The Historical Journal, 42, 4 (1999), pp. 911–939 Printed in the United Kingdom

READING SIR THOMAS SMITH'S *DE REPUBLICA ANGLORUM* AS PROTESTANT APOLOGETIC*

ANNE MCLAREN
University of Liverpool

ABSTRACT. *This article argues that historians have misread Sir Thomas Smith's famous work as a narrowly factual description of English society and institutions, and Smith himself as a proto-rationalist thinker. Instead,* De republica anglorum *represents Smith's attempt as a citizen of the elect nation to theorize the 'mixed monarchy' inaugurated with Elizabeth's accession. It should thus be read as an important contribution to English Protestant apologetic of the 1560s, in conjunction with the work of men who more obviously engaged in that discourse: John Foxe, Laurence Humphrey, and John Aylmer. The article makes this case by reconstituting three cultural contexts which I argue need to be taken into account when analysing Smith's text. The first establishes Smith's ideological concerns and convictions in Edward VI's reign and in the early years of Elizabeth's. The second focuses on the immediate circumstances in which Smith wrote* De republica anglorum*: a polemical exchange between the Englishman Walter Haddon and the Portuguese Osorio da Fonseca concerning religious reformation and kingship. I then analyse* De republica anglorum *with reference to the key terms and issues identified in these contexts. The conclusion locates Smith's text in relation to one further context: Claude de Seyssel's* The monarchy of France *and its use by French Huguenot theorists in the 1560s. That nexus enabled Smith satisfactorily to address the central problem with which he and fellow apologists grappled throughout Elizabeth's reign: ungodly kingship in the guise of female rule.*

> And consequently there may appear like diversity to be in English between a public weal and a common weal, as should be in Latin between *Res publica* and *Res plebeia*. And after that signification, if there should be a common weal either the commoners only must be wealthy, and the gentle and the noble men needy and miserable, or else, excluding gentility, all men must be of one degree and sort, and a new name provided.
>
> Sir Thomas Elyot, *The boke named the governour*

In his 1990 article 'War and the commonwealth in mid-Tudor England', Ben Lowe argues that the term 'commonwealth' took on 'nuances of meaning' over the course of the sixteenth century that did not exist at its beginning. The earlier form ('common weal' or 'common wealth') referred to organic, societal relationships among the estates and their productive interconnection for the good of all. The mid-sixteenth century compound form ('commonwealth')

* I would like to thank J. H. Burns and Michael Farnworth for sharing their expertise with me.

which increasingly replaced it referred to the state, or *respublica*, and to associations among its peoples; a shift promoted by humanist discourse and one which allowed for the eventual emergence of classical republicanism in the seventeenth century.[1] Clearly the terminological shift did not signal the supersession of the older, medieval conception of the 'common' (sometimes 'public') weal. Instead, attention to the 'commonwealth' represented an attempt on the part of humanists, first at Henry VIII's court, later at Edward VI's, to define kingship in the context of England's new identity as a godly empire.[2]

The project changed form dramatically with the accession after Henry VIII of his designated successors – Edward VI, Mary I, Elizabeth I. Each was perceived as incapable of exercising autonomous kingship, as a function of age, gender and/or disputable legitimacy. Perceived monarchical incapacities inevitably promoted, in Edward's reign as in Elizabeth's, a specifically Protestant politics of association – what J. G. A. Pocock has termed a 'monarchy of counsel' – to preserve the 'commonwealth' both as a sovereign state and as a means of grace; in Elizabeth's reign especially although not exclusively against the threat posed by resurgent Catholicism. This agenda entailed constructing a historical as well as a providential national identity – the Ancient Constitution as well as the Elect Nation – as two sides of the same coin in a godly empire.[3] Under a female ruler it also fuelled the development of a notion of 'citizen' as an identity ambiguously political and spiritual which had originated in Edward VI's reign, in part as a means of allowing for the infusion of adult male 'virtue' into the body politic during the reign of a minor king. And in Elizabeth's reign, as in Edward's, they could be seen as men called to a *vita activa* in the service of the monarchy, to protect and defend the common weal in the absence of a (godly) king.

However, the men who forged the politics of association were, like Sir Thomas Elyot in Henry VIII's reign, uncomfortably aware that the fusion of humanism and Protestantism which promoted the godly empire could threaten order and degree – even patriarchy itself – through the egalitarian and

[1] Ben Lowe, 'War and the commonwealth in mid-Tudor England', *Sixteenth Century Journal*, 21 (1990), p. 173.

[2] Quentin Skinner, *Foundations of modern political thought* (2 vols., Cambridge, 1975), II, pp. 102–7. For the centrality of conceptions of empire to European political discourse during this period see Franz Bosback, 'The European debate on universal monarchy', in David Armitage, ed., *Theories of empire, 1450–1800* (Aldershot, 1998), pp. 81–98, and Armitage's 'Introduction', pp. xv–xliii. See also John M. Headley, *Church, empire and world: the quest for universal order, 1520–1640* (Aldershot, 1997). For the English dimension see John Robertson, 'Empire and union: two concepts of the early modern European political order', in John Robertson, ed., *A union for empire: political thought and the British union of 1707* (Cambridge, 1995), pp. 5–12.

[3] J. G. A. Pocock, 'A discourse of sovereignty: observations on the work in progress', in Nicholas Phillipson and Quentin Skinner, eds., *Political discourse in early modern Britain* (Cambridge, 1993), pp. 377–428; J. G. A. Pocock 'England', ch. 4 in Orest Ranum, ed., *National consciousness, history and political culture in early-modern Europe* (Baltimore, 1975), p. 106; Richard Helgerson, *Forms of nationhood: the Elizabethan writing of England* (Chicago, 1992).

acephalic implications of these modes of discourse.[4] In Elizabeth's reign therefore apologists defined the 'commonwealth' in a new way, as the 'mixed monarchy'. The mixed monarchy – the three estates of queen, lords and commons, or the queen and her councillors – represented an attempt to reintroduce a politics of association similar to that which had been enacted in Edward VI's reign, without unleashing its egalitarian or demotic potential. The new version proposed an incorporated crown – a marriage of queen and commonwealth – as a mode of national identity.[5] In this enterprise Tudor blood, represented by the queen, was to be hedged by the 'virtue', simultaneously political and spiritual, of the male political nation.[6] The commonwealth so conceived achieved legitimacy and a voice through reference to a concept resonant in Tudor political discourse, that of 'common consent', and a local habitation and a name in the form of parliament, the 'body of all England' as it was known at this time.

This political context produced the work of Protestant apologists of the 1560s: men like John Aylmer, John Foxe, Walter Haddon, and Laurence Humphrey.[7] In this article I want to argue that it is also the context in which to locate Sir Thomas Smith's famous *De republica anglorum*. Written in 1565, although not published until 1581, Smith's work circulated widely, both in manuscript and then in various printed editions through to the outbreak of the Civil Wars.[8] Among modern historians it is by far the best known of the works in Smith's extensive corpus, usually treated as a benchmark repository of information about government in Tudor England. Even historians who acknowledge Smith's ideological engagement present him as a rationalist, a

[4] Margo Todd, *Christian humanism and the puritan social order* (Cambridge, 1987), pp. 115, 200.

[5] For the centrality of incorporation to English political identity see John Robertson, 'Empire and union', and J. G. A. Pocock, 'Contingency, identity, sovereignty', in Alexander Grant and Keith Stringer, eds., *Uniting the kingdom? The making of British history* (London, 1995), p. 12 and pp. 293–4.

