, the most extraordinary and unaccountable *phenomenon* that has yet appeared in human affairs'.<sup>32</sup> The 'principle' was the seed of modern intolerance. Christianity had generated this principle, which was that of superstition and hence of intolerance. The conflict triggered by contrasting conduct stimulated by different principles was understandable; on the contrary, when a principle did not provoke any opposed or divergent actions, and allowed everyone to follow his own way without interfering with his neighbour, as happens in all religious controversies, then 'what madness, what fury can beget such an unhappy and such fatal divisions?'<sup>33</sup> In European history, the effects of the religious 'principle' were the terrible effects of intolerance. Intolerance was characteristic of monotheism and not polytheism, and of Christianity in particular.<sup>34</sup> The superstitious and violent nature of its 'principle' had been seen during the civil war.<sup>35</sup> Hume describes the fanatical millenarian project of the Levellers and the followers of the Fifth Monarchy and the cruelty of the Irish with similar aversion. 'Amidst all these enormities, the sacred name of Religion resounded on every side; not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy'.<sup>36</sup>

This danger had finally been devitalised in Great Britain, where it was not religion but the government that had become the 'source of division and party',<sup>37</sup> and in politics, the rationale of interest had been fused with that of the 'abstract' principle. A new public space had been created in which the parties took the place of the factions because they had acquired the new type of opinion, the 'principle', but had transformed and secularised it.<sup>38</sup> The parties were, to speak with Burke, a 'honourable connection'. In the late 1730s, Bolingbroke published *A Dissertation upon Parties* (1733–34), *On the Spirit of Patriotism* (1736), and the *Idea of a Patriot King* (1738).<sup>39</sup> He showed both the complexity and contradictory nature of political action,<sup>40</sup> and the necessity and legality of opposition in a monarchical-constitutional parliamentary system. 'The first age of Party', was ending.<sup>41</sup> From here, Hume took off, reaching profoundly new conclusions.

The bond of obedience had been formed in the course of the history of the material constitution of the British monarchy, and for Hume, it was very strong. Tolerance, that is, freedom, had been imposed in the course of English history through religious and social struggles and conflicts that had produced the liberty of the English constitution and the system of political parties; however, alongside this historical foundation of the monarchy stood the other condition of freedom, the right to resistance. Under certain conditions, the principle of the natural right to resistance against the executive power had to be acknowledged. This case 'is never expressly put by the laws'. But as a right 'without a remedy would be an absurdity; the remedy in this case, is the extraordinary one of resistance, when affairs come to that extremity that

the constitution can be defended by it alone'. Resistance is legitimate when administrative structures usurp 'the whole power of the commonwealth'. This condition of insecurity and instability was characteristic of the nature of the British constitution and form of government. Resistance, therefore 'must, of course, become more frequent in the British government, than in others, which are simpler, and consist of fewer parts and movements', and where the king is an absolute sovereign. But in a limited monarchy, the imprudent ambition of the king, 'without any great vices, may run him into that perilous situation'.<sup>42</sup> There were 'parties of PRINCIPLE' involved in the very nature of the English, and however violently they clashed and however the nation fluctuated between them, they were destined to last as long as the 'limited' monarchy.<sup>43</sup> The birth of the Whig and Tory parties had shown the predominance of practical interests, the birth of a love of liberty, and had put religion to one side; this had made it possible to assert an indiscriminate tolerance.

### **The belief and the critique of intolerance**

Religious conviction, which seemed an invincible source of intolerance, had been defeated. To explain the evolution that had led to tolerance, Hume analysed the nature of belief. We cannot live without beliefs.<sup>44</sup> This need explains the fanaticism of 'the stupid ignorance alone and barbarism of the people', which had to be rejected since it was made up of beliefs that could not be assessed by reason;<sup>45</sup> but the need remained. It was an ineradicable need since belief regulates human life. Belief was an 'act of the mind arising from custom'<sup>46</sup> and from imagination, an idea not yet or no longer conceived.<sup>47</sup> Religion too was a belief: 'Look out for a people entirely void of religion: if you find them at all, be assured that they are but few degrees removed from brutes'.<sup>48</sup> Despite the dogmatic and imperious style of all superstition, the conviction of the believers was always 'more affected than real, and scarcely ever approaches in any degree to that solid belief and persuasion which governs us in the common affairs of life'. Assent in matters of faith was 'some unaccountable operation of the mind between disbelief and conviction, but approaching much nearer the former than the latter'<sup>49</sup> because men 'zealously maintain what they neither clearly comprehend, nor entirely believe'.<sup>50</sup> Religious belief had a false and falsifiable content; an internal mobility, oscillating between polytheism and monotheism, superstition and enthusiasm. Above all, it was easy to stop believing. To hear men speak, 'nothing they are so certain of as their religious tenets. Examine their lives. You will scarcely think that they repose the smallest confidence in them'.<sup>51</sup>

Nevertheless, it was not reason that had freed people from the vast weight of absurdity that superstition burdened them with everywhere.<sup>52</sup> This liberation took place through the energy of life. In England and in Holland, religion was indeed defeated by the change in living conditions. If among Christians it was only the Dutch and the English that had embraced the principles of tolerance, 'this singularity has proceeded from the steady resolution

of the civil magistrate, in opposition to the continued efforts of priest and bigots'.<sup>53</sup> It was no longer superstition and religion that governed social life, but civil laws. The Dutch devoted themselves to trade, neglected orthodoxy, and constructed their own liberty.<sup>54</sup> It was enough to open the door to tolerance, said Hume – recalling Reginald Pole he so greatly esteemed – to extinguish sectarian hatred and attachment to one's own doctrines.<sup>55</sup> Disputes were replaced by occupations and the pleasures of life, and those who were fanatical switched sects for only the tiniest hope of improvement or simply for fashion.<sup>56</sup> Albeit all too slowly and after enormous bloodshed, 'arose the paradoxical principle and salutary practice of toleration'.<sup>57</sup> Religious tolerance brought with it modern politics based on the intersection of principle and interest, as we have seen. At the hub of this intersection was the mental force of enthusiasm,<sup>58</sup> opposed to superstition. They were 'two species of false religion',<sup>59</sup> but superstition gave power to the priesthood and deprived the individual of trust in himself. Instead, enthusiasm had driven the sects – from the Independents to the Quakers – to free themselves from the 'bondage' of priests and ceremonies. Further, over time, such religions became 'more gentle and moderate'; the sectarians were independent and 'very free reasoners', so that one could conclude 'that superstition is an enemy to civil liberty, and enthusiasm a friend to it'.<sup>60</sup>

This new era of tolerance appeared to still retain a legacy from the past: the right of the political power to eradicate a new and extraneous religion from those already present so as to avoid dangerous innovations.<sup>61</sup> Such a principle would have legitimized the expulsion of the Christians from Japan and from China, and justified the Romans' attitude towards the Christians. It was better – Hume admitted in this volume of the *History of England* – to gloss over such an observation.<sup>62</sup> Which then resurfaced when he was dealing with the Civil War and the sentencing to death of William Laud by the English parliament. It was not Laud's character that was in question – Hume admired his courage and spirit –, but rather the problem that had been shelved. What right did the Puritans have to ask to be tolerated when they wanted to separate from the Anglican Church? The Puritans ought to have been brought back to obedience,<sup>63</sup> and Laud's intolerance towards them was the intolerance that reigned in Europe, with the exception of Holland, which was discovering trade, and France, which was then 'fettered with edicts and treaties'. Putting to death one who, in these 'nice' theological questions, did not stick to the precise line of truth was a proof of despotism, not liberty. Hume found it highly debatable to justify such persecution in the name of the principle 'advanced by president Montesquieu, that, where the magistrate is satisfied with the established religion, he ought to repress the first attempts towards innovation'.<sup>64</sup>

Addressing tolerance like a question of reason of State was no longer adequate. Tolerance had to be seen as a form of political liberty, as Montesquieu had done in another chapter of the *Esprit des lois*.

### A reader of Hume. Gibbon

In the 18th century, sacred historiography continued to be successful, and numerous histories of heresies appeared again, written by distinguished scholars such as Le Clerc, Beausobre, Mosheim, and in France, Pluquet and Bergier.<sup>65</sup> Alongside this erudite historiography, another historical perspective developed, the philosophical history, which, as we have seen with Hume's *Natural History of Religion*, took up the philosophy of Hobbes and Spinoza and linked it to antiquarian research. In this wake, then came the books of Montesquieu, Voltaire, and the Scottish Enlightenment. In the field of history of religion, the most acute synthesis of both the antiquarian and philosophical histories was given by Eduard Gibbon. Gibbon wrote a 'civil history in which ecclesiastical authority took shape and intervened', and went beyond the boundary of Hume's natural history of religion.<sup>66</sup>

For Gibbon, it was not a question of choosing between heresy and orthodoxy, because being indifferent to the latter, he was also indifferent to the former; and heterodox tradition could be recognised as valuable as orthodox tradition.<sup>67</sup> Tolerance was useful because the circulation of absurd and contradictory ideas facilitated their extinction and the disappearance of enthusiasm, which was produced by disputes over faith and reason. This was the case in that moment of 'public felicity' that in the Roman empire had been the age of Antonins.<sup>68</sup> Gibbon's 'civil history' described the Roman State in which there was 'the equal condition of freedom', 'the sovereignty of the people' was not only represented by public buildings, and the 'republican spirit' was not totally extinguished 'by the introduction of wealth and monarchy'.<sup>69</sup> In religious problems, the 'moderate and comprehensive policy' of the emperors and the senate was supported both by enlightened groups 'and by the habits of the superstitious'.<sup>70</sup> The philosophers 'asserted the independent dignity of reason', but 'practised the ceremonies of their fathers' and 'they resigned their actions to the commands of law and custom'.<sup>71</sup> The cults were all considered 'true' by the people, 'false' by the philosophers, and 'useful' by the magistrate.<sup>72</sup> The magistrates 'were themselves philosophers' and they knew 'and valued the advantages of religion, as is connected with civil government'. The temporal and ecclesiastical powers 'were united in the same hands', 'and thus toleration produced not only indulgence, but even religious concord'.<sup>73</sup> The modern separation of church and State seemed to him to be more of a danger than an advantage, because in this way individual belief instead of being directed to politics was directed to religion.<sup>74</sup> The aspect of Roman politics and polytheism that was emphasised by Gibbon was precisely the absence of a national religion and church in which conflicts and sects would be created and, as Bayle had shown, toleration would become impossible. Toleration had found its modern form in Great Britain.

## Notes

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- 4 Shaftesbury, 'Letter', p. 4.
- 5 Shaftesbury, 'Letter', pp. 9, 10, 17.
- 6 Shaftesbury, 'Letter', p. 6.
- 7 Shaftesbury, 'Letter', pp. 15, 16.
- 8 Shaftesbury, 'Letter', p. 17.
- 9 Shaftesbury, 'Letter', p. 14.
- 10 J. Toland, *The State-Anatomy of Great Britain* (London: John Philips, 1717), p. 16.
- 11 Most prominently Moyle, Molesworth, Trenchard and Ashley. See J. Champion, *Republican Learning. John Toland and the Crisis of Christian Culture, 1696–1722* (Manchester: Manchester University Press, 2003), p. 144.
- 12 Toland, *State-Anatomy*, pp. 14, 13.
- 13 Toland, *State-Anatomy*, pp. 90–91.
- 14 Toland, *State-Anatomy*, pp. 28–29.
- 15 Toland, *State-Anatomy*, p. 28.
- 16 Toland, *State-Anatomy*, p. 28.
- 17 Toland, *State-Anatomy*, *Preface*, n. p.
- 18 Toland, *State-Anatomy*, p. 27.
- 19 J. Toland, *The Art of Governing by Parties: Particularly, in Religion, in Politics, in Parliament, on the Bench, and in the Ministry; with the Ill Effects of Partys on the People in General, the King in Particular, and All Our Foreign Affairs; as Well as on Our Credit and Trade, in Peace or War* (London: Lintott, 1701), pp. 109–10: 'If this parliament be of the healing disposition which all true patriots most heartily desire, something may be offered that may not be altogether impracticable nor unsatisfactory towards abolishing these fatal distinctions of whig and tory, and making us at least bear with one another in religion, where we cannot agree'.
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- 21 R. Genovese, 'Hume e la filosofia antropologica', in F. W. Lupi et al. (eds.), *Tra scetticismo e nichilismo* (Pisa: Ets editrice, 1985), p. 64.
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- 27 Hume, 'Of the Parties of Great Britain', p. 138.
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- 30 Hume, 'Of the First Principles of Government', pp. 110–1.
- 31 Hume, 'Of Parties in General', p. 130, 133.
- 32 Hume, 'Of Parties in General', pp. 130–1.
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- 34 D. Hume, *The Natural History of Religion* (1757), Section IX, in D. Hume (ed.), *The Philosophical Works*, t. IV, p. 337.
- 35 Hume, 'Of Parties in General', p. 133.
- 36 D. Hume, *The History of England, from the Invasion of Julius Caesar to the Revolution in 1688*, LV (1778), (Indianapolis, IN: Liberty Classics, 1983) (= HE), t. V, pp. 343–4.
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- 38 Hume, 'Of Parties in General', p. 130.
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- 42 D. Hume, 'On Passive Obedience', in D. Hume (ed.), *Essays, Moral, Political and Literary*, t. II, p. 463.
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- 45 Hume, *HE*, XXXVII, t. III, p. 432.
- 46 Hume, *Treatise of Human Nature*, III, 9, p. 413.
- 47 Genovesi, *Hume*, pp. 80 ff.
- 48 Hume, *Natural History of Religion*, Section XV, pp. 363.
- 49 Hume, *Natural History of Religion*, XII, p. 348.
- 50 Hume, *HE*, XXXVII, III pp. 432.
- 51 Hume, *Natural History of Religion*, XV, p. 362.
- 52 Hume, *HE*, XXIX, t. III p. 140.
- 53 Hume, *Natural History of Religion*, IX, p. 338.
- 54 'The Dutch began to be more intent on commerce than on orthodoxy; and thought, that the knowledge of useful arts and obedience to the laws formed a good citizen; though attended with errors in subjects, where it is not allowable for human nature to expect any positive truth or certainty'. Hume, *HE*, LII, t. V, p. 242.
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- 70 Gibbon, *The Decline*, p. 25. According to him, the best ‘commentary’ on polytheism has been that by Hume.
- 71 Gibbon, *The Decline*, p. 27.
- 72 Gibbon, *The Decline*, pp. 25–26.
- 73 Gibbon, *The Decline*, p. 28.
- 74 Pocock, ‘Gibbon and the History of Heresy’, p. 206.

# 10 The 18th century

## France

### Huguenots and Enlightenment

The problem of the Huguenot religion in France continued throughout the entire 18th century. The cruel forms of intolerance and persecution imposed by the Edict of Fontainebleau were the dramatic backdrop to the voices of the three fronts: Catholic, Reformed and Enlightened. A century after the revocation of the Edict of Nantes, in 1787, Louis XVI issued the Edict of Tolerance for non-Catholics, recognising their civil rights and the right to worship.<sup>1</sup>

The Catholics became conscious champions of this intolerance, to the point of exalting the need to persecute the Protestants, with Jean Novi de Caveirac in the mid-18th century.<sup>2</sup> The monarchy had ‘one law, one faith, one king’, and to be absolute, had to be intolerant. The Church had the right to intolerance in order to control beliefs within it. The State, which was sustained by that religion, had the duty of intolerance, which was the common nature of theology and politics. Religion was the foundation of the State: it furnished the principle of its legitimation, indicated the goals of its action, fostered consent, and identified the enemies, waging a war against them that was just because it was religious. The Huguenots were heretics, and the violence against them was sacred. The Edict of Nantes had recognised that the Protestant Church was a national institution; the Edict of Fontainebleau dissolved that Church which was splintered into sects that were charged with being a religious and political threat.<sup>3</sup>

The Huguenot response to the persecution of 1685 was twofold. On one side, in the Refuge – an expression that indicates the Rhineland and Great Britain – to which over 200,000 people emigrated. On the other side, in the Desert – made up of around 700,000 Protestants who remained principally in the south of France (in Dauphiné, Vivarais, Velay, Bas-Languedoc and Cévennes) and were constrained by violence to abjuration: theoretically, they were the ‘new Catholics’, but in actual fact were never Catholics at all. In the early stages, to prevent the disappearance of the religion, preachers and prophets circulated in the Desert, taking the place of pastors constrained to exile. Then between 1702 and 1704, the phenomenon of the protestant *camisards*

emerged, who had become the majority in the Cevennes and fought against the Catholics. Many of them escaped from France, especially to Great Britain (1706–12). Finally, came the slow and difficult reorganisation of the Churches in line with the traditional model of French Protestantism, transcended by a new concept that separated citizen and believer.<sup>4</sup> In addition to funding supplied by the Refuge to the Desert, there were close intellectual relations between the two. A Protestant could often live in both areas, such as Antoine Court (1695–1760), who was the leading exponent of the 18th-century restoration along with his son Court de Gébelin and Rabaut. After dissociating himself from the *camisards*, Court worked clandestinely to keep the Huguenot communities alive, and he succeeded in giving them the connotation of an institutional Church rather than a sect that sought its identity in martyrdom.<sup>5</sup> He wanted French Protestantism to offer clear loyalty to the sovereign so that the image of the republican and seditious Huguenot – still shared by Voltaire in the *Siècle de Louis XIV* – would be replaced with that of the laborious Protestant who was a good subject but was burdened by unfair injustices and begged for tolerance. This was the theme of La Beaumelle's *L'asiatique tolérant* (1748)<sup>6</sup> and of Court's *Patriote français et impartial* (1752).<sup>7</sup> In the debate that involved them the Huguenots referred to the Enlightenment world, especially Voltaire. But they also partially dissented from it, because for them the crucial problem was not obtaining the protection of civil law, but casting off the sectarian condition and returning to being a Church. The issues of civil status, marriage, baptism or burial were not in the forefront in these texts. Court exhorted the Protestants to conserve these ceremonies independently in the Desert and above all to defend the goal of recognition for the Protestant identity. Instead, the public servants Joly de Fleury, Turgot, Gilbert de Voisins, and even Malesherbes, stressed the importance of the questions of civil status,<sup>8</sup> arousing the irritated contempt of the Protestants who wanted to overturn this process and give priority to religious tolerance. In his *Mémoires* Rabaut Saint-Etienne (1743–93) – who in 1785 debated the question of Protestant marriage with Malesherbes – chose to pass over in silence the request for full freedom of worship as long as the *de facto* existence of private Protestant worship was admitted. Nevertheless, the reintegration of the Protestants as citizens was the first step towards the edict of 1787. The Protestant Church was once again considered part of French religious life.

### Montesquieu

Like Locke, Montesquieu discussed the question of religious toleration from the perspective both of government, even despotic, and of sovereignty.<sup>9</sup> But in this second perspective, the issue of tolerance became that of republican freedom.

### *Tolerance and despotism*

The *Lettres persanes* (1721) discussed the policy of toleration vis-à-vis Persia. Montesquieu was familiar with the English tradition of Harrington, who

had maintained that tolerance was apparently possible in a despotic State. He had also read the descriptions by Chardin and other travellers who had written about the tolerance without freedom granted to Jews and Christians in the Islamic empires. Without that toleration, Christian politics had created misery, violence and conflicts. One of the Persian correspondents, Usbek, asks himself if it would be in the interests of the sovereign to tolerate (*souffrir*) many religions in his own country.<sup>10</sup> The entry of a new religion had the indubitable effect of ‘correcting the abuses of the old one’, and tolerance curbed violence so that the nation was enriched. The civil subject of tolerance was the ‘religions’, which entered into reciprocal competition. ‘They are rivals who forgive each other nothing’, and their jealousy involves the individuals. Those who professed one of the tolerated religions worked industriously to make themselves more useful to the country than those belonging to the ‘dominant religion’. Since they could not aspire to the honours of society, which were restricted to the dominant religion, they had no choice but to make themselves noticed for their opulence, so that they became rich by doing any work at all, even the most ‘ungrateful’. This rivalry meant that each coreligionist was careful not to do anything that might dishonour ‘his side’ (*son parti*), exposing it to the censure and contempt of the adversary group. It was not the plurality of religions that had caused the wars of religion, but the ‘spirit of intolerance’ that invariably animated the established religion and produced ‘a spirit of dizzy madness’ (*cet esprit de vertige*) that corresponded to ‘the total eclipse of human reason’.<sup>11</sup>

Two years after the publication of the *Persian Letters*, Jean Frédéric Bernard and Bernard Picart published the *Cérémonies et coutumes religieuses de tous les peuples du monde*, which was a comparative assessment of all the religions<sup>12</sup> and a manifesto for universal tolerance.<sup>13</sup> Cults were necessary because very few people have the courage and virtue to choose the ceremonial simplicity that was a sign of authentic piety. The *Cérémonies* was vastly successful, although it would not appear that Montesquieu read it, despite his extraordinary capacity to understand and compare cultures.<sup>14</sup> Although it was undoubtedly of greatest interest, in many ways the *Cérémonies* seemed to belong to another time. While it discussed tolerance under despotism, it said nothing about its relation with sovereignty, which was the crucial new issue.

Everywhere, despotic power rested on the imposture of the monotheism: in Persia, in Turkey, in China, and also in France.

#### *The unigenitus bull. French intolerance monarchy*

The threat of intolerance in a regime of absolute monarchy was illustrated in France by the crisis triggered by the *Unigenitus* bull of 1713. This bull condemning Jansenism was promulgated by Pope Clement XI and received by Louis XIV the following year. The question came to the fore again in 1752 and 1753. The Archbishop of Paris, Christophe de Beaumont ordered priests to give the sacraments only to those who could produce a *billet de confession*

and declare their submission to the *Unigenitus*. The *parlements* rebelled and ordered the arrest of a parish priest who had refused the last rites to an elderly Jansenist. The king sided with the archbishop, cancelling the decision of the Paris *parlement* and sending it into exile in 1753. A mistake – as Montesquieu wrote in the *Mémoire sur la Constitution* – because he was interfering in theological matters. In France half the population ‘perfectly’ detested the other half and thus eternal salvation and peace on earth had been lost. The evil came from the identification of outward tolerance with inward, whereas they were different. Outward tolerance guaranteed that no subject could be investigated for his personal beliefs. Inward tolerance was instead rejected by the Catholic Church in order to prevent schisms. Their distinction made political power independent of the Churches and prevented criminal laws being promulgated in relation to religion; conversely, it prevented the religious from governing consciences.<sup>15</sup> The king had rejected outward tolerance and had tagged along with the pope; had he accepted it, he would have remained a good Catholic and would have respected the principle that *Salus populi suprema lex esto*.<sup>16</sup> Montesquieu’s proposal was to confine the Jansenists and the clergy to silence.

#### *Republican tolerance in Rome*

Prior to the *Lettres persanes*, Montesquieu had already addressed the problem of tolerance in the *Dissertation sur la politique des Romains dans la religion* (1716). A society without religion was inconceivable. Religion arose not out of fear, as Hobbes and Spinoza maintained, or out of piety, as argued by the Deists, but through the sociological ‘necessity by which all societies must have one’.<sup>17</sup> In Rome, religion was conceived in relation to the requirements of the State. Polytheism did not mortify earthly life and the two central values of the human world – happiness and liberty – for the sake of the afterlife. Even in that religion, there was a tendency towards superstition, but in Rome the ‘religion du peuple’ was the way in which the people participated in the political life of the elite. The communication between one and the other was through the practice of divination.<sup>18</sup> Roman religion was a political theology that guaranteed the liberty, unity, and tolerance of the republic. It accepted the observance of other religions without any one prevailing over the others or threatening sovereign authority and political security. The relationship between religion and social life was then overturned by Christianity, and in the modern European Christian States politics was reduced to a function subordinated to an irrational religion.

#### *The Spirit of Laws (1748)*

In the *Persian letters* Montesquieu appeared to echo Bayle’s idea of tolerance and its compatibility with absolutism. Tolerance is again a crucial aspect of the relation between politics and religion in *The Spirit of Laws* (1748).

Montesquieu's theory of sovereignty gave a new foundation to the principle of social security, whereby religions, like citizens, had to respect the State and respect each other.<sup>19</sup> In the light of this principle, Montesquieu highlighted three questions. Political power had the full right to evaluate religion and, if it had the necessary force, to obstruct access when it was judged contrary to the structure of the State, or to accept it if it were already introduced into the State (which was the point commented by Hume).<sup>20</sup> The third aspect that Montesquieu discussed was the inevitability of religions and sects emerging,<sup>21</sup> and the relation between the sovereign and the religious communities. The sovereign should not impose a religious creed, since he could not control the individual's acceptance and attachment to a belief, which is interior and moral.<sup>22</sup> Despotism resorted to this type of control: the prince appropriated religious rules and subordinated politics to religion.