[6] See Blair Worden's discussion of virtue and its relationship to citizenship in *The sound of virtue: Philip Sidney's* Arcadia *and Elizabethan politics* (New Haven, 1997), esp. ch. 2. Ernest William Talbert *The problem of order: Elizabethan political commonplaces and an example of Shakespeare's art* (Chapel Hill, NC, 1962) notes that the sense of the word included both goodness and amoral forceful accomplishments; an ambiguity that allowed for the shift in emphasis from its 'humanistic' construction to an 'aristocratic' one over the period (p. 94). Both analyses assume, although the authors do not discuss, its implication in contemporary conceptions of virility.

[7] For Aylmer and Humphrey see A. N. McLaren, *Political culture in the reign of Elizabeth I: queen and commonwealth, 1558–1585* (Cambridge, 1999). The best treatment of Foxe in this context remains that of William Haller, *Foxe's Book of Martyrs and the elect nation* (London, 1963). Recently scholars have returned to Haller's concept of England as potentially a (even the) Elect Nation, whilst emphasizing Foxe's commitment to the True Church of international Protestantism. See Claire McEachern, *The poetics of English nationhood, 1590–1612* (Cambridge, 1996), p. 30, and Jesse Lander, '"Foxe's" *Book of Martyrs*: printing and popularising the *Acts and monuments*', in Claire McEachern and Debora Shuger, eds., *Religion and culture in Renaissance England* (Cambridge, 1997), pp. 69–92. For Haddon see below.

[8] A. F. Pollard and G. R. Redgrave's *Short title catalogue* (London, 1946) lists an entry under John Day for a 1581 published version which evidently no longer survives. The date usually given for first publication is 1583.

trail-blazer in advancing secular explanations for a society in flux.[9] I want to argue instead that we need to see Smith as theorizing the 'mixed monarchy' inaugurated with Elizabeth's accession. *De republica anglorum* is not the narrowly factual description of English society and institutions that an uninformed reading might suggest; nor was Smith the calculating rationalist that some historians have claimed to find in his texts.[10] Instead, the book represented Smith's attempt as an engaged Protestant – a godly man – to respond to the conundrum posed by Sir Thomas Elyot by providing a 'new name' for a Christian common weal which was simultaneously England and Protestant Europe. Like other apologetical works of the 1560s, it did so by addressing the central problematic of Elizabeth's reign: the need to reconceptualize England's Protestant imperial identity in the context of female rule.[11]

To argue this case I want to begin by establishing Smith's ideological concerns and convictions in Edward VI's reign and in the early years of Elizabeth's. I then want to examine a polemical exchange of the years 1564–5 in which Smith was involved and which provides the immediate political context for the *De republica anglorum*, before proceeding to an analysis of the text itself. I shall conclude by looking across the Channel to propose one final context that classifies Smith's work: Claude de Seyssel's *The monarchy of France* and its use by Huguenot polemicists in the 1560s and 1570s.

I

In February 1547 Sir Thomas Smith joined the household of Edward Seymour, the most powerful member of the council of regency established by Henry VIII to supervise Edward VI's minority, and soon to be the most commanding figure in English politics as Lord Protector.[12] Smith himself came to court after a glittering career as a humanist scholar at Cambridge, where he had been university orator, Regius Professor of Civil Law, and finally, in 1543, vice-chancellor. Part of a generation that included Roger Ascham, William Cecil, Anthony Cheke, John Ponet, John Dee, and John Day, he was regarded as by far the most distinguished – for his breadth of learning, his remarkable oratory, and his incomparable prose style. In 1548 he became second secretary to the eleven-year-old king; perhaps more accurately (certainly from the point of view of many contemporaries) to the Lord Protector. As secretary he oversaw preparations for the enactment of Somerset's religious reforms,

[9] Stephen Collins, *From divine cosmos to sovereign state: an intellectual history of consciousness and the idea of order in Renaissance England* (Oxford, 1989), pp. 72–5.

[10] See, for example, Mary Dewar's Introduction to her edition of Sir Thomas Smith, *De republica anglorum* (Cambridge, 1982), p. 2, and Neal Wood, 'Avarice and civil unity: the contribution of Sir Thomas Smith', *History of Political Thought*, 18 (1997), pp. 24–42.

[11] For the centrality of this problem to Elizabethan politics see McLaren, *Political culture in the reign of Elizabeth I*.

[12] For biographical information on Smith see John Strype, *The life of the learned Sir Thomas Smith* (Oxford, 1820); Mary Dewar, *Sir Thomas Smith: a Tudor intellectual in office* (London, 1964); and the *Dictionary of national biography*, VIII, pp. 872–5.

including the Act of Uniformity and the new Prayer Book of 1549.[13] (He was to be similarly involved in enacting the Elizabethan religious settlement, although without enjoying the prestige of office.)

Smith fell with Somerset in 1549, but his commitment to religious reformation continued to be recognized. Even in the period of his disgrace, in 1551, he was appointed, in company with Thomas Cranmer, archbishop of Canterbury, and the strongly Protestant 'commonwealth' man John Hales, to a commission to inquire into offences against the Book of Common Prayer.[14] And in 1553, at the beginning of Mary's reign, in a week that witnessed the imprisonment of several powerful convinced Protestants and future Marian exiles, he was cited, again in company with Cranmer, to appear before the queen's commissioners to answer questions about his religious convictions. For John Foxe, these actions, including Smith's summons, constituted evidence as convincing as the near-simultaneous release from prison of Edmund Bonner and Stephen Gardiner that the Marian *putsch* against the godly reformed religion was indeed underway.[15]

Smith, then, was one of those men who – like John Hales and, most famously, William Cecil – was to rise again to political prominence in Elizabeth's reign, having (in Patrick Collinson's words) 'cut [their] political teeth in the acephalous conditions of Edward VI's minority'.[16] These conditions forced such men to confront the problem of maintaining a godly empire in circumstances in which its strongest putative protector – the godly king or emperor – was a mere boy. And it was in Edward's reign that Smith began to address the problem of kingship in ways that would inform the view of the mixed monarchy which he advanced in Elizabeth's reign, in *De republica anglorum*.

This conclusion is supported by exchanges that occurred between Smith and the soon to be deposed bishop of London, Edmund Bonner, in the summer of 1549.[17] As the Protectorate encountered increasing resistance to its reform programme in 1548 and 1549, it focused on presenting government policy as both consensual within the Council and as the king's will, pressing patriotism into the service of godliness.[18] Government officials looked to men of God not

[13] For the prominence of millenarianism in Edward VI's reign see John Strype, *Annals of the Reformation and establishment of religion and other various occurrences in the Church of England during Queen Elizabeth's happy reign* (7 vols, Oxford, 1824), I.i, p. 528.

[14] For Hales's role in Edward's reign see M. L. Bush, *The government policy of Protector Somerset* (London, 1975), pp. 41–75.

[15] *The acts and monuments of John Foxe* (8 vols., London, 1843), VI, p. 538 (hereafter *Acts and monuments*). In the following month both Cranmer and Latimer were committed to the Tower.

[16] Patrick Collinson, 'The monarchical republic of queen Elizabeth I', *Bulletin of the John Rylands University Library of Manchester*, 69 (1986–7), p. 402.

[17] John Foxe records the tale of the proceedings against Bonner in *Acts and monuments*, V, pp. 741–800.

[18] Bush rightly sees Reformation ideology as 'the compulsive intellectual force behind the government's reform programme', and usefully stresses the extent to which concern to establish a Christian commonwealth was, during Edward's reign – and not exclusively during Somerset's

only to conform to (if not embrace) the new measures, but also to support this case in their pulpits. Because he held the bishopric of London, Bonner's apostasy was highly visible. He was therefore summoned before the king's commissioners and ordered to make amends by preaching a sermon at St Paul's Cross. The centrepiece of this sermon was to be his explicit statement that Edward's powers as king were in no way diminished by his minority; and by implication that the government's measures for religious reformation entirely represented the king's will.[19]

Bonner delivered the sermon, but phrased this central point so equivocally that the commissioners were inclined to think that he had not made it at all. At his subsequent examinations, prior to deposition from his bishopric and imprisonment in Marshalsea, Bonner used the fiery Protestant preacher William Latimer and Sir Thomas Smith, his chief prosecutor, as stalking horses in a strategy designed to exploit tensions within the Protectorate regime; tensions that would shortly lead to Somerset's fall.[20] In an early examination he implied that he was being persecuted on religious grounds, because of his hostility to Protestant reformation, rather than because of any views he might hold concerning the king's monarchical incapacity. He intimated that many in the government, including the key figures now arrayed against him, regarded the king as no true king; that this conviction was in fact necessary to its conduct of affairs. As proof Bonner related how it had recently become apparent that William Latimer had 'with his ears, heard diverse persons of this realm' say of the king:

> Tush! the king … is but a babe or child: what laws can he make? or what can he do in his minority? Let him have toast and butter, or bread and milk; and that is more meet for him, than to make laws or statutes to bind us to obey them. We are not bound to obey, till he be past his minority, and come to his full and perfect age.

With careful ambiguity – he leaves open whether Latimer merely recounted words he had heard elsewhere or spoke them on his own account (and hence also whether the Council acts specifically *against* the wishes of the king) – Bonner turned to his prosecutors:

> And those words were spoken before you, my lord of Canterbury, my lord of Rochester, Master Thomas Smith, and Master William May, by the mouth of the said William Latimer at your last session; and the said William Latimer was neither controlled by

---

Protectorate – the *lingua franca* of Edwardian politics. *The government policy of Protector Somerset*, ch. 3 and pp. 60–3, 70. See also Ethan H. Shagan, 'Protector Somerset and the 1549 rebellions: new sources and new perspectives', *English Historical Review*, 114 (1999), pp. 34–63.

[19] 'You shall also set forth in your sermon, that the authority of our royal power is (as truth it is) of no less authority and force in this our young age, than was that of any of our predecessors, though the same were much elder, as may appear by the example of Josias and other young kings in the Scripture; and therefore all our subjects to be no less bound to the obedience of our precepts, laws, and statutes, than if we were of thirty or forty years of age.' *Acts and monuments*, v, p. 778.

[20] John Guy, *Tudor England* (Oxford, 1988), pp. 210–11.

any of you for these words ne [sic] any of them, ne yet commanded to bring in such persons who had uttered and spoken the said words, but passed in silence…[21]

In a subsequent examination Bonner again attacked Smith, this time directly. He claimed that Smith alone had inserted the specific article commanding him to speak on the matter of the king's minority: '… ye the said sir Thomas after the departure of the lord protector… and the rest of the lords of the said council, did write yourself certain articles or injunctions, amongst which was that of the king's majesty's minority, and his authority in the same…'[22] He thus appealed to one of the government's *desiderata* (the consensual basis of government policy) to evade punishment for his all too apparent conviction that the Council did not, indeed could not, speak for the king, hence invest their decisions with kingly authority. His refusal to utter the required statement in his sermon, he claimed, did not therefore challenge the authority of the Council or of the king, but merely pointed up the pretensions of an individual – a secretary, a 'new man' at that. When the other commissioners refused to rise to this bait, deciding instead that Bonner's 'irreverent behaviour' demonstrated that he was 'worthy imprisonment', Bonner again turned on Smith, to accuse him (and by implication the Council) of riding roughshod over the rule of law in order to enforce their religious agenda.[23] Pointedly, in view of Smith's status as a civil lawyer, Bonner spat out, 'I knew the law 'ere you could read it'. Smith responded, 'Well then, you shall know there is a king.' 'Yes, sir', replied Bonner, 'but that is not you'; a statement clearly directed equally at Smith and at his colleagues in government present at this examination, including Somerset.[24]

Four features of this episode are notable in relation to Smith's ideological convictions at this time. First, there is his (and the Council's) insistence that Bonner acknowledge the existence of 'absolute' kingly power even in the circumstances of a minority, and acknowledge the legitimacy of the Council's role in its enactment. Secondly, Smith took a leading role in the action against Bonner by acting as the spokesman for the Council; a position which Bonner professed to find symptomatic of the Protectorate's anarchic proclivities and which fuelled his *ad hominem* attacks on Smith. (At the end of the examinations, as Smith instructed the deputy marshal about the conditions of Bonner's imprisonment, Bonner delivered one last parting shot: 'Well, sir, it might have become you right well, that my lord's grace [Lord Somerset] here present, being first in commission, and your better, should have done it.'[25]) Thirdly, we

[21] *Acts and monuments*, v, p. 777.

[22] Ibid., p. 775.

[23] Bonner: 'A God's name, ye may do *de facto*, send me whither ye will, and I must obey you therein; and so will, except ye send me to the devil; for thither I will not go for you. Three things I have; to wit, a small portion of goods, a poor carcase, and mine own soul: the two first ye may take (though unjustly) to you; but as for my soul, ye get not, *Quia anima mea in manibus meius semper*.' Ibid., p. 784.

[24] Ibid. For Smith's plans for legal reform, including the establishment of a college of civil law to be called 'Edward College' see Dewar, *Sir Thomas Smith*, p. 41.

[25] *Acts and monuments*, v, p. 787.

see important evidence here of ideological congruence between Smith and men on the left wing of Protestant reform – men like Somerset, Thomas Cranmer, and William Latimer – in religious as much as political matters. Lastly, motivated by his belief that Bonner did 'like thieves, murderers, and traitors' in his continued attempts to subvert the new order to which the Protectorate was committed, Smith went so far as to argue in effect that national necessity overrode the claims of at least ecclesiastical law, at a point when Bonner tried to use it to disallow Smith's authority as a judge. Faced with a recusation submitted by Bonner, Smith 'told him plain, that, notwithstanding, he would proceed in his commission, and would still be his judge until he were otherwise inhibited'.[26]

Smith returned to political power at Elizabeth's accession, after retirement to his country estate during Mary's reign, and again in connection with religious reform: he was appointed to the commission charged with ensuring compliance with the new religious settlement. His commitment to Protestant reform meant that he was named as one of the six men (together with the archbishop of Canterbury Matthew Parker, Richard Goodrich – an ecclesiastical commissioner under Edward VI – and Walter Haddon) whose inclusion empowered subgroups of any six members of the commission to act with the authority of the whole. In 1559 he was also at the centre of a striking, albeit unrealized, proposal to devolve the process of religious reformation to godly men and men of God advanced as a 'Device for the Alteration of Religion'. The anonymous author suggested that all religious changes should be discussed and drafted by a committee of six divines convened by Smith at his house (and presumably with him forming part of the deliberations). He would then communicate their decisions to leading lay figures.[27]

Also at Elizabeth's accession, and inseparable from his continuing concern for securing Protestantism, Smith again confronted the problem of an inadequate king, this time in the form of the accession to the imperial crown of an unmarried woman: a queen. For Smith, as for many of his contemporaries, the problem this raised was twofold.[28] On the one hand he shared the concern for establishing the succession that, in the wake of the Wars of the Roses, inevitably accompanied the accession to the crown of an unmarried monarch, particularly one who was also the last of the dynastic line. But his determination to persuade the queen to marry at all costs – so marked during the 1560s and 1570s – owed at least as much to his fears about the maintenance of English national autonomy, and with it her Protestant identity, in the (to his mind)

[26] Ibid., p. 784.