### *Persecutions and inquisitions*

The State could impose outward tolerance because the aim of religion – which had its genesis in social life<sup>23</sup> – was 'to render men good citizens',<sup>24</sup> and the Christian religion too wanted every people to have the best civil and political laws.<sup>25</sup> Religion should not inspire either a contemplative life<sup>26</sup> or expiatory beliefs in the afterlife. Having shelved non-verifiable theological truth, the strength of religion came from its coincidence with morality,<sup>27</sup> that is, with human logic. It could play a role of political moderation and even correct 'the bad effects of despotic power';<sup>28</sup> but it could also be destructive.

This discussion of toleration exploded in the *Très humble remontrance aux inquisiteurs d'Espagne et de Portugal*.<sup>29</sup> The hub of the argument was expressed 'frankly' (*naivement*) to the inquisitor of the Jewess condemned to the stake: 'You consider us rather as your enemies, than as the enemies of your religion'.<sup>30</sup> The *remontrance* tables a dialogue between the three religions of the Japanese, the Christians and the Jews. The Christians accuse the Japanese of having killed them, and the Japanese reply that they behave in the same way as the Christians, who would exterminate the Japanese if they had the military strength to do so. The behaviour of the Christians is indeed worse, since not only do they impose on non-Christian communities the violent conversion attributed to the Muslims, showing that they do not follow Christ, but they also burn Jewish children guilty of following the teachings of their fathers. Jews are therefore put to death not because they follow a religion but because they respect the law of nature. The Christians are not only not Christian, but are not even men because they violate people's rights, 'the weak light of justice which nature bestows'. Intolerant Christian policy was beyond 'natural light', caused religious wars and civil wars, imposed religious laws and goals upon politics and created an unhappy nation 'incapable of any degree of light, or instruction'. It violated the rights of mankind because it did not seek to limit the evils of war but rather to exterminate the enemy.

In the *remontrance*, Montesquieu demonstrated that intolerance was a form of despotic policy. In a despotic State, the sole tolerance that could exist was between communities and was assured by the *ius infra gentes*. On the contrary, in republican and monarchical States the principle of tolerance was based upon the natural right of the *ius gentium*, and therefore it became the expression of natural freedom.

*The secularised state. freedom and parties*

In this way, the rationale of the *ius gentium* brought sovereignty and natural individual liberty into play as the basis of the political pact that regulated ‘the respective rights of mankind with regard to each other, and the empire which one conscience has over another’.<sup>31</sup>

Having transformed tolerance into civil liberty, Montesquieu inserted it into the model of republican sovereignty, which alone permitted political liberty. ‘The freedom of every citizen constitutes a part of the public liberty; and, in a democratical State, is even a part of the sovereignty’.<sup>32</sup> Liberty is both ‘philosophique’ and political, insofar as it is certainty of safety in the public sphere. In a ‘country of liberty, every man who is supposed a free agent ought to be his own governor’.<sup>33</sup> Hobbes’s cue regarding the sovereignty with laws created by the citizens took shape – in Montesquieu as later in Rousseau – in the republic. The example of republican liberty came from the English mixed government.<sup>34</sup> England alone had as the ‘direct end of its constitution, political liberty’.<sup>35</sup> Every individual – there effectively independent – could be ‘led by caprice and humour’, could freely speak his mind as long as it did not break the law; the English citizen was ‘passionately fond of liberty’, because it was the ‘real’ and true republican liberty. In the analysis of English liberty we hear the echoes of the British commonwealth men: the location of royal power on a par with political debate and not above other powers; the recognition that the two-party system had a vital and not destructive function, and that the English were ‘free men’ who could follow their passions and hence even change party at will. Montesquieu too believed that parties were indispensable in the republican State, so that the general will could dominate: a guarantee of liberty. In this State of free subjects, even the religious institutions were driven by a ‘caprice of liberty’.<sup>36</sup>

It should be noted that Montesquieu contested Bayle’s ‘paradox’ of the society of atheists,<sup>37</sup> by pointing to precisely the nation that had banned atheism and created liberty. Absolutism, which for Bayle had been the solution to the conflict between religious sectarianism and the State, was now a thing of the past. To think a society that accepted conflict, one had to look to Spinoza’s Holland and Hume’s Britain. For Montesquieu, too, English society showed that the government could perform its functions while respecting the conflicting conditions that freedom of speech and the press had created. The votes of the citizens, who were represented by the two parties, reflected public opinion. The social and ideological conflict took place in parliament.

This was the political institution that separated republican freedom from any despotism.

### *Without Montesquieu*

Montesquieu's enthusiasm for the English constitution did not convince his French readers completely. The ensuing Enlightenment debate took its cue from Montesquieu's new concept of republic, both among those who opposed it, like Voltaire, and those who accepted it, like Rousseau and Diderot. But nobody in France took up the defence of the English parties that Montesquieu had made.<sup>38</sup> According to European *philosophes*, the general will did not admit the existence of parties because for them, as for Kant, the main conflict lay in *matters of religion*, and the threat of religious enthusiasm and ecclesiastical powers represented the real danger. The rejection of the party system was shared by Rousseau and also by those who – like Condorcet – believed in the American republic, or who – like Diderot – accepted both the Glorious Revolution and the Puritan republic, in order to think the regeneration of a nation.

Perhaps Montesquieu's enthusiasm seemed excessive even to Hume. On 10 April 1749, after having read the *Spirit of Laws*, in a long letter written in French the Scottish philosopher exposed Montesquieu his own scepticism about the durability of the British type of government through the argument of his essay *Passive Obedience*:

Our compatriots [the English] are highly vain about the approbation you give to their form of government, of which they are, and with some reason, very enamoured. Yet one cannot fail to observe that while simple forms of government are by their very nature liable to abuse since they do not have any inbuilt counterbalance, complex constitutions, in which one party suppresses the other, are like complicated machines, prone to be deranged by the contrast and opposition of parties.<sup>39</sup>

### **Turgot**

Turgot's career as a reformer of the French State began as that of a religious reformer. He made his voice heard on the Huguenot question in 1753 and 1754 in the two *Lettres sur la tolérance*.<sup>40</sup> In the interim, he published *Le Conciliateur, ou Lettre d'un ecclésiastique à un magistrat, sur le droit des citoyens à jouir de la tolérance civile pour leurs opinions religieuses; sur celui du clergé de repousser, par toute la puissance ecclésiastique, les erreurs qu'il désapprouve; et sur les devoirs du prince à l'un et à l'autre égard*.<sup>41</sup> He was far from *The Spirit of laws*. The issue of tolerance (thinking but not saying what one believes) did not become one of political liberty, which was beyond his scope. For Turgot, the State was the French absolutist monarchy.

Turgot shared the theory of the need for a dominant religion,<sup>42</sup> and placed in the foreground the tolerance that political power ought to grant to the dogmas and worship of minority religions when they were not judged dangerous for the State. A religious doctrine had the right not to be dominant, but to be independent in its associative forms as long as they were not detrimental to society. Thus defined, the principle of tolerance recognised that the Churches could control ‘the submission of conscience’. It seemed absurd to Turgot to demand from the Christian Church the religious tolerance which he saw as the ‘monster invented by Jurieu’ that brought together intolerance, fanaticism and licence.<sup>43</sup> The choice of faith was individual and could not be determined by a community; at the same time, social life was also made up of religious associations, and it could be expedient for the State to propose a religion so as to avoid the spread of fanaticism and incredulity.<sup>44</sup> The State needed a national religion that did not violate the rights of individual conscience; it could recognise a religion as dominant, to be selected because it was ‘useful’ and not because it was ‘true’.<sup>45</sup> Unlike Harrington and the English republicans, Turgot defended the clergy as the instrument of a reasonable religion and requested that they be paid by the State without seeing in this any threat to tolerance.<sup>46</sup> This was one of the three requirements for a religion to be legitimately dominant; the other two were the greater number and intelligibility of its dogmas. The religions that could aspire to such recognition were Huguenot Protestantism (identified with Arminianism), little qualified to combat irreligion; natural religion, which however lacked the cults that were necessary for the people;<sup>47</sup> and Catholicism, which finally was chosen, albeit with evident political inconveniences. In the second *Letter* Turgot repeated that power does not judge the truth of a religion, and refuted the Catholic theory that while one could not oblige citizens to follow the dominant religion, one could at least forbid alternative preaching. To forbid preaching was to oppose the liberty of conscience, to violate the moral laws of equity, and to risk provoking revolts.<sup>48</sup> Intolerance was a political evil and the separation of Church and State was necessary; utilitarianism could bring about tolerance by accepting any religion that was not politically dangerous for the State.

In the *Conciliateur* Turgot attacked the ‘monstrous’ project that Louis XV was being driven to in order to resolve the *Unigenitus* problem: obliging bishops to admit Jansenists to the sacraments to meet the demands of the *parlements*, and stepping up the persecution of the Huguenots to compensate the Catholic Church for this concession. The bishops remained independent in politics, but were forced to betray their religious faith. This proposal derived from the erroneous interpretation of civil and religious toleration. The principle of the single faith sustaining sovereignty was the root of the intolerance that characterised French history, hence different from that of China, England or Holland.<sup>49</sup> The State had to curb the public actions of religion, and the French monarchy could assure Protestants and Jansenists the protection of the law as useful citizens.<sup>50</sup> To circumscribe the mandates and relations

between Church and State according to natural law, it was enough to return to the spirit of the Gospels,<sup>51</sup> which was the way to avoid the religious wars that arose from the ferocity of belief exacerbated by persecution.

## Voltaire

On 9 March 1762, the Huguenot Jean Calas was put to death in Toulouse. He had been held guilty of killing his eldest son, Marc-Antoine, on 13 October 1761 because he had converted to Catholicism. Initially, it had been decided to subject to torture his wife, his other children, the maid, and a friend who were in the house at the time. Later, the torture was restricted to Jean Calas alone, who died courageously, continuing to declare his innocence. At the request of the family, Voltaire brought to the attention of the public an affair that would otherwise have remained an obscure provincial matter, in which the confraternities and 'some fanatic in the crowd'<sup>52</sup> had issued a sentence, ratified without proofs by the judges, they too fanatics. Either popular fanaticism had led to the condemnation of an innocent man, 'which is unprecedented' in history, or the parents had strangled their son, 'which is unnatural'. In either case, it was a crime of religion, and public opinion ought to ask itself whether religion should be 'charitable or barbaric'.<sup>53</sup> After three tireless years of investigation and action, on 9 March 1765, Voltaire succeeded in overturning Calas's conviction. *On Toleration* was written on this dramatic occasion. The exceptional outcome, the strength of indignation and the moral potency of the desire to impose the law of reason combine to make this essay one of the symbolic cornerstones of the *philosophique* culture.

Nevertheless, for Voltaire, the tolerance issue was simpler than that of toleration. He was not interested in the question of sovereignty, or rather, he regarded it with suspicion. In Paris, reason prevailed over fanaticism;<sup>54</sup> in Toulouse, it was the opposite; in Alsace, the Lutherans were the majority and could access municipal offices without any difficulties.<sup>55</sup> This too was a sign of the times: in Europe, the authority of governments had grown and morals had improved. The 'police générale' now supported the use of reason and prevented the return of the anarchy of the religious wars. Intolerance had caused massacres; tolerance had never aroused civil war.<sup>56</sup> The evangelical root of tolerance led towards the natural religion of reason.

To explain how 'toleration may be admitted'<sup>57</sup> Voltaire looked to England. He did not glorify its political freedom, as Montesquieu had done, but underscored the exclusion of the Catholics from public life. In France, there were Jews, Lutherans, Jesuits, and Jansenists. Perhaps the more numerous the sects, the less dangerous they were, but the louder they claimed 'just laws' to prevent violence and sedition. The Calvinists could be suffered and controlled, and hence tolerated, on the same conditions on which the Catholics were tolerated in London.<sup>58</sup> Favouring the Catholic faction ought to have been avoided, allowing a peaceful people to live and moderating cruel edicts that were once, but no longer, necessary. The 'prudence' of the government,

resting on strength, would be able to find solutions such as were 'happily employed' by other nations.