[27] J. E. Neale, *Elizabeth I and her parliaments, 1559–1581* (London, 1953), p. 38.

[28] I refer here to a limited slate of considerations. Due to limitations of space I can only mention the cultural convictions about female inferiority that informed responses to female rule over the period and which need to be factored into any consideration of Smith's work. For these convictions and their relationship to Elizabethan and Jacobean politics see Margaret R. Sommerville, *Sex and subjection: attitudes to women in early modern society* (London, 1995), and, from a different direction, Mark E. Kann, *On the man question: gender and civil virtue in America* (Philadelphia, 1991).

disastrous circumstances of female rule. For how could a woman stand in the very place of Christ, as Supreme Head of the Church of England? How could she, as emperor, claim the *charisma* that would preserve the godly of the True Church from the depredations of the Romish antichrist?[29] For Smith, Elizabeth could not, and the evidence suggests that he did not change his mind over the course of the reign. 'These Frenchmen know that we have a woman for our head and therefore esteem us so little', he complained, loudly enough for the Venetian ambassador to hear him, when he was ambassador to France in 1567.[30]

Faced with the conundrum of a woman in the role of king, Smith tried in every way that he could to persuade the queen of the need to marry. In this he was not alone: that the first years of Elizabeth's reign were dominated by this issue is a historical commonplace, although the connection between the marriage issue and the articulation of Protestant national identity is too often overlooked.[31] But Smith actually wrote a tract urging the queen to marry in 1561, the *Dialogue concerning the queen's marriage*.[32] Like *De republica anglorum*, the *Dialogue* was clearly designed to be extensively read: it was written in English and circulated widely in manuscript form.[33]And, as he was to do in *De republica anglorum*, in the *Dialogue* Smith adopted a disinterested posture to advance a political case about which he cared passionately. We can deduce this in part from the way that Smith uses and subverts the conventions of the dialogue genre. By convention a dialogue consisted of a full and frank discussion conducted by a small number of men who presented different points of view on a particular subject, with the twofold aim of displaying their own learning and rhetorical ability and also thoroughly and impartially exploring it. In this dialogue, ostensibly on whether or not the queen should marry, Smith presents a slate of six speakers, five of whom forcefully put the case for the queen's marriage – with reinforcement provided by God, parliament, and a personified England. And in fact in 1565 Smith wrote to Robert Dudley that he was quite right to conclude that Smith's opinion was 'betwixt "Homefriend" and "Lovealien"', its two most outspoken advocates of marriage.[34] The *Dialogue* is

[29] See A. N. McLaren, *Political culture in the reign of Elizabeth I*, esp. ch. 1. In a representative vein Smith wrote to Cecil on 7 March 1563 that 'The hardest punishment for all papists by mine advice should be to confine them into Italy and let them live by sucking the Pope's teats.' PRO SP 70/52/411; quoted in Dewar, *Sir Thomas Smith*, p. 178.

[30] *Cal. SP Venetian*, VII, p. 388; quoted in Dewar, *Sir Thomas Smith*, p. 85.

[31] Exceptions include Paul Corts, 'Governmental persuasion in the reign of Queen Elizabeth I, 1558–1563' (Ph.D. dissertation, Indiana University, 1971), p. 155, and John Strype, who notes that it was 'especially the Protestants' who were 'earnest for her marriage', *The life of the learned Sir Thomas Smith*, p. 60.

[32] John Strype provides the text of the *Dialogue* as Appendix III to his *Life of the learned Sir Thomas Smith*, pp. 184–259. All subsequent references are to this version (hereafter *Dialogue*).

[33] Dewar, *Sir Thomas Smith*, p. 86.

[34] Smith to Robert Dudley, 12 Oct. 1565. *Historical manuscripts commission*, LXX, p. 67. Smith's opinion, expressed at the end of the dialogue in terms that perhaps he hoped would be opaque to the queen, reveal him as a partisan of marriage: '"Marry", quote I, "it were a presumption indeed to speak before my prince, without commission. I trust her Highness shortly will give

a rich and under-used source. For the purpose of the present argument I want to restrict my discussion to three points which bear on the vision of England that Smith was to present in *De republica anglorum*: his depiction of female incapacity for rule; his conception of marriage in the context of female rule; and the authority that he attributes to parliament.[35]

The four participants in the dialogue proper are Wedspite, Lovealien, Homefriend, and a fourth gentleman, also in favour of marriage but agnostic on the issue of a foreign prince or a native Englishman, called – significantly – 'Mr Godfather' (God the Father). Impeded by a bad stammer, so we are told, in the *Dialogue* this character does not speak himself, but allows Lovealien to deliver a second oration on his behalf. Mr Godfather also introduces Sir Thomas Smith as an actual participant in the dialogue proper by asking his opinion at its end: 'Godfather' speaks to Sir Thomas Smith, who speaks to the queen.

In the *Dialogue* Lovealien/Smith presents a variant on the humanist discourse of counsel, one that is shaped by its utterance in the context of female rule. He suggests that princes are in effect morally neutral but liable to be led astray by evil counsellors, men who are 'affected to their own kindred, commodity, lucre, and advancement'. These personages do not act as the prince's eyes and ears throughout the realm – their function and claim – but rather make the prince 'see many times the black white, and the white black'; that is, they use flattery to persuade the prince that their own private interests represent those of the commonwealth. This 'ill fortune' is a concomitant of kingship, as not many men at court are 'affected to the truth and to the commonwealth'. But much more is it the lot of a queen, 'as naturally the woman is the less strayer abroad than the man, and therefore can the less hear or see by herself'. The solution to this problem of counsel is a simple one. The queen must marry, for by doing so she will acquire the prince of all councillors in the person of her husband:

> What better remedy can there be than an husband, who can go abroad oftener, because he is a man, and see and hear thing truly … bring home the misreports, because he loveth the Queen, the bolder to tell it, because she loveth him; be more earnest for her

---

sentence herself: and not with words, but with deeds, shew who took the better part to the great contentation of us all"' (p. 259). It is hard to see how Elizabeth remaining single could constitute the 'deeds' that would conduce to 'great contentation', given the stress on marriage and the generation of an heir which dominates the *Dialogue*.

[35] In what follows I have identified Smith with Lovealien, the speaker who dominates the dialogue, rather than with Homefriend, for two reasons. First, their only point of divergence is whether Elizabeth should marry a foreign prince or a native Englishman. Lovealien clearly prepares the ground for Homefriend when he addresses the problem of counsel and the inadequacy of female rule. Secondly, I suspect that Smith gave Lovealien a more prominent role and what he regarded as the better lines as a *politique* move based on his belief at this time that there was more support for the queen's marriage to a foreign prince amongst the ranks of the political nation, his own marked preference for Dudley notwithstanding.

Highness's wealth and well-doing, because his honour, joy, and felicity lieth upon it; be most careful of any misdoing or misgoverning, because his destruction and danger lieth thereon? … who then can have a more affection [sic], a greater love, and earnester care, and a ferventer dearness of mind towards the Queen, than he whom she chooseth above all men, whom she preferreth to all the rest, to whom she giveth all that ever she hath, and herself also; yet, whom she maketh herself: in that by this knot they be both but one body.[36]

What of the fear that the queen's husband would take it upon himself to be king? For, as Wedspite says, with reference to the reign of Philip and Mary, '[Her husband] must needs by God's laws be her head, and where she was highest before, now she hath made one higher than herself… [I]f there should arise any dissension betwixt her Majesty and her husband … who should rule?'[37] That is not a problem for Lovealien/Smith, who sets out a model of marriage that circumvents this problem: one seemingly at some remove from Smith's own marital relations, although bearing affinities to the Erasmian conception of true Christian marriage.[38] Given their intimate interconnection and joint commitment to the welfare of the crown and the commonwealth, the willing submission of each to the other constitutes an expression of mutual love and esteem which transforms hierarchical distinction. They are equally subject(ed) – to God, not man – through the recognition of the duties to which He has called them:

> What if the Queen's Highness do willingly please and gratify him, is he by and by her superior? … I dare say her Highness will sometime do for some of her privy chamber, yea and other also which require things of her Grace; when else her Majesty had rather bestow them some other way. Will you call this subjection? I assure you that it is too precise a calling.[39]

It was a model that he was to use again in *De republica anglorum*, this time to describe the 'marriage' between the queen and her councillors which made England simultaneously, and uniquely, a monarchy and an aristocratic republic.[40]

Lovealien/Smith also calls up parliament and 'England' to speak in favour of marriage, in terms that establish a powerful Protestant equivalence between the two identities. Wedspite insinuates that those who press for the queen's marriage are disloyal, if not treasonous, because they thereby reveal their

[36] *Dialogue*, pp. 210, 213. The same point is made earlier, on p. 208.

[37] Ibid., pp. 188–9.

[38] Dewar, *Sir Thomas Smith*, p. 172. See, for example, Erasmus's 'Colloquy on marriage', in Craig R. Thompson, trans. and ed., *The colloquies of Erasmus* (Chicago, 1965), pp. 115–27.

[39] *Dialogue*, p. 209. The man's role in this 'marriage' is suggested in Lovealien's peroration: 'The Italians have a proverb, *La faccia d'huomo faccia de leone* "The face of a man is the face of a lion": meaning that the presence of a man himself to whom the thing doth appertain, to terror, to diligence, to setting forward of that which is intended, doth surmount and pass all other things' (p. 218).

[40] Smith, *De republica anglorum*, ed. Dewar, pp. 58–9, and see below (hereafter *DRA* when referring to this edition).

conviction that, as a woman, the queen is 'insufficient to rule her realm', and specifically to preserve its Protestant identity. Lovealien/Smith evades this charge; an evasion which, it must be said, implicitly affirms Smith's own conviction of that incapacity. In the last parliament, Lovealien argues, 'the greatest, wisest, sagest, gravest, best learned, and expert men' in the 'affairs of the realm, and maintaining of the commonwealth' – including Wedspite himself – *all* with one voice urged marriage upon the queen:

> What lack we? say you: marry, even that which you know yourself; for you were present, and a goer with them yourself; the whole parliament lacked you know what well enough. What was their suit to her Majesty, I pray you? what required they by the mouth of our Speaker? [Did they not move] ... her Majesty, to have compassion upon her poor realm, and to think upon marriage, wherein we might see some speedy hope of succession from her Highness.[41]

Called up by Lovealien/Smith immediately after this reference to the common voice, 'England' speaks even more directly – the prerogative, perhaps, of the nation personified as sanctified female and a mother – to urge marriage on the queen as her duty, to God, to her forebears and to her people. She must secure Protestantism by producing a male heir to the throne:

> Did not I bring thee up, O Queen? Did not I nourish thee? Hath not God in thy youth saved thee from so many dangers, from prison, from punishment, from death, because thou mightest ... once again bring in the light of the Gospel, and cast off the Romish yoke ...? ... Now I am sure', would England say, 'thou woudest wish with all thy heart, for the love that I know thou dost bear me, thy country, not to leave after thee a child to govern me, but either a man of perfect age, or at the least a young man very near such time as Princes should take the government themselves.'[42]

II

I now want to turn to the immediate polemical context of 1564–5 – the period when Smith was composing *De republica anglorum* – to investigate an exchange concerning kingship and Protestant reformation conducted by Walter Haddon and the Portuguese bishop of Silva, Osorio da Fonseca.[43] Both men enjoyed great esteem in their lifetimes as formidable spokesmen for Protestantism and Catholicism, respectively, in the European controversy over religious reformation which raged throughout the sixteenth century. In 1563 Osorio published an epistle in Latin, addressed to Queen Elizabeth (although clearly intended to reach a wider audience), which urged her to return England to Catholicism. The English government responded by commissioning Haddon to prepare a confutation, which he did in the same year. As was increasingly

[41] *Dialogue*, p. 214.

[42] Ibid., pp. 217–18.

[43] For biographical information on Haddon see the *Dictionary of national biography*, VIII, pp. 872–5. John Strype deemed him to be one of the 'great and eminent lights of the reformation in Cambridge under King Edward' – an accolade which he also awarded to Smith. *The life and acts of Matthew Parker* (3 vols., Oxford, 1821), II, p. 365.

common with religious polemic of the time, these two tracts soon after appeared in both French and English; in English as *A pearl for a prince* and *A sight of the Portugall pearle* respectively.[44] In France, Sir Thomas Smith acted as amanuensis for both Haddon and the English government. He edited the vernacular version of Haddon's book – for which he received Haddon's effusive thanks – and, in his role as ambassador, he argued for its official publication in both French and Latin.[45] Smith must have been preparing Haddon's book for publication while he put the finishing touches on his own manuscript; it was to Haddon that he wrote at this time about *De republica anglorum*, in terms that suggest a common endeavour: 'You will see yourself certainly, as I think, when you have read it over, that I was not carelessly conversant in our country's commonwealth'.[46]

Osorio's text explored fault lines in Elizabeth's exercise of monarchical authority and the resulting religious settlement that were to dominate political life for the remainder of the reign, just as attempts to paper them over in various ways dominated apologetical discourse of the 1560s. I want to focus on three elements of Osorio's argument that, read in conjunction with Haddon's response, shed light on the contours of the English commonwealth which Smith advanced in *De republica anglorum*: his valuation of kingly authority; his definition of 'the people' as ambiguously men committed to Protestant reformation and the anarchic *populus*; and his appeal to the queen, as a female ruler in bondage to male heretics, to act the part of a king by returning England to Rome.

Osorio's *Epistle* asserts the absolute incompatibility of monarchical authority and Protestant reformation; an incompatibility especially manifest in England because there monarchy is represented by the person of a queen. He addresses Elizabeth as a ruler on the defensive, beset by the 'crafty Councel' of men who bully her to enact their own 'singular opinions'.[47] Yet the kingly office is God-ordained, and Osorio asserts that kings are themselves, and by God's special providence, God-like: they are 'indued with godly perfection' and 'worthy to be reverenced as certain gods among men'.[48] Through their virtue and virility kings are able to effect the miracle of embodying their subjects, themselves disposed by nature, through God's creation, to submit to monarchical authority (I have stressed the gender-specific language):

> I am wont many times to marvel with myself at the providence of God in appointing kings, that to a multitude of people almost innumerable, made of so sundry natures … he hath given such a mind, that it will have an eye chiefly to one, that it will be kept in awe at the commandment of one, that it will suffer itself as it were to be tied short with the laws and proceedings of one … For all kings of their own part, are the vicars of God his