It wasn't conceding much. Turgot had gone further, at least raising the question of the dominant religion. Voltaire, instead, accepted that in the French monarchy, Catholicism was the established religion, and those who were not part of it were excluded from positions and honours.<sup>59</sup> In the *Pot-pourri* (1764), Voltaire confessed that this was a modest proposal in the course of an imaginary conversation with a Huguenot. In describing the intolerance of the Catholics towards Protestant citizens, he appears to echo Montesquieu, albeit without naming him: 'the reason is that you are, to a degree, our enemies',<sup>60</sup> adding that this was perhaps only fair since the Huguenots had caused nine civil wars and the massacres in the Cevennes. He proposed to the Protestants that they should trade peaceably in the name of 'honest' freedom, remaining docile without acting imprudently. The Huguenot objected that the Protestants did not have a civil status, that they could not perform their rituals of marriage or burial, and asked, 'Is this living? Is this being free?' The Catholic in the dialogue acknowledged that the Huguenot's condition was unfair, but observed that Catholicism was the established religion in France and could therefore regulate tolerance as the Anglicans did in England. The world was a madhouse where madmen were chained up by other madmen. The bitter final irony did not eliminate the harsh reality. Tolerance in France was regulated not by sovereignty, but by religion and the arbitrary will of the monarch, because religion had placed itself above political power. On the death of Henry IV (1610), parliament had declared the kingdom independent of Rome, since royal power was legitimate not because it was consecrated by the priesthood, but because the sovereign respected the fundamental laws and was attentive to the common good.<sup>61</sup> The parliamentary proposal was defeated, but in Voltaire's eyes, Louis XIV had been still in a position to defend the public good.<sup>62</sup>

Therefore, to explain intolerance in France, it was not enough to accuse the violence of power, which had in turn aroused the violent sectarian reaction and brought persecutors and the persecuted together in their fanaticism.<sup>63</sup> Nor was it enough to speak of the 'dogmatic spirit' to trace the genesis of those 'horrible' wars. Their origin lay in the 'republican spirit' that had animated the early apostolic Church, which had become the ideal of the heretics. The first Christians had gradually built up a State within the State, or rather, a republic within the empire.<sup>64</sup> The sectarian religious model of early Christianity became the seed of the political republican model, as clearly shown in the English republican revolution. Christian fanaticism reappeared in the sects of the independents,<sup>65</sup> and in their 'chimerical project' of equality and liberty that appeared to be imposed through violence.<sup>66</sup> Republicanism eliminated the order of reason and of natural religion that were benchmarks for universal values, which were to be found in the modern monarchies.

Voltaire's *On Toleration* expressed the enlightened intention of translating the values of reason into practice. But many readers were disappointed. In

1764, Edward Gibbon wrote in his *Journal* that the book was a collection of commonplaces that talked about everything but not about the principles of the matter.<sup>67</sup> Melchior Grimm wrote that ‘half of Voltaire’s book does not concern its subject’.<sup>68</sup> It was a work on tolerance that did not mention its relation with sovereignty, despite the fact that it had appeared after Rousseau’s *Social Contract* (1762), in which that had been the pivotal theme.

## Rousseau

Following Montesquieu, Rousseau transformed religious tolerance into republican political liberty. For him, to mobilise the passions of the citizens, the State had to resort to civic religion, which was a religion of a new character. From Machiavelli to Montesquieu, this category had derived from Roman political theology. In the fourth book of the *Social Contract*, which contains the chapter on civic religion, Rousseau instead stressed both the positivity and the weakness of Roman civic religion. It was a form inadequate for the modern problem of spiritual power. Modern politics called for a modern religion.

### *Natural religion*

In the *Letter to Voltaire*, Rousseau vigorously condemned intolerance and defended the freedom of conscience; this did not admit inspections by the State, which ought to restrict itself to checking that the citizen performed his own public duties.<sup>69</sup> Instead of strengthening the cohesion of society, intolerance shattered it. But, as Rousseau saw it, Locke’s theory of toleration and of the distinction between religious and civil tolerance was not enough to stop Christian intolerance.<sup>70</sup> The first step Rousseau took to define freedom of conscience was to define Christianity, the religion that prevented such freedom. Christianity was not a national religion, like the classical and Jewish religions. It was a universal religion, ‘a universal social institution’ that favoured ‘society in general’ but came into conflict with public life because it destroyed the human passions that compose it.<sup>71</sup> Christianity was one religion among many,<sup>72</sup> and its self-declared truth was false. To plausibly maintain that it was the sole true religion, it would have to refer not to its own traditions of creed or theology,<sup>73</sup> but to reason, conscience, and sentiments.<sup>74</sup> The principle that ‘Outside the Church is no salvation’ could hold only in a theocratic State,<sup>75</sup> but Christianity did not have the right to subordinate civil power to itself. Christianity’s claim to be the dominant religion through the identification of the Gospel with true religion was a deception. Although the Gospel was natural religion, in its metamorphosis into positive religion it obviously lost its universality.<sup>76</sup> Constantine’s transformation of Christianity into the foundation of the European legislative and political system had corrupted both politics and religion, and this imposture had created a partisan and violent power. There were two ways out of this. One was to return to

early Christianity, which was free and required only the moral obligation of the laws of conscience, ruling out the imposition of political norms.<sup>77</sup> The other way led to a legislation devoid of religion. Evangelical religion or atheism: St Paul or Bayle.

Mindful of Machiavelli and Montesquieu, Rousseau eschewed that alternative: 'it is essential that the State has a religion'.<sup>78</sup> The solution was to establish a 'purely civic'<sup>79</sup> religion that should not be juxtaposed with the other religions, but should incorporate the fundamental principles of any good religion, selecting the dogmas that were 'useful' to society.<sup>80</sup> Nevertheless, this religion should ignore all otherworldly beliefs. 'The science of salvation' and that of politics were completely different. The former, the 'fanatisme du petit esprit', did not know what human freedom was.

### *Natural religion and civic religion*

To conceive a civic religion in the republican State Rousseau set out in the footsteps of Hobbes who, among the Christian thinkers, 'alone has seen the evil and how to remedy it, and has dared to propose the reunion of the two heads of the eagle, and the restoration throughout of political unity, without which no State or government will ever be rightly constituted'.<sup>81</sup> Like Hobbes, Rousseau's objective was that citizens should obey the laws they had given themselves; like Hobbes, he identified religious and political power; but his religion was different.

Religion was necessary to the State, but none of the three known types of religion could be the citizen's civic religion. There was the religion of 'natural divine right or law', the 'religion of man' which is apostolic Christianity; the religion 'of civil or positive divine right or law' which is Roman religion, the 'religion of the citizen', a 'form of theocracy' in which the magistrates were also the priests.<sup>82</sup> Finally, there was evangelical theism, the only religion which could be admitted to a State but was useless to the State, since men would be driven to detach themselves from earthly things and hence from earthly laws. Evangelical belief had no political value. Then there was Catholic Christianity (and along with it, Japanese religion, which in Montesquieu's *remembrance* was the religion debated by the Christian missionaries regarding the shared desire for violence), which imposed two legislations, two powers, and contradictory duties, requiring the choice between being either devout or citizen. This was the religion of the priest, the worst of all, which violated the social and psychological unity of the individual: a false religion that inspired sentiments of violence.<sup>83</sup> This was the realm of Hobbesian darkness, the Christian political world of Montesquieu, made up of enemies.

Therefore, Rousseau constructed a new religion that was the natural religion of the 'Savoyard priest', made up of 'sentiments de sociabilité'.<sup>84</sup> This was the civic religion of the *Social Contract*: 'a purely civil profession of faith' of which the Sovereign should fix the articles, not exactly as religious dogmas, but as social sentiments without which a man cannot be a 'good

citizen or a faithful subject'.<sup>85</sup> Civic and natural religion was a 'moral code, or a species of profession of civic faith'. It inspired the passions of the man and of the citizen, pointed out the social principles that should be obeyed and the fanatical maxims to be shunned, such as intolerance, which was to be rejected not because it was impious but because it was seditious. The civic religion of the *Social Contract* was rooted in individual sentiments, which were not passivity but energy capable of creating values.<sup>86</sup> It was the stronghold of political and moral liberty.

### *Sovereignty*

The code of civic religion expounded the moral conditions of inalienable and indivisible republican sovereignty.<sup>87</sup> The logic of indivisible sovereignty had its roots in the moral and intellectual autonomy of the citizen, whose freedom of belief was guaranteed by the voice of the general will. According to Rousseau, the general will was 'always right' and had as its object the common interest, understood as the specific law of a society.<sup>88</sup> It did not require unanimity,<sup>89</sup> but postulated the absence of 'partial societies' or sects, as Rousseau said, citing Machiavelli's *Istorie fiorentine*, so that 'each citizen should think only his own thoughts'.<sup>90</sup> Montesquieu's political system was refuted. The factions prevented the individual from making an independent decision. Factions and parties obstructed the formation of the generality of the sovereign decision, altering the genesis of individual representations. The sphere of public opinion was made up of moral and ideal conflicts but their translation into political conflicting dynamics could bring about a risk of civil war. Without political parties, the republican sovereignty could either become again an utopian world without conflict,<sup>91</sup> or a social system where the relationship between ethics and politics was guided by the *melior pars*.

### The Encyclopaedia

In France, the debate on intolerance mostly followed the *très humble remontrance* of the *Spirit of Laws*. In the name of Lockean tolerance, the *philosophes* considered how Church and State could be separated and religious pluralism managed. In many of its entries the *Encyclopaedia* did likewise. Nevertheless, the fact that its sole citation of Rousseau's *Social Contract* was found in the entry on TOLÉRANCE indicates that the other side of the question began to be pressing.<sup>92</sup>

The TOLÉRANCE entry says nothing new, but represents a sort of manifesto in defence of tolerance, rich in pathos. The beginning of the entry recalls the desolate incipit of the *remontrance*, albeit without mentioning it, that we are never believed when we wish to prove evident realities. Its conclusion is an invitation to read Bayle's *Commentary* in the hope that 'universal tolerance' may prevail.<sup>93</sup> Like Bayle, Romilly defended the rights of the conscience that errs because, for man, it is impossible to be certain about what is the truth

and to distinguish it from error.<sup>94</sup> He then described intolerance, the evils of its injustice, its ‘terrible consequences’ and its methods of conversion, that used the most ferocious violence to impose on the victims ‘a different conscience, a different understanding’.<sup>95</sup> Intolerance generated fanaticism and created a circle of persecution, in which superstition was imposed on the victims and on the persecutors, producing a policy ‘in defiance of the rights of conscience and of reason’.<sup>96</sup> We can hear the echo of Alexandre Deleyre’s entry on FANATICISM, in which he composed what was almost a natural history of superstition and demonstrated its horrors.<sup>97</sup> Instead, ‘in the silence of all passions and prejudices’ – a formula echoing Diderot<sup>98</sup> – truth and the rights of reason would emerge and fanaticism and false religions would be dissipated.<sup>99</sup> Romilly reconfirmed Locke’s distinction between Church and State.<sup>100</sup> The latter had the duty of confronting the dangers arising from imposture<sup>101</sup> and ensuring the respect of freedom of conscience and religious pluralism.<sup>102</sup> The entry was an adroit mosaic of the positions represented so far, from Locke to Montesquieu, encompassing the latter’s novelty without discussing his political theory. The long quotation from Rousseau on civic religion served to defend the independence of the conscience without further consequences.

The *Encyclopedia* entry CHRISTIANISME – which Jacques Proust has attributed to Diderot<sup>103</sup> – chiefly discussed why Christianity had generated intolerance, pointing out the contradiction between earthly and eternal happiness.<sup>104</sup> Christ had promulgated natural religion, revealing a morality hitherto unknown to other religions. Christianity had instead taught to stifle self-love and instincts and to be unhappy in this world. Its irrational and fanatical nature<sup>105</sup> constituted its political strength. By now intolerance no longer exerted the violent coercion of consciences but ‘is confined to not accepting into its communion those who want to associate it with other religions, not to persecuting them’. Christianity took upon itself the right to be accepted as civil law in every nation, to have the exclusive right to preach, and to be the sole, dominant national religion useful to the State; and the religious legislators had drawn on superstition and combined utility and deception. By contrast, according to Diderot ‘there is nothing universally useful that is not exactly true’ and the degree of truth of a religion can be measured by the degree of utility drawn from it, namely its capacity to produce tolerance and peace. The entry also followed Montesquieu when it contrasted the myriad deaths caused by Christianity with those that allowed the English to create ‘the happy constitution of their government, of which political liberty is the soul’.