[44] Jeronimo Osorio da Fonseca, *An epistle to Elizabeth, queen of England*, trans. Richard Shacklock as *A pearl for a prince* (Antwerp, 1565), *STC* 18887 (hereafter *Epistle*). Abraham Hartwell, trans., *A sight of the Portugall pearle, that is, the answer of D. Haddon … against the epistle of Hieronimus Osorius a Portugall, entitled a pearl for a prince* (London, 1565), *STC* 12598 (hereafter *Portugall pearle*). [45] Strype, *The Life of Sir Thomas Smith*, p. 78. [46] Ibid., p. 89.
[47] *Epistle*, fos. Diiii. v–r. [48] Ibid., fos. Avii.r, Aviii.v.

authority, for it is as it were the office and room of a God, that one *man*, among all the rest, should so far excel, that all with one agreement of mind, should yield themselves to be led, and defended of him, and that they should believe, that the strongest bulwarks of their life, welfare and worship, do rest in his wisdom, *manhood*, and honesty.[49]

In England, however, God's providence has been thwarted by a process of religious reformation that has 'set the common weal [simultaneously England and Christendom] out of order'.[50] England therefore serves as a test case for the 'new learning' and its social and political consequences. Osorio contrasts the old order with the new, with specific reference to the role in the body politic of the lesser magistrates whom he sees as primarily affected (and infected) by the 'new learning':

[In the old days] they, seeing they were all of one mind, for so much as they were the disciples of one master, that is to say, of the holy ghost, so that one could not jar from another, did knot men together with the sure bond of peace, and did fasten the good wills of all men, with the glue of mutual love and friendship … In old time none of those, which I have spoken of, did … shake the sword against his countrymen, none did take counsel to destroy their princes, none did behave himself wantonly or undiscretely upon his ale bench.

The result was an ordered common weal (again Christendom as well as individual kingdoms), in which 'servants did serve their masters with great trustiness: soldiers in battle for the safeguard of the common wealth, did fight manfully'.[51] Has the new order achieved a commensurate state, let alone the more godly one for which reformers ostensibly thirsted? According to Osorio this, the only outcome that might mitigate the taint of England's apostasy, has not occurred:

For if, since this new learning was brought into England, there was also brought in with it shamefastness, honesty, and upright living … were brought to light … if agreement and lovable unity, was more assuredly planted in subjects' hearts one towards another, if men be made more ready to practice merciful and charitable works … finally if a new light be strung out, if a new beauty of godly virtues never seen before doth glisten in men's eyes, then they which have followed [reformers'] whistle, seem not worthy so much to be blamed.[52]

These proponents of reformation are, however, blameworthy. They have sought licence rather than sanctity. They have made common cause with the 'unbridled people' in an unholy attempt to dispense with kings altogether; with the implication that they feel the time is right, when a queen and not a king is on the throne. 'These men' – the same ones who oppress the queen with their 'mad moods' and singular opinions – are 'people pleasers'. Like the *populus*, they are 'led with an inordinate desire of liberty [and] wish in their hearts that kings were at the devil, that they without controlment might live as they list'. Both groups 'covet to be set free from law and order, that they might

[49] Ibid., fos. Biii.r–Biiii.v. [50] Ibid., fo. Hii.v. [51] Ibid., fos. H.v–H.r; Hii.v.
[52] Ibid., fos. Hvii.v–r.

be bond slaves to their own will and naughty affections'. The anarchy which results from their misalliance 'is altogether to the people's taste', for this is a *populus* which is at all times and in all places prone to 'folly and madness', seeking 'trouble and disturbance' and 'desir[ing] to have heaven and earth mixed together'. Osorio thus assimilates elite men committed to Protestant reformation to the turbulent and unruly *populus* as 'the people', a fusion which enables him to announce that true kings act in opposition to the will of their subjects: 'The office of a king and the will of the people be contrary.'[53]

Finally, Osorio turns his attention to the queen, whom he describes as opposing the will of the people in the best kingly fashion – albeit, to date, unable to command:[54]

> I underst[and] that the spoil of religion, which is committed in your realm, is not to be imputed to you, but to many men which … go about to pull asunder the fences and enclosures of all law and religion, and that it is no God a mercy to them, but long of your gracious goodness, that any spark of Christian religion doth remain.[55]

And, at the beginning and end of his epistle he reflects on female rule in terms which suggest that her exceptional position as a queen will enable her to restore true religion, a feat that will give her the God-like kingly identity he has described and hence executive competence. *Sui generis* in the kingly office, she need not rely on the advice of her councillors. Indeed his plea is that she will not. Her weakness as a female ruler – her position outside the social structure and lacking a corporate identity – can be turned to her advantage as she becomes God's sole agent in the task of restoration:

> If so be notable men, when they give themselves wholly to preserve the common wealth, and do uprightly, wisely and discretely rule their kingdom, be much marvelled at, surely when a woman shall do the like she shall give men greater occasion to marvel … What can sooner astonish a man, than to see the tender and dainty nature of a woman to be trimmed and decked with so many virtues, that she is able to uphold the burden of the whole realm, and to behave herself in that office with great commendation, which is scantly brought to pass with the advice, prowess, fidelity and authority of many excellent men?[56]

He concludes with a reading of Elizabeth's monarchical identity in which her success in reordering her realm will confirm her exclusive ability to enact God's will: 'For although you alone, should take in hand such a great enterprise, to reclaim England to the ancient faith, what were not you able to bring to pass, having God before you, at your back, and on each side of you?'[57]

[53] Ibid., fos. Diii.r; Dv.r–Dvii.r.

[54] For this distinction see J. H. Burns, '*Regimen medium*: executive power in early-modern political thought' (unpublished paper), esp. pp. 2–4.

[55] *Epistle*, fo. Diii.r.

[56] Ibid., fo. Aviii.r. He emphasizes the antithesis between Elizabeth and her councillors in the next sentence: 'Wherefore … if you will so order the common wealth, that you will not swerve from the virtue of your ancestors, who only embraced godliness, you shall go far beyond them in greatness of renown, as it is a greater matter for a young woman to rule a realm wisely and stoutly, than for men which are strengthened with ripe years and experience' (fos. Aviii.r–B.v).

[57] Ibid., fos. Kiii.r–Kiv.v.

Haddon responded by arguing a case that was to be characteristic of Protestant apologetic and which alerts us to the subtext of Smith's *De republica anglorum*. He defines England as a mixed monarchy governed by (male) common consent: a condition which attests to its status as godly and which has continued 'saving one six years' tempestuous rage', since Henry VIII's break with Rome. Osorio wrongly 'father[s] upon the multitude and common people the ratifying of our religion…, and feign[s] the exclusion of the royal estate from affairs of the Church'. Instead, 'With us it is an unfallible custom, that no law come forth whereunto the whole common wealth shall stand bound, but the people first give their voices thereunto, secondly, as well the temporal nobility as the clergy do subscribe, and last of all the prince confirmeth it.'[58] God's revealed will is directly enacted by parliament. Again the emphasis is on common consent:

> We have an order of common prayer collected out of Scriptures, by Parliament (for so we term the consent of the three estates of our Realm) authorised, from the which we suffer no man to wander, forcing (with all diligence) two points, first the holy ghost to be obeyed, warning that whosoever open his mouth in the congregation, speak the word of God, secondly that in all things be found a unity without discord.[59]

He also appeals to the imminence of the last days at points where it seems the charge of innovation is unanswerable, and particularly to refute Osario's aspersions on committed reformers and their role in the body politic. Rather than licentious 'people pleasers', these godly men are the true successors to the early Church fathers. Their influence will secure England's elect status (the conditional tense is suggestive), through edification of 'the people' inclusively defined: the body of the realm:

> Now at length… I have espied your adversaries, whom you must needs have pruned off, and cast on the dunghill, as the very poison of a common wealth. Methinks, on the contrary side, that these preachers of the gospel [who go 'into all coasts [sic] of the realm… to edify the people'] are the servants of the highest God, sent even of God himself, to quicken our sloth in these slippery times and latter cast of the world… And therefore such men ought to be searched out of the prince, and had in estimation throughout the commonwealth.[60]

And he advances (in a rather attenuated form) the view of Elizabeth as personally committed to the reformed religion and hence sustained both by common consent and God's providence in her role as Protestant princess: She has 'led all her life' in the 'heavenly doctrine', and the reward for so doing has been that 'God hath given her a blissful and peaceable reign of five years, which was by consent of all estates published'.[61]

[58] *Portugall pearle*, fols. Aiii. v–r. [59] Ibid., fos. C.r–Cii.v. [60] Ibid., fos. Bi.v–Biii.v.
[61] Ibid., fos. Fiii. v–r.

III

Focusing on Smith's actions and writings in the years from 1548 to 1565 thus reveals a man who, in Edward VI's reign as in Elizabeth's, sought to preserve England's Protestant identity in circumstances in which monarchical incapacity – in the person of a minor king, then a queen – seemed to present a threat as dangerous as that posed by international Catholicism itself. Far from being a sceptical rationalist – a Montaigne *avant la lettre* – he inhabited the same cultural terrain as other *engagé* Protestants: Somerset, Thomas Cranmer, and William Latimer in Edward VI's reign; in Elizabeth's Matthew Parker, Sir Francis Walsingham – his *compère* in the *Dialogue* – and Walter Haddon.[62] When he told Haddon that he wrote *De republica anglorum* because of the yearning for 'our commonwealth' which his absence at the French court engendered, this evidence suggests that the yearning was as much anticipatory as actual; his agenda, like that of other apologists in Elizabeth's reign, to proselytize for a 'mixed monarchy' in which common consent constrained the person of the queen in defence of Protestantism. I now want to analyse *De republica anglorum* from this perspective, focusing on the same three related elements that structured the Osorio–Haddon exchange: first, the social composition of the body politic (the definition of 'the people'); secondly, the role Smith attributes to women, including the queen; and finally, his definition of sovereignty, or imperial majesty.

It is an interesting fact that slightly more than the first third of a book devoted to describing one specific commonwealth consists of a general discussion of commonwealths. In this discussion, as Stephen Collins has noted, Smith emphasizes the wilful and articulated nature of the commonwealth, and the important part 'the people' (male) play in establishing and sustaining it: 'A common wealth is called a society or common doing of a multitude of free men collected together and united by common accord and covenants among themselves, for the conservation of themselves as well in peace as in war.'[63] The Aristotelian typology which characterizes commonwealths according to their rule by the one, the few, or the many is presented as a fairly crude analytical device applied to a protean body politic, analogous to the 'fantasy' of the four elements of fire, air, water, and earth, or the four 'complexions' or humours which define men's temperaments, 'not that ye shall find the one utterly perfect without mixtion of the other, for that nature almost will not suffer'. Instead, the commonwealth 'hath the name of that which is more and overruleth always or for the most part the other' (later he says 'the common wealth is judged by that which is most ordinarily and commonly done through the whole realm'). What matters is that the form of government be 'according to the nature of the people, so the commonwealth is to it fit and proper'.[64]

[62] Strype, *Life of Sir Thomas Smith*, pp. 60–4.

[63] Collins, *From divine cosmos to sovereign state*, pp. 72–5; *DRA*, p. 57.

[64] *DRA*, pp. 52, 135, 62. It is at this point that Smith introduces the only chapter of the first sixteen that deals specifically with England, 'Of the name king and the administration of

What then is the nature of 'the people'? In answering this all important question Smith tries to depict England as a society in which, in Osorio's words, 'a new light be strung out… a new beauty of godly virtues never seen before doth glisten in men's eyes', and this entails radically challenging existing social categories. I want to examine Smith's revaluation of three: bondmen, justices of the peace, and nobles.

Throughout his treatise Smith characterizes the *respublica anglorum* as potentially socially inclusive, reflecting the Reformation conviction that the light of the Gospel would create 'new men' throughout all ranks of society. Like William Harrison, whose material on the 'Degrees of People in the Commonwealth of England' Smith included in his discussion, he presents social mobility as a laudable product of England's increasing 'wealth' – of Christian virtue as well as of material prosperity.[65] This increasing stock of virtue has transformed the social order by freeing the class of men who, because of their status as bondmen, had previously stood outside the 'mutual society' of the commonwealth. Nowadays 'so few [bondmen] there be, that it is not almost worth the speaking', as men have recognized their Christian obligations:[66]

> howbeit since our Realm hath received the Christian religion which maketh us all in Christ brethren, and in respect of God and Christ *conservos*, men began to have conscience to hold in captivity and such extreme bondage him whom he must acknowledge to be his brother, and we use to term even Christian, that is, who looketh in Christ and by Christ to have equal portion with men in the Gospel and salvation.[67]

I take *conservos* to mean that in the Christian dispensation, and especially in the godly nation, all men are equally servants (or subjects) of God and Christ, and find a powerful collective identity in that relationship; an obvious counter to Osorio's claim that the old dispensation 'did knit men together with the sure bond of peace, and did fasten the good wills of all men, with the glue of mutual love and friendship'.[68]

England'. Here he states that England is and has always been a monarchy. But he describes this as a 'general' authority – which I take to mean 'the name of that which… overruleth always or for the most part the other' – in a chapter patently introduced to insist on a 'time out of mind' pedigree for the imperial crown (p. 56).

[65] Dewar, *Sir Thomas Smith*, p. 114. For Harrison, see G. J. R. Parry, *A Protestant vision: William Harrison and the reformation of Elizabethan England* (Cambridge, 1987), and Annabel Patterson, *Reading Holinshed's* Chronicles (Chicago, 1994).

[66] *DRA*, p. 136. In the introduction to his edition of *De republica anglorum* (Cambridge, 1906) Leonard Alston suggests that Smith is demonstrably wrong on this point and attributes his fabrication to his 'patriotic bias' (p. xxxix). Smith gives a more conventional account of the role of bondmen in Book 1, Chapter 10, pp. 57–8.

[67] *DRA*, p. 136.

[68] Tommaso Campanella put forward a more radical articulation (and logical extension) of the same idea in his *Political questions*, begun in 1599 but not published until 1637, using St Paul's authority to argue that *all* – men and women – are *concives* in the Christian commonwealth; see Headley, 'On reconstructing the citizenry', pp. 35–6. The problem to which they are responding, in their different ways, was set out by Jean Bodin in 1566: '[T]hose who are engaged in the

The plenitude of virtue also explains both the status and the growth in numbers of justices of the peace. Although chosen by the prince they in effect claim the office as their due through their political capacity, acquired 'either by increase of riches, learning, or activity and policy and government', in a bottom-up model of political engagement. According to Smith this explains why the number of JPs in each shire has increased by a factor of ten – 'So many more being found, which have either will or power, both to manage and handle the affairs of the common wealth.'[69] In these days, and in this spiritualized context, relations between high and low have been transformed, as virtue and obedience have replaced earlier bonds of subjection and servitude. '[M]ore civil and gentle means and more equal' have been found to allow for the maintenance of order, in a process in which 'just men' – symbolized by but not restricted to JPs – play a leading role.