The theme of intolerance is also addressed in the entries ECLECTISME and ESPRIT PARTICULIER, where it is said that the principle of the individual’s freedom in reading the sacred texts had divided the Protestants and led to both fanaticism and Socinianism. They were the two opposite paths of heresy, but the second paved the way out of Christianity.<sup>106</sup> In other entries, HERNHUTISME or the MORAVES, or POPULATION are given examples of tolerance, and

the principle of tolerance is found in Locke (SOCIÉTÉ), Bayle (PYRRHONIENNE PHILOSOPHIE), and Pierre Poiret (THÉOSOPHES).<sup>107</sup> In RÉFUGIÉS Diderot harshly criticised Louis XIV's persecution of the Huguenots, and in PACIFICATION, following Bayle, he traced the history of the religious wars and condemned the revocation of the Edict of Nantes dictated by fanaticism. The *philosophes* were aware of how little religious belief depends on the individual, and the politicians saw the realm losing precious social resources as a result of the diaspora of the Protestants. A State divided into two religions was in grave danger, and in order to block the fanaticism that caused this it was necessary to accept the plurality of worship, which fostered communication between the citizens, the respect of civil law, the free circulation of people and ideas, and hence the enrichment of the nation. This composite picture of tolerance and intolerance was synthesised by Diderot in SCHOOBIAK, a Muslim sect that preached toleration. Folly and reason were to be found everywhere, but rational civil law protected against the fanaticism of persecution and the religious intolerance of the priesthood.<sup>108</sup>

The entry by Etienne-Noël Damilaville on POPULATION attributed the negative growth rate of modern Europe to the morality of the Christian 'modern religions' that aimed at populating heaven rather than this world and set men against nature. Another cause of depopulation was the tendency of the sects to close in upon themselves and become isolated, leading to religious wars. The 'violent passions of dogma' had driven the Europeans to slaughter and to depopulate lands even beyond Europe, doing the opposite of what Alexander the Great had done. 'Those are the facts, one need only compare and judge'. The great empires, like that of Spain, were always unstable and intolerant, while the smaller 'popular and tolerant governments', such as that of republican Rome, were stable and free and in them another reason for the decline in population was unknown, namely: 'the inequality of rank and fortune that has prevailed in modern politics'.<sup>109</sup> The two causes, religious and social, brought about 'despotisme spirituel' and in the long term also 'despotisme civile',<sup>110</sup> which subjected the conscience, violated the laws of nature and built a society of increasing misery that was useful only to those in power.<sup>111</sup>

While 'despotisme spirituel' had, through imposture, the strength to direct societies against their natural foundation, a central role was also played by the PRÊTRES, as Holbach argued in his dense and muscular entry. On the example of Hume's esteemed *The Natural History of Religion*, he mapped out the natural history of priesthood, revolving on the anthropological fact that it 'is sweet to dominate over one's peers'.<sup>112</sup> The power of the priesthood derived from the equivalence of religion and superstition. Sharing superstitious beliefs and using them to increase their power, expanding the number of ceremonies and rituals to guide social life, the priests engineered a strategy of isolation and self-affirmation. They formed a separate social group, imposing themselves as mediators between men and the gods, representing the latter as cruel and vindictive. Through the deception of magic, they introduced ceremonies conceived to nourish melancholy, which was the root of

fanaticism, making the people accept revolting practices that were useful to the priests. On the strength of this overweening spiritual power, the priesthood came into conflict with the sovereigns, whose power they usurped. This dynamic had already been operative in ancient Egypt and among the Gauls and the Mexicans, but Holbach pitched it onto modern Europe, where he saw the ignorance of the masses and the weakness of the sovereigns subjected to the cunning of the priests. This had led to human sacrifices, religious massacres and a priesthood that was above the law. The entry ends by stating that in enlightened countries the priest ‘never forgets that he is man, subject and citizen’. The same suggestion was made in the following PRÊTRES entry by Jaucourt, who argued that where religious and civil life were positively entwined, as in republican Rome, the priesthood did not constitute a dangerous, separate order.<sup>113</sup>

The oscillation that we have seen in the mosaic of entries and positions on tolerance is also evident in the two consecutive entries INTOLÉRANCE and INTOLÉRANT. In INTOLÉRANT, Jaucourt follows Locke and calls for liberty of thought and the right to safety for ‘any man of letters’ as a peaceful citizen. The intolerant man was a man without religion, zealous but not moral, who persecutes and treats like ‘savage beasts’ those who hold a different opinion. The root of this intolerance lay in human wickedness. In the singular entry INTOLÉRANCE, Diderot shifted the focus to apostolic Christianity<sup>114</sup> and, through a long series of quotations taken from the Scriptures, showed that Christianity could have been the expression of a natural religion and a stronghold against intolerance. Instead, the theological discourse had become political and religion had bent civil law to its own violence. The intolerant man is ‘an evil man, a bad Christian, a dangerous subject, a bad politician, and a bad citizen’.<sup>115</sup> The sovereign had the right to be obeyed, but the subject, even if ungodly or a nonbeliever, had the right to be protected from other citizens and from the sovereign himself.<sup>116</sup> From tolerance, Diderot moved on to the security of political liberty called up in the *Spirit of Laws*.

Diderot acknowledged that he was the author of the entry INTOLÉRANCE in the virulent letter he sent in 1772 to his brother – the bigoted and intolerant abbot Didier-Pierre Diderot – accusing him of the hypocrisy of the imposter priest who persecuted and caused suffering to innocent people and their families.<sup>117</sup> The conduct of the ‘bon philosophe’ was instead not that of one who was ‘ungodly, because I do not believe in anything’ but that of an ‘unbeliever’ who did not feel ‘antichristian rage, because I live with Christians that I respect. To live with my neighbour I do not enquire about his creed. I don’t speak or think about your religion, as if it had never existed’. In opposition to the Catholic fanatics made of the same stuff as his brother, Diderot gave voice to the universal moral value of goodness, widespread among the Protestants, Lutherans, Quakers, Muslims and Chinese, ‘the infidels of past and present times’,<sup>118</sup> which also circulated in the world of the intellectuals who trusted reason. Diderot had discovered trust in the energy of enthusiasm and reason in Shaftesbury’s *An Inquiry Concerning Virtue or Merit*, which he

translated and published as *Essai sur le mérite* in 1745. Through that energy conscience elaborated its own rules of just and beautiful. The introduction was conceived in the form of a letter to his brother. If it wished to be human, religion could not break the bond between morality and reason. Impiety is as distant from philosophy as religion is from fanaticism, whereas from fanaticism to barbarism 'is but a step'. Intolerance was barbarism, the cancellation of human works, the shudder of panic terror, the violation of the sentiments of humanity. The history of the civil wars, when France saw 'half the nation immerse itself for piety in the blood of the other half', demonstrated that to be religious meant giving up on being a man.<sup>119</sup> Fear of the barbarity of religious intolerance remained at the core of Diderot's politics. 'It is impious to want to impose laws on conscience, the universal rule for action. Conscience must be enlightened and not constrained'.<sup>120</sup>

Holbach and Diderot circulated Harrington's critique of the priesthood in various translations, and other texts of English republicans such as Trenchard and Gordon,<sup>121</sup> they also reprinted Socinian works, including Crell's *Vindication of the Liberty of Religion*. In the entry on PYRRHONIENNE OU SCEPTIQUE PHILOSOPHIE (1765) Diderot praised Bayles's *Philosophical Commentary*, but he added that all the ideas of Bayle had been expressed in the brochure 'Juni Bruti, poloni, vindiciae pro libertate'.<sup>122</sup> Few years later, Nageon acknowledged both the importance of Bayle and Crell, whose book had defended the 'universal tolerance'.<sup>123</sup> But there was something else. Religion was no longer a two-tier system in which the superstition of the vulgar was exploited by the sceptical and calculating shrewdness of the priests. Now the intolerant fanaticism was the passion of both the people and the priesthood. The new materialistic idea of religion shifted the rationale of imposition into the background and brought back Spinoza's theory of fear as the universal origin of religion, which had already circulated in the 17th century but without necessarily serving to confute Christianity. It now acquired critical and political value. Religion was a passion of everyone that everyone had to get rid of.

## Notes

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  - 19 Montesquieu, *Spirit of Laws*: ‘A citizen does not fulfil the laws by not disturbing the government; it is requisite that he should not trouble any citizen whomsoever’. XXV, 9. The enunciation of the principle is in XI, 6.
  - 20 Montesquieu, *The Spirit of Laws*, XXV, 10,: ‘That when the State is at liberty to receive or to reject a new religion, it ought to be rejected; when it is received, it ought to be tolerated’.
  - 21 Montesquieu, *Spirit of Laws*, XXV, 11.
  - 22 Montesquieu, *Spirit of Laws*, XXV, 2.
  - 23 Montesquieu, *Spirit of Laws*, XXIV, 5.
  - 24 Montesquieu, *Spirit of Laws*, XXIV, 14.
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  - 26 Montesquieu, *Spirit of Laws*, XXIV, 11, 12.
  - 27 Montesquieu, *Spirit of Laws*, XXIV, 8, and 9, 10.

- 28 Montesquieu, *Spirit of Laws*, XXIV, 11.
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- 46 Turgot, *Lettre II*, p. 686.
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# 11 The 18th century

## The American Revolution and Diderot

Then the American Revolution erupted into the European political debates.<sup>1</sup> There could be no doubt about the irreversibility of the conquest of liberty that was taking place, which was immediately very clear, right from the declaration of independence of Virginia.

The Puritan world that had arrived in America had abandoned the homeland, driven by the desire to build the ‘city on a hill’, where institutions with their independence rooted in the biblical tradition of theocracy could be fostered. The revolution overturned this structure. In 1779, while he was governor of Virginia, Thomas Jefferson sponsored a bill to assure civil equality for all citizens, whatever their religion. James Madison, in his *Memorial and Remonstrance against Religious Assessments*, signed by around 2,000 Virginians, maintained that the State should not permit public teaching of Christianity. It was the first formulation of American secularisation. Religion should be left to the conscience of each individual, and the State ought not to interfere but restrict itself to offering asylum to sectarians and rebels. In Virginia, Church and State were divided following Locke. In 1786 Jefferson’s bill to protect believers of all faiths became law as the Virginia Statute for Religious Freedom. Jefferson wished that the achievement of this objective should be recorded on his tomb, along with the drafting of the Constitution and the foundation of the University of Virginia: he omitted to record the fact that he had been President of the United States. Article VI of the American Constitution requires that elected federal officials are bound by oath to support the Constitution, but not by any religious test. The First Amendment prevents Congress from making any laws conflicting with the free exercise of religion.

Nevertheless, the European judgement regarding the American Revolution in the decade that followed was not without ambiguity. The *Recueil des lois constitutives des colonies anglaises* had appeared in 1778, providing French readers with the fundamental texts of the revolution of 1776, especially the Declaration of Independence and the Constitution of Virginia, which are often confused.<sup>2</sup> The *philosophes* discerned a danger that was expounded by Condorcet in *De l’influence de la révolution d’Amérique sur l’Europe* (1786). The American Revolution had completed the one begun by

Montesquieu. The *philosophe* had rediscovered human rights in theory; the Americans had given the example of how to realise them in practice.<sup>3</sup> With the relatively unimportant exception of several local laws, the tolerance that had been imposed in North America had made it possible to implement the ‘natural rights of man’ that assured general happiness.<sup>4</sup> This success could have convinced intolerant European powers to listen to the ‘voice of humanity’ and allow fanaticism to be overcome by reason.<sup>5</sup> Condorcet analysed the American experience in the light of four types of natural law. Here, he restated trust in the freedom of speech and in the moral dimension of the public discussions in which true liberty reigned, blocking intrigue, disbanding associations, and, above all, preventing those with personal interests from forming parties.<sup>6</sup> In the *Lettres d’un bourgeois de New-Haven à un citoyen de Virginie sur l’inutilité de partager le pouvoir législatif entre plusieurs corps* (1787), Condorcet suggested to the Americans that the English constitutional example was not to be followed. Montesquieu was mistaken in maintaining that republicanism resided in having two chambers, in the division of power, in the confused bond of aristocracy and monarchy in the mixed government, and in the existence of parties.<sup>7</sup> Americans should waive all norms of the reason of State and create laws on trade and civil rights following the principles of natural law. The seed of despotism in English politics lay precisely in their system of parties, which are born of fanaticism and hold onto it to use it to their advantage.<sup>8</sup>

### Diderot. *Civilisation and sovereignty*

It is partly to the discovery of the New World that we shall owe that religious toleration which ought to be, and certainly will be, introduced in the Old. Persecution would only hasten the downfall of the religions that are now established. Industry and the means of information have now prevailed among the nations, and gained an influence that must restore a certain equilibrium in the moral and civil order of society: the human mind is undeceived with regard to its former superstitions. If we do not avail ourselves of the present time to re-establish the empire of reason, it must necessarily be given up to new superstitions.<sup>9</sup>

The issue of tolerance assumes here a tone of almost apocalyptic historic potency, in which the fate of humanity, its freedom, and happiness were at stake. This time, the light did not come from the East, as in the 17th century, but from North America. Diderot acknowledged the importance that the passion for tolerance as a driver for liberty had had in American history and modern history. It was the ideal that in America united the past and the present, in Europe, the present and the future. One had to take advantage of that flash, as Diderot had written in a famous entry in the *ENCYCLOPEDIA*: ‘one must ... understand the spirit of the nation, possess a sense of its direction, outpace it, so that it will not leave your work behind, but on the contrary

meet up with it ahead'.<sup>10</sup> The enlightenment had created a rift in the course of human history, and now the experience of the American Revolution shifted those hopes to the plane of practice. It was possible to stop the vicious spiral of superstition and religious polity and open up to the prospect of rational polity for societies and for humankind. Diderot grasped the cosmopolitan import of these texts, but also the difficulty faced by the representatives divided between two theories of sovereignty, one monistic and the other federal. In the *Histoire philosophique et politique*, starting from the subject of tolerance, he developed an impassioned comparison between the history of the European monarchies and the new republic, between history and reason.

The *Histoire* addressed three main thematic areas. Analysis of non-European societies – from the tribes of North America to Chinese society – and their interaction with European institutions. The history of modern European States and comparison of the various strategies of colonisation. Investigation of the alleged European right to colonial expansion and whether it constituted a legitimate aspect of sovereignty. The history of civilisation was the theoretical and practical arena in which the modern State was born, and the nature of European sovereignty intersected with the history of colonisation.

### **American society and politics**

Diderot saw two models of society in North America. The birth of a modern republican State of liberty and tolerance, and in Pennsylvania, the formation of a community without government, the origin of which went back to the heretical world of the Anabaptists.<sup>11</sup>

Anabaptism had represented the radicalisation of the Lutheran principle of individual religious independence. Lutheranism gave birth to a new religion that appeared to be 'a rebellion animated by fanaticism' more than by principles of religion.<sup>12</sup> Anabaptism was religious and political fanaticism. This society was founded on the freedom of conscience, but also on the chimerical notion of equality, 'the most dangerous one that can be adopted in a civilized society. To preach this system to the people is not to put them in mind of their rights; it is leading them on to assassination and plunder'.<sup>13</sup> The Anabaptists had never been authorised to found any church because their doctrines had always threatened the State.

Although it descended from Anabaptism, the Quaker society instead permitted different peoples and religions to live together in harmony.<sup>14</sup> The weight of religious worship and practices was slight. Anyone who believed in a deity was entitled to be a citizen; only Christians participated in the government. Penn permitted freedom of worship 'and neither established a reigning church in Pennsylvania, nor exacted contributions for building places of public worship, nor compelled any persons to attend them'.<sup>15</sup> The Quakers had built a tolerant society that appeared to have exceeded the British model. This society had produced economic wealth, demographic growth, charitable

institutions, and virtuous customs; it seemed like a return to the heroic days of antiquity. It was a happy people without masters and without priests.<sup>16</sup> Protestantism had created the republics;<sup>17</sup> Penn's colony added to this the new aspect of tolerance. A free and natural society was no longer an illusory or threatening prospect. The Quakers 'have always continued to live like brethren, because they had the liberty of thinking as men'.<sup>18</sup> Tolerance had created the enlightenment society in which the human being emerged 'from his self-incurred minority', to speak, as we have seen, with Kant's *An Answer to the Question: What is Enlightenment?* (1784).

However, what was lacking in Quaker society was the concept of State. Security and civil liberty had been established, but the political security 'which protects one State from the incroachments of another' had not been considered.<sup>19</sup> It was a society that conceded too much to Christianity, in which Diderot discerned the shadow of Locke. Locke had played a crucial role in philosophy, but his teaching in the sphere of legislation was weaker, and his constitution for Carolina was patchy even on the issue of tolerance. The guidelines for 'civilising a barbarous people' and 'founding a great empire on the eternal basis of the laws' had been provided by Montesquieu.<sup>20</sup> Free society was the republican State, which had acknowledged the right to colonial expansion in the first edition of the *Histoire*.

### Tolerance

What tolerance and Christianity were was clarified by Alexandre Deleyre in the *Tableau de l'Europe*, published in the second edition of the *Histoire des deux Indes*.<sup>21</sup> Here, 'tolérance infinie' gave all States 'le même code moral de la religion', which had to remain unassailable by any religion, or rather which was the very way 'to prevent or undermine the temporal and spiritual power of the clergy, which over time makes it a body dangerous to the State'.<sup>22</sup> The opening towards tolerance had begun with Protestantism, when many daring spirits abandoned Christianity and the most virtuous conserved only a slender attachment to the purity of morality, possibly at the price of Nicodemism.<sup>23</sup> Incredulity had then become so widespread as to erode the strength that the dogmas had had for centuries. Diderot took up a cue derived from the entry UNITAIRES in the *Encyclopedia*. 'By an impulse founded on the nature of religions themselves, Catholicism tends incessantly to Protestantism, Protestantism to Socinianism, Socinianism to Deism, and Deism to Scepticism'.<sup>24</sup> In Diderot's pages, the divergent history of intolerant Catholicism and Protestantism, the conflict between despotism and republicanism, gave a new configuration to the freedom of thought, the realm of which was no longer the silence of the individual conscience but public opinion. In this realm, the voices of the citizens, of the intellectuals, and of power intersected.<sup>25</sup> Political liberty assured tolerance. But what was the sovereignty of the new society?

**Tolerance and monistic sovereignty**

The interest in the American Revolution in the last edition of the *Histoire philosophique et politique* was remarkable; its success drove Raynal – who in diplomatic circles was himself considered ‘a great fan’ of the American revolt – to publish chapters 38–52 of Book XVIII in *Révolutions de l’Amérique* in 1781.<sup>26</sup> Nevertheless, in the previous two editions, Raynal’s attitude had been cautious, favourable to a compromise between the English and the Americans. There were various reasons for this. First, because the appearance of an independent nation in America would have upset the balance between the European nations and the colonies. Second, because it would have been a republic with the typical aggressive approach and desire for expansion. Third, because the English constitution had ‘within the principles and limits of its powers the remedy for and protection against the evils of anarchy’. Therefore, the colonists ought not to separate themselves from the British government.<sup>27</sup>

In 1780, Diderot cast such caution to the wind: ‘the time for debate is past’. The war had created a revolutionary situation and had changed everything, ‘One day hath transported us into a new age’.<sup>28</sup> While Raynal reserved judgement until he saw the outcome of the revolution, Diderot followed the events passionately, aware that politics was unpredictable: ‘But the sway of chance is very extensive. Who knows in favour of which party the elements will declare themselves? A gust of wind snatches away victory, or gives it’.<sup>29</sup> He read Paine’s *Common Sense*, which expounded the Americans’ motives and criticised Great Britain, which appeared to him to have lost much of the virtue of its government. However, as Montesquieu had rightly explained, since man has lived in society, the constitution of England was the only one

where the laws have secured to him his dignity, his personal liberty, and his freedom of thought; where, in a word, they have made him a citizen, that is to say, a constituent, and integral part of the constitution of the State, and of the nation.<sup>30</sup>

Analysis of the constitution of Great Britain brought to light the three principles of a political State. In the first place, it had to be independent of religion and ecclesiastical power: ‘the State is not made for religion, but religion for the State’. In the second place, ‘the general interest is the universal rule that ought to prevail in a State’. In the third place, ‘the people, or the sovereign authority depository of their’s, have alone the right to judge of the conformity of any institution whatever with the general interest’.<sup>31</sup> The sovereignty was monistic and indivisible, as for Hobbes and Rousseau. The State ‘hath the supremacy in everything. The distinction between a temporal and a spiritual power is a palpable absurdity; and there neither can, nor ought to be, any more than one sole and single jurisdiction’.<sup>32</sup> The political authority, the only one to exercise spiritual power, had the right to examine ‘the tenets and the

discipline of religion', to obstruct a creed deemed fanatical and intolerant and hence injurious to 'sociabilité',<sup>33</sup> to prescribe the established mode of worship, adopt a new one, or even, where judged expedient 'abolish every form of worship'.<sup>34</sup> The only possible conclusion was that the only 'divine right' was the *salus populi*. Unlike Montesquieu and Rousseau, Diderot accepted Bayle's paradox, and monistic sovereignty seemed to him to yield a reasonable project for a State without religion.

A distinction had to be made between society and government. 'Society always tends to good; government ought always to tend towards repressing evil'.<sup>35</sup> The former derived from the association that men were driven to by their primitive condition of weakness in order to unite their strength and intelligence. Society emerged from men's needs without the intervention of religion. Men were not born equal and did not have equal rights. To offset the natural imbalances, the legislators established an impartial power, the government, which came after society and had arisen to meet the need to prevent and repress the violence which 'the associates' had to fear from one another. Society had the right to change the government in power in order to respond to the needs and wishes of the citizens: North American society had the right to rebel against the English government.<sup>36</sup>

The distinction between society and government led Diderot to another clarification beyond theorising the right to rebel. The American federal republic occupied spaces that were vastly greater than the analogous Swiss and Dutch federations, and hence Congress could not depend directly on its electors. Nevertheless, it was not only for this practical reason that it had to remain independent in its resolutions. There was no reason to fear that in the midst 'of the great commotions for liberty' and the birth of a constitution that the assembly of representatives would betray the interests of the people. On the contrary. This was where 'le génie de la nation' resided, and its representatives were driven by the 'enthusiasm of founders'.<sup>37</sup> It was more likely to be the 'people' who came to be fatigued and discouraged in the course of a revolution and, after initial enthusiasm, be tempted in a moment of weakness to give up. Instead, the 'small number of men chosen and fit to serve as chiefs' hold firm to the decisions and proceed with sure and certain steps 'towards a great aim' struggling obstinately 'against calamities, fortune, and mankind'.<sup>38</sup> Diderot echoed Rousseau's dilemma in the determination of general will. In Diderot's eulogy of the political compactness of the *sanior pars* of the nascent republican State, there was something of a 'Jacobin' tone.<sup>39</sup> It would avoid parliamentary corruption, spread education and the culture of the arts and sciences, defend liberty and tolerance, not admit an established religion, or favour or persecute any superstition.<sup>40</sup> Also here, parties were ruled out, being seen as the threat of partisan anarchy.

### **Critique of colonialism and pluralist sovereignty**

Was the model of monistic and indivisible sovereignty the only model of State?

The reflection of the *Histoire* on European history and the comparison with the American republic opened up a different perspective for Diderot. A State had to build its sovereignty on internal and external security, but it had to avoid the strategy of conquest. In the final exhortation to the Americans, Diderot invited them to follow a good policy and to avoid the expansionist goals of the English. Where there was violence, there could not be law. The political principle should not be the rationale of power and the reason of State, but that of peaceful relations between citizens and States. Naturally, Paine's *Common Sense* underpinned this representation of American society, in which, as stated in the preamble to the Declaration of Independence, the sphere of the political institutions – the 'government' – was dispersed within society. Society encompassed the individual liberties that constituted sovereignty, conceived as a constituent power always at work rather than as a legislative function.

The strength of this pacific and tolerant society was not politics but trade and tolerance, which were the key to modern European identity and had brought forth the social energies that produced wellbeing and happiness. Dutch history was a perfect example of this (as for Hume). Trade and tolerance were the two pilasters of modern freedom. Trade rejected the rationale of domination and was the path to non-violent communication between people. The only possible bond was through voluntary commercial communication – the *doux commerce* – which would permit the exchange of values and ways of life through imitation rather than subjugation. Just as it was ruled out that one religion should dominate over others, in the same way, no civilisation had the right to impose its social model. Every people, even the smallest, was entitled to their own self-determination, and to refuse to take up the path of European civilisation. The divergences of progress, which meant that different civilisations at different levels of development could come into contact in America, in the East, and in Europe, did not legitimize the stronger societies to seek to impose their more advanced progress.

People who derive from nature such inflexible bravery, may be exterminated, but cannot be subdued by force. They are only to be civilized by humane treatment, by the allurements of riches or liberty, by the influence of virtue and moderation, and by a mild government. They must be restored to their rights, or left to themselves, before we can hope to establish any intercourse with them... Nature has placed certain people in the midst of the ocean, like lions in the deserts, that they may enjoy their liberty... Civilized nations should take care how they invade the rights, or rouse the spirits of islanders and savages: as they may be assured that they will become cruel and barbarous to no purpose; that their ravages will make them detested; and that disgrace and revenge are the only laurels they can expect to obtain.<sup>41</sup>

At the heart of this conclusion was Rousseau's conjectural history. For Rousseau, at their origins, societies had been in a stationary condition, by then

distant from pre-cultural traditions, while at the same time not yet overwhelmed by the dynamics of civilisation.<sup>42</sup> That moment of equilibrium poised between inside and outside history was the time of man's greatest happiness. It was destined to be lost as a result of 'a fatal accident'. In Rousseau's hypothetical reconstruction, people unconsciously lost the chance of preserving that situation, overtaken by the inevitable historic impetus of progress.

Twenty years later, it seemed to Diderot that non-European societies, such as the Tahitians of his *Supplément au voyage de Bougainville*, had the will and the consciousness to oppose such transformation, going against the rationale of European society. Diderot developed Rousseau's anthropological hypothesis in the opposite political direction from that theorised in the *Social Contract*. He used it to conceive a sovereignty not monistic but pluralistic, which emerged from the critique of colonisation in whatever form, even that of *doux commerce*. Through their conquests, the Europeans dominated vast areas in which indigenous and independent societies lived, different in form and rules both from each other and from Europeans. Their autonomy, even in opposing civilisation, had to be acknowledged. European sovereignty had to accept coexistence with indigenous societies even at the cost of their isolation.

This recognition of liberty and tolerance guided Diderot's discussion of the three possible forms of authority of one nation over another: conquest, general consent, or negotiation. Conquest is merely robbery, and cannot create a bond; the consent expressed by one generation cannot hold for the next. There remained free negotiation of conditions, which cannot, however, entail 'the sacrifice of liberty. Liberty cannot be bartered for anything, because no equivalent can be given for it'.<sup>43</sup> European sovereignty had denied liberty at home and in the colonies. Modern monistic sovereignty had assumed the violent form of domination aimed not at the production of liberty, but at the affirmation of that domination. Diderot's words on the American Revolution reveal a representation of political power that sounds different from the one underpinning European.

In the *Histoire philosophique et politique*, the pluralistic and monistic sovereignty of power and civilisation coexist. On the one hand, Diderot defended the right of South American savages not to enter the Jesuit missions, and on the other, the right of the Europeans to civilise Chinese and African societies. In the Enlightenment culture of the 1780s, the balance between these two forms of sovereignty was shaky, resting on an ambiguous theory of civilisation. It was the revolution that swept away all ambiguity, opting for the monistic form. Nonetheless, the right of liberty gave the character of critical theory to both the Enlightenment representations of sovereignty, which was its major legacy.

## Notes

- 1 In general, F. Venturi, (1984), *The End of the Old Regime in Europe, 1776–1789*, Part I, *The Great States of the West* (Princeton, NJ: Princeton University Press, 2014), Chapter 1, 'Libertas americana'.

- 2 N. Wulf, E. Marienstras, 'Traduire, emprunter, adapter la déclaration d'indépendance des États-Unis. Transferts et malentendus dans les traductions françaises', in *Dix-huitième Siècle*, 33 (2001), pp. 201–18.
- 3 Nicolas de Condorcet, *De l'influence de la révolution d'Amérique sur l'Europe*, Œuvres, F. Arago (ed.) (Paris: Didot, 1847), VIII, p. 11.
- 4 Condorcet, *L'influence*, p. 12.
- 5 Condorcet, *L'influence*, p. 15.
- 6 Condorcet, *L'influence*, pp. 13–14.
- 7 Nicolas de Condorcet, 'Idées sur le despotisme', in de Condorcet, *Œuvres*, IX, pp. 154–6.
- 8 Condorcet, *Œuvres*, IX, p. 87 ff.
- 9 G. Th. Raynal, *A Philosophical and Political History of the Settlements and Trade of the Europeans in the East and West Indies*, bk. XIX, trans. J. O. Justamond (London: W. Strahan, T. Cadell, 1783), (=PPH), 8, p. 12. See G. Th. Raynal, *Histoire philosophique et politique des établissements et du commerce des Européens dans les deux Indes*, XIX, 1, § 20 (1780<sup>3</sup>), A. Strugnelli et al. (eds.), (Ferney-Voltaire: Centre Internationale d'Études du XVIII<sup>e</sup> siècle, 2010–22) (=H80), IV, p. 443. The two previous editions are 1770 (Amsterdam, 1773, here H70) and 1774 (La Haye: Gosse, here H74). When not indicated the text is by Diderot; otherwise it is indicated as Raynal-Diderot, as here, where nonetheless the stamp of Diderot is very strong.
- 10 D. Diderot, 'ENCYCLOPEDIA' in *The Encyclopedia*, trans. Philip Stewart, 2002, online <https://encyclopediaofdiderot.org/s/diderot/page/about-the-project>. Diderot, ENCYCLOPÉDIE, in *Encyclopedia*, t. V, p. 637.
- 11 The link between Anabaptists and Quakers was found in the ANABAPTISTES entry by Mallet and in QUAKER by Jaucourt in the *Encyclopédie*, and in Voltaire's *Essai sur les mœurs*, Chapters 131 and 132.
- 12 PPH, Raynal-Diderot, bk. XVIII, vol. 7, p. 279. H80, XVIII, 2, § 1, p. 270.
- 13 PPH, bk. XVIII, vol. 7, p. 281. H80, XVIII, 2, § 10, p. 271.
- 14 On the Anabaptist-Quaker relationship in Enlightenment culture, see A. Tuccillo, 'La libertà de penser en hommes». Quaccherismo, tolleranza religiosa e virtù politica nell'*Histoire des deux Indes* di Raynal', in *Studi storici*, 57 (2016), pp. 753–72, and A. Tuccillo, 'La vertu sous des apparences ridicules'. Voltaire et le mythe politique du 'bon quaker', in *Dix-huitième siècle*, 49 (2017), pp. 311–26.
- 15 PPH, Raynal-Diderot, bk. XVIII, vol. 7, p. 290. H80, XVIII, 4, § 4, t. IV, p. 275.
- 16 PPH, bk. XVIII, vol. 7, p. 292. H80, XVIII, 4, § 9, t. IV, p. 276.
- 17 PPH, bk. VIII, vol. 3, pp. 105–6: 'The republican spirit which naturally spread itself among the reformed', H80, VIII, 34, § 8, t. II, p. 306.
- 18 PPH, Raynal-Diderot, bk. XVIII, vol. 7, p. 297. H80, XVIII, 5, § 16, p. 279.
- 19 'C'étoit exciter le fort contre le foible, abandonner des agneaux à la discrétion des loups, et livrer tous les citoyens à l'oppression du premier tyran qui voudroit les subjurer', PPH, Raynal-Diderot, bk. XVIII, vol. 7, p. 309. H80, XVIII, 6, § 12, p. 286.
- 20 Cf. H70, Raynal-Diderot, XVIII, vol. VI, pp. 347–9.
- 21 On Deleyre's contribution to the *Histoire*, see the note by G. Goggi, HPP, vol. IV, p. 435.
- 22 A. Deleyre, *Tableau de l'Europe*, H74, vol. VII, p. 6.
- 23 Deleyre, *Tableau*, p. 5.
- 24 PPH, bk. XIX, vol. 8, p. 11. H80, XIX, 1, § 19, p. 443.
- 25 PPH, bk. XIX, vol. 8, p. 117. Cf. H80, XIX, 15, § 16, p. 603. Cf. G. Imbruglia, 'Indignation et droits de l'homme chez le dernier Diderot. De l'Encyclopédie à l'Histoire des deux Indes', in D. Kahn and G. Goggi (eds.), *L'édition du dernier Diderot* (Paris: Hermann, 2007), pp. 125–76, and G. Goggi, *De l'Encyclopédie à l'éloquence républicaine. Étude sur Diderot et autour de Diderot* (Paris: Champion, 2013), pp. 565–81.

- 26 A. Tuccillo, 'L'"empire du hasard" ou de la Révolution en cours. La naissance des États-Unis dans l'*Histoire des deux Indes*', in A. Alimento and G. Goggi (eds.), *Autour de l'abbé Raynal: genèse et enjeux politiques de l'Histoire des deux Indes* (Ferney-Voltaire: Centre International d'étude du XVIII<sup>e</sup> siècle, 2018), p. 132.
- 27 *H70*, t. VI, XVIII, pp. 422–3, Raynal-Diderot. G. Ansart, 'Variations on Montesquieu: Raynal and Diderot's *Histoire des deux Indes* and the American Revolution', in *The Journal of the History of Ideas*, 70 (2009), pp. 399–420. Cf. the commentary on *H80*, especially on Book XVIII.
- 28 *PPH*, bk. XVIII, vol. 7, p. 494. *H80*, XVIII, 44, § 3, p. 389.
- 29 *PPH*, bk. XVIII, vol. 7, p. 550. *H80*, XVIII, 50, § 7, p. 422.
- 30 *PPH*, bk. XIV, vol. 6, p. 271. *H80*, XIV, Introduction, § 1, vol. III, p. 439.
- 31 *PPH*, bk. XIX, vol. 8, p. 110. *H80*, XIX, 2, §§ 165–7, p. 487. At the beginning of the chapter Diderot maps out the history of Christianity, identifying Constantine as the decisive turning point. In the beginning Christianity did not have relations with the political authority and for the spread of doctrine the internal administration controlled dogma, worship, and practices. p. 73. *PPH*, p. 7.
- 32 *PPH*, bk. XIX, vol. 8, p. 111. *H80*, XIX, 2, § 171, p. 488.
- 33 *PPH*, bk. XIX, vol. 8, pp. 110–1. *H80*, XIX, 2, § 169, p. 487.
- 34 *PPH*, bk. XIX, vol. 8, p. 111. *H80*, XIX, 2, § 170, pp. 488.
- 35 *PPH*, bk. XVIII, vol. 7, p. 464. *H80*, XVIII, 2, § 5, p. 371.
- 36 "Les principes de tolérance et de liberté établis dans les colonies Angloises en avoient fait un peuple différent des autres peuples. On y savoit ce que c'étoit que la dignité de l'homme; et le ministère Britannique la violant, il falloit nécessairement qu'un peuple tout composé de citoyens se soulevât contre cet attentat," *H80*, XVIII, 40, § 5, p. 364. *PPH*, bk. XVIII, vol 7, pp. 452–3.
- 37 *PPH*, bk. XVIII, vol. 7, p. 508. *H80*, XVIII, 45, § 26, p. 397.
- 38 *PPH*, bk. XVIII, vol. 7, pp. 508–9. *H80*, XVIII, 45, § 28, p. 398.
- 39 A. Strugnell, 'Diderot entre la Révolution américaine et le libéralisme anglais', *Studi settecenteschi*, 11–12 (1988–89), p. 366.
- 40 *PPH*, bk. XVIII, vol. 7, p. 564. *H80*, XVIII, 52, § 14, p. 429.
- 41 *PPH*, Raynal-Diderot, bk. I, vol. 1, pp. 138–9. *H80*, I, 16, § 11, t. I, p. 95.
- 42 J.-J. Rousseau, 'Discours sur l'inégalité', in Rousseau, *Œuvres Complètes*, vol. III, p. 171.
- 43 *PPH*, bk. XVIII, vol. 7, p. 470. *H80*, XVIII, 42, § 25, p. 375. The subject of the independence of each generation from the previous ones was particularly marked in the Virginia Declaration of Rights (1776).



# Index of Names

- Abelard, P. 2  
Abraham 173  
Aconcio, J. 61, 67–8, 74, 103, 106  
Acosta, J. De 21  
Albergati, F. 136  
Albornoz, B. F. de 25  
Alciati, G. P. 51  
Alexander the Great 225  
Alexander VI 20  
Althusius, J. 133–8, 163, 175, 181  
Amar ben Amar bel Cadi 14  
Amerbach, B. 62  
Anne d'Este 78  
Arcimboldo, G. 58  
Aristotle 24, 138  
Arminius, J. 76, 105  
Arnauld, A. 151–3  
Arnold, G. 43, 194  
Aubert de Versé, N. 158  
Augustine of Ippona, St. 2, 15, 24, 42,  
151–5, 159, 179
- Bacon, F. 21  
Barbeyrac, J. 192–4  
Basalù, G. 51  
Basnage, J. 140  
Basnage de Beauval, H. 155, 158, 160  
Báthory, S. 59, 69–70  
Bayle, P. X–XI, 75, 84, 97–9, 159–64,  
180, 192, 207, 214, 216, 222–3, 225,  
227, 237  
Beaumont, C. de 213  
Beausobre, I. de 207  
Bellarmin, R. 172  
Benedict the Moor, St. 24  
Bergier, N. S. 207  
Bernard, J. F. 192, 213  
Bernardino of Siena 15  
Beza, T. 139
- Biandrata, G. 51, 59, 69  
Bibliander, T. 51, 59, 69  
Blaugdone, B. 115  
Blotius, H. 58  
Bodin, J. IX, XI, 26, 80–2, 135–8, 163,  
171  
Boehme, J. 49  
Bolingbroke, H. St. John 204  
Borrhaus, M. 62, 66  
Bossuet, B. 152  
Botero, J. 133–4, 136–7, 163  
Bourbon 77, 134, 154  
Brahe, T. 58  
Brunfels, O. 49  
Bruno, G. 21, 97, 103  
Buccella, N. 69  
Burke, E. 204  
Busale, G. 51  
Butzer, M. 56, 101
- Calas, J. 219  
Calvert, G. de Baltimore 108  
Calvin, J. 9, 18, 29–30, 44, 62–6, 130,  
135, 139  
Campanella, T. 164  
Cantimori, D. VII, 71  
Capece, S. 51  
Capito, W. 56  
Cardano, G. 21  
Cassander, G. 56  
Cassiodorus 137  
Castellion, S. X, 61–8, 74, 104, 139,  
155, 179  
Castillo, J. de 50  
Catherine of Medici 77–9  
Caveirac, J. Novi de 211  
Cazalla, M. de 50  
Celsi, M. 61, 68  
Cesalpino, A. 21

- Chardin, J. 133, 213  
 Charles I Stuart 106  
 Charles II Stuart 115, 117–9  
 Charles V of Habsburg 13, 18, 20, 44, 55, 70  
 Charles IX of Valois 78  
 Chautevon, U. 21  
 Chillingworth, W. 105  
 Christine de Pizan 2  
 Chrysostom, J. 42  
 Claude, J. 152  
 Clement XI 213  
 Clifford, M. 154  
 Columbus, C. 20  
 Condorcet, J.A.N. de Caritat 217, 232–3  
 Constantine 2, 137, 155, 172, 221  
 Coolhaes, C. 75  
 Coornhert, D. V. 74–5, 104  
 Corro, A. del 103  
 Court, A. 212  
 Court de Gébelin, A. 212  
 Crafftheim, C. von 58  
 Crell, J. 156–7, 227  
 Cromwell, O. 106, 109–10, 112, 115–17, 179  
 Crucé, E. 30  
 Cruz, I. de la 50  
 Cunaeus, P. 110  
 Curione, C. S. 29, 51, 62, 65–6  
 Cusano, N. 7  
 Cyprian, St. 1
- Damilaville, É.-N. 225  
 Davenant, C. 201  
 Dávid, F. 51, 59  
 Defoe, D. 201  
 Deleyre, A. 224, 235  
 Denck, H. 48, 56  
 Descartes, R. 97–8  
 Diderot, D. 157, 217, 224–7, 232–9  
 Diderot, D.-P. 226  
 Doni, A. 69  
 Du Plessis-Mornay, P. 79–80, 154  
 Dudith-Sbardellati, A. 58  
 Duifhuis, H. 72  
 Dunn, J. 154  
 Dupuy 86  
 Durán, D. 23  
 Dürer, A. 23  
 Dyer, M. 115
- Edward VI Tudor 100  
 Elisabeth I Tudor 67, 100  
 Emanuele Filiberto of Savoy 45
- Episcopius, S. 105  
 Erasmus, D. von Rotterdam X, 27, 39–43, 50, 61, 64, 74–6, 79, 161  
 Erastus (T. Lüber) 139, 141  
 Estoile. P. de l', 80  
 Étaples, J. L. d', 78  
 Evans, K. 115
- Fagnola, O. 81  
 Fell, M. 115  
 Ferdinand I of Habsburg 57  
 Ferdinand I of Medici 45  
 Ferdinand II of Habsburg 58  
 Fischer, M. 115  
 Flavius Josephus 138  
 Fox, G. 114–15  
 Foxe, J. 101  
 Franck, S. 49, 74  
 Frederick Henry of Orange 76  
 Frey, J. J. 18  
 Friedrich William II of Prusse 196  
 Friedrich William of Brandenburg 99  
 Fugger 56  
 Furió y Ceriol, F. 22
- Galilei, G. 97  
 Galvão, A. 21  
 Gentile, V. 3, 51  
 Gentili, A. 103  
 Gibbon, E. 207, 221  
 Gilbert de Voisins, P. 212  
 Ginés Sepúlveda, J. De 20  
 Giorgio Siculo 28–9  
 Gomar, F. 76  
 Goodwin, J. 106–7, 116  
 Gratian 2, 85  
 Grebel, K. 47  
 Gribaldi Mofa, M. 51, 62, 66  
 Grimm, M. 221  
 Gropper, J. 56  
 Grotius, H. X, 25, 76, 97, 139–40, 164, 192  
 Grumbach, A. von 56  
 Guise 77–8
- Ha-Me'iri, S. 3  
 Hales, J. 105  
 Hamconius, M. 21  
 Harley, R. 201  
 Harrington, J. 117, 180, 200–2, 212, 218, 227  
 Hazard, P. 97  
 Helwys, T. 105  
 Henry II of Valois 77  
 Henry III of Valois 79

- Henry IV of Bourbon 78, 82, 156, 164, 220  
 Henry VIII Tudor 100, 102  
 Hercules II, d' 17  
 Hobbes, T. XI–XII, 141, 152, 158, 164, 170, 175, 178, 180–1, 184, 193, 214, 216, 222, 236  
 Holbach, D. P. H. d' 157, 225–7  
 Hotman, F. 79  
 Hotman de Villiers, J. 80  
 Huber, S. 30  
 Hubmaier, B. 47  
 Hume, D. IX, 203–7, 216–17, 225, 238  
 Hus, J. 2
- Ireton, H. 116
- James I Stuart 102, 104  
 James II Stuart 118  
 Japheth 28  
 Jaucourt, L. de 226  
 Jefferson, T. 232  
 Jerome, St. 42  
 Jesus Christ 7, 15, 42–3, 49, 51, 62–5, 108, 112, 129, 137, 151, 156, 159, 172–4, 184, 224  
 Jiménez de Cisneros, F. 50  
 Joan of Albret 78  
 John of Salisbury 2  
 John of Saxony 56  
 John of Segovia 3  
 John Sigismundus Vasa 59  
 Joly de Fleury, J.-F. 212  
 Joris, D. 48, 61–2, 66  
 Joseph II of Habsburg 195–6  
 Julian 149  
 Jurieu, P. 153–5, 158–9, 161–2, 195, 218  
 Justinian 44, 47
- Kant, I. 196, 217, 235  
 Kepler, J. 58  
 Kleinberg, G. 62  
 Knox, J. 102
- La Beaumelle, L.-A. de 212  
 Lactantius 1  
 Languet, H. 79  
 Las Casas, B. de 21  
 Laud, W. 105, 206  
 Laureto, G. 51  
 Le Clerc, J. 192–3, 207  
 Lecomte, L. 133  
 Leibniz, G. W. 99
- Leo African 14  
 Leo X 14  
 Leopold I of Habsburg 59  
 Lilburne, J. 116  
 Lipsius, J. 50, 75  
 Llull, R. 3  
 Locke, J. XI–XII, 25, 97–9, 110, 118, 141, 157, 180–5, 192–3, 201, 212, 221, 224–6, 232, 235  
 López de Celain, J. 50  
 López de Soria, P. 50  
 Louis XIV de Bourbon 83, 86, 96, 118, 135, 152, 159, 163, 211–13, 217, 220, 225  
 Louis XV de Bourbon 218  
 Luke, St. 2  
 Luna Mendes, B. de 17  
 Luther, M. 18, 28, 39, 43–4, 55, 128, 130
- Machiavelli 12, 66, 136, 138, 163–4, 194, 221–2  
 Madison, J. 232  
 Malcolm, N. 132  
 Malesherbes, C.-G. de Lamoignon 212  
 Mantova, I. da 17  
 Margaret of Valois 78  
 Marguerite of Austria 71  
 Maria Theresa of Habsburg 195  
 Marsilius of Padua 2  
 Mary I Tudor 100–1  
 Matthias of Habsburg 58  
 Maurice of Orange-Nassau 76  
 Maximilian II of Habsburg 57  
 Mazarin, J. M. de 83, 85  
 Medea 185  
 Menasseh ben Israel, R. 117  
 Merlat, E. 163–4  
 Milton, J. 109–11, 117  
 Minuti, R. 132  
 Mirabeau, H. de Riqueti VII  
 Mirandola, G. P. della 7  
 Molesworth, R. 203  
 Molina, L. de 26  
 Montaigne, M. de 22–3, 61, 84, 136, 149–51, 153  
 Montelupi, S. 69  
 Montesquieu, Ch.-L. de Secondat XII, 163, 206–7, 212–17, 219–22, 224, 233, 235–7  
 Montfort, B. 62  
 More, T. 101, 135, 164  
 Moses 138, 157, 173, 193  
 Mosheim, J. L. von 207

- Naudé, G. 83, 85  
 Newton, I. 97  
 Niclaes, H. 50, 74  
 Nicole, P. 152–4  
 Noah 20, 28  
 Noodt, G. 192–3  
 Numa 138  
  
 Ochino, B. 51, 66–7  
 Oldenbarnevelt, J. van 76  
 Oporinus, J. 139  
 Origen 2  
 Ortelius, A. 50  
 Overton, R. 116–17  
 Oviedo, H. G. de 20  
  
 Paine, T. 236, 238  
 Paleologus, I. 28  
 Pallache, S. 19  
 Paracelsus, T. 21  
 Pascal, B. 150–3, 161, 183–4  
 Pasquier, É. 80  
 Patin, G. 83, 85, 149  
 Paul III 20  
 Paul IV 16, 45  
 Paul St. 2, 15, 24, 151, 222  
 Penn, W. 114, 234  
 Peter the Venerable 3  
 Pfefferkorn, J. 18  
 Philip II of Habsburg 22, 70, 134, 163  
 Philip III of Habsburg 14  
 Picart, B. 213  
 Pius V 17  
 Pius VI 196  
 Plantin, C. 50  
 Plato 135, 164  
 Plessis-Mornay, F. du 154  
 Pluquet, F.-A.-A. 207  
 Poirret, P. 225  
 Pole, R. 101, 206  
 Possevino, A. 59  
 Postel, G. 27–8, 61  
 Proust, J. 224  
 Provana, P. 69  
 Przytkowski, S. 155–6  
 Pucci, F. 30, 58, 61, 69, 103  
 Pufendorf, S. 25, 193–5  
  
 Rabaut Saint-Etienne, J.-P. 212  
 Ramusio, G. 21  
 Raynal, G.-T. 236  
 Renato, C. 51, 60, 66  
 Renato, F. 51  
  
 Reuchlin, J. 18  
 Richelieu, A.-J. du Plessis de 83, 96, 99  
 Robinson, H. 107–8  
 Robinson, J. 117  
 Romilly, J.-E. 223–4  
 Rosheim, J. of 18  
 Rousseau, J.-J. XII, 216–17, 221–4, 237–8  
 Rudolf II of Habsburg 58  
 Ruiz Alcaraz, P. 50  
 Rutherford, S. 111  
 Rycaut, P. 133  
  
 Sachs, H. 56  
 Saffley, M. 9  
 Sahagún, B. de 23  
 Saint-Évremond, C. de 84  
 Sarpi, P. 140–1  
 Scandella, D. 45  
 Schütz Zell, K. 56  
 Schwenckfeld, C. 74  
 Schwendi, L. von 58  
 Serres, J. de 80  
 Servetus, M. 29, 61–2, 65, 130  
 Shaftesbury, A. Ashley Cooper 200–2  
 Sienieński, J. 69  
 Sigismund II Augustus Jagellone 29, 59, 69  
 Sigismund III Vasa 70, 155  
 Simmel, G. 129  
 Simons, M. 48–9  
 Skinner, Q. 141  
 Smith, J. 104  
 Socrates 149  
 Soderini, C. 69  
 Solon 80  
 Sozzini, F. 51, 61, 68, 155  
 Sozzini, L. 51, 66  
 Spiera, F. 29  
 Spinoza, B. XI–XII, 70, 97–9, 158, 176–9, 192, 207, 214  
 Stillingfleet, E. 118, 181  
 Swift, J. 201  
  
 Tacitus, C. 177  
 Tavernier, J.-B. 133  
 Tertullian 1  
 Theodosius I, F. 80, 85  
 Thévenot, J. 133  
 Thomas Aquinas, St. 2, 24  
 Thou, J.-A. de 80  
 Tillotson, J. 118  
 Toland, J. 201–3

Toralba, D. 81  
Trapnel, A. 115  
Trivellato, F. 140  
Turgot, A.-R.-J. 212, 217–18, 220

Ulysses 185

Valdés, J. de 50–1, 79  
Vespucci, A. 19  
Vitoria, F. de 21–2  
Volckertszoon Coornhert, D. 74  
Voltaire, F.-M. Arouet 77, 207, 212,  
217, 219–20

Walwyn, W. 107–8, 116  
Weber, M. 129  
Weigel, V. 49  
Welser 56  
Wier, J. 136  
William I of Orange-Nassau 71, 74  
William III of Orange-Nassau 119, 163  
Williams, R. 107–9, 117  
Winstanley, G. 106, 113  
Wyclif, J. 2  
  
Zwinger, T. 61  
Zwingli, H. 47, 130, 139