Smith proposes a novel, but logically related, definition of the nobility; one that resonates with, if it does not draw on, Laurence Humphrey's 1563 work, *Of nobility*.[70] Composed of 'higher and lower' branches, it includes not only dukes, marquises, and barons but also knights, esquires, gentlemen, and 'such as be learned in the laws', such as justices of the peace. This extensive definition allows Smith to consider the failure of noble stock with surprising equanimity, for in Smith's England (as in William Harrison's) gentlemen can be made 'good cheap' through the consensual recognition of virtue on the part of the commonwealth and the prince:

> But as other common wealths were fain to do, so must all princes necessarily follow, where virtue is to honour it: and as virtue of ancient race is easier to be obtained, for the example of the progenitors, for the ability to give to their race better education and bringing up for the enraced love of tenants and neighbours to such noblemen and gentlemen, of whom they hold and by whom they do dwell. So if all this do fail (which it is great pity it should) … the prince and common wealth have the same power that their predecessors had, and as the husbandman hath to plant a new tree where the old faileth, to honour virtue where he doth find it, to make gentlemen, esquires, knights, barons, earls, marquises, and dukes, where he seeth virtue able to hear that honour or merits, to deserve it …[71]

The equation of rank with virtue is noteworthy, characteristic of Protestant apologetic, and far removed from the conventional interpretation of him as both describing and celebrating a static and intensely hierarchical social order.

At other points there is detectable tension in Smith's attempt to define 'the people' of the godly nation. His contradictory discussion of the extent to which

---

administration of public affairs must be warned that the abolition of ancient slavery from the state, and in recent years the new religions … have produced unbelievable opportunities for revolts unknown to the ancients.' *Method for the easy comprehension of history*, trans. Beatrice Reynolds (Columbia, NY, 1945), p. 221. *Epistle*, fo. H.v.

[69] *DRA*, pp. 103–4.

[70] See, for example, Laurence Humphrey, *The nobles or of nobility: the original, nature, duties, rights and Christian institutions thereof* (London, 1563), *STC* 13964.

[71] *DRA*, p. 71.

all men are included in the body politic (as we shall see he specifically excludes women) indicates that his reading is confused in a way characteristic of apologetical discourse of the 1560s.[72] For example, looking in the direction of the Roman republics to describe 'the fourth sort of men which do not rule' (Book I. 24), Smith identifies a class equivalent to the 'Roman *capite censii proletarii* or *operae*, day labourers, poor husbandmen, yea merchants or retailers which have no free land, copyholders, all artificers as tailors, shoemakers, carpenters, brickmakers, bricklayers, masons, &c.' These men 'have no voice nor authority in our common wealth, and no account is made of them but only to be ruled, not to rule others'. But he then promptly contradicts himself, describing them as capable of holding offices even including that of constable – which, as he notes elsewhere, carries authority analogous to that which justices of the peace themselves currently hold:

> yet [these men] be not altogether neglected. For in cities and corporate towns for default of yeomen, they are faine to make their inquests of such manner of people. And in villages they be commonly made Churchwardens, alecunners, and many times Constables, which office toucheth more the common wealth, and at the first was not employed upon such low and base persons.[73]

Elsewhere he seems to think of this fourth sort as incorporated with the yeomanry – themselves an honourable estate – and therefore represented through them. This reading allows him to see such men as not participating directly in the political affairs of the realm, yet contributing to a political association – parliament – that embodies 'the most high and absolute power of the realm' because it draws on the virtue of the nation, the 'common doing' of godly Englishmen:[74] 'For every Englishman is intended to be there present, either in person or by procuration and attorneys, of what pre-eminence, state, dignity, or quality soever he be, from the Prince (be he king or queen) to the lowest person of England. And the consent of the Parliament is taken to be every man's consent.'[75] In describing relations between high and low in this godly commonwealth Smith clearly assumes that deference will operate. The *populus*, as commonalty, will display their capacity for political virtue by recognizing magistrates' commitment to the common weal and voluntarily remaining in obedience to the laws by which it is expressed and maintained. In terms of

[72] For the regime's appeal to 'the nation' – and the recognition that the rhetoric became increasingly specious over the reign – see Patrick Collinson, *The birthpangs of Protestant England: religion and cultural change in the sixteenth and seventeenth centuries* (London, 1977), pp. 25–7.

[73] *DRA*, pp. 76–7, 110. Patrick Collinson notices this inconsistency but ascribes it to Smith's snobbishness. *De republica anglorum*: or, history with the politics put back (Cambridge, 1990), p. 34.

[74] I take issue with John Guy's view that Smith made parliament 'virtually an expression of the royal prerogative' ('The rhetoric of counsel in early modern England', in Dale Hoak, ed., *Tudor political culture* (Cambridge, 1995), p. 303). Instead, see Brian Levack's 'The civil law, theories of absolutism, and political conflict in late sixteenth- and early seventeenth-century England', Gordon J. Schochet, ed., *Law, literature and the settlement of regimes* (Washington, DC, 1990), pp. 35–6, for the view that Smith might have been attempting to theorize parliament as sovereign.

[75] *DRA*, p. 79. I read 'person' as man.

relations among elite males, however, he proposes an egalitarian model of political association, predicated on their status as *conservos*: equal as brothers in Christ. This is apparent in Book II, Ch. 19, when he describes how prince, councillors, and justices of the peace combine to reform the will of the 'popular'. (Here he shifts gears again, to read the *populus* in more conventional terms as threatening civil order.)

> And commonly every year, or each second year in the beginning of summer or afterwards, (for in the warm time the people for the most part be more unruly) even in the most calm time of peace, the prince with his council chooseth out certain articles out of penal laws already made for to repress the pride and evil rule of the popular, and sendeth them down to the justices, willing them to look upon those points, and after they have met together and consulted among themselves, show to order that matter most wisely and circumspectly, whereby the people might be kept in good order and obedience after the law, to divide themselves by three or four: and so each in his quarter to take order for the execution of the said articles. And then within a certain space to meet again and certify the Prince or his privy council how they do find the shire in rule and order touching those points and all other disorders.

So far, so conventional: the prince gives life to the laws through consultation with his councillors and delegation to the lesser magistrates in the localities, who represent the princely authority in their office. At one level Smith clearly sees the exercise in this light. One reason for its efficacy is that the people 'see the chief amongst them … to have this special charge' from the prince. But it is interesting that the laws are those that have already been made, presumably by common consent, in parliament: it is a 'new furbishing of the good laws of the realm' that the prince and his *synarchoi* are engaged in. The clear implication is that the 'just men' – now an association of prince, councillors, and justices – decide which those are with reference to the common weal. And justices, as Smith has informed us, represent a fluid social category composed of men who hold office because of their personal virtue as much as because it is the king's will. In effect the 'just men' so defined are declaring the common law in a consensual and collective activity which Smith sees as uniquely English, necessary to the maintenance of the commonwealth, and always threatened by the tyrannical (or *politique*) proclivities of the prince (by this point in the discussion 'king or queen').[76]

This discussion should be paired with Smith's earlier chapter (Book I. 7) contrasting a king with a tyrant, where the king's share in lawmaking is to provide equity to fulfil the common law, and where common consent also has a substantial role to play in the legitimation of the monarch. And here, as we might expect, the *populus* again signifies a virtuous collective assembly whose preservation justifies the role of king:

> Where one person beareth the rule they define a king, who by succession or election commeth with the good will of the people to that government, and doth administer the

[76] Ibid., pp. 106–7.

common wealth by the laws of the same and equity, and doth seek the profit of the people as much as his own. A tyrant they name him, who by force commeth to the monarchy against the will of the people, breaketh laws already made at his pleasure, maketh other without the advice of the people, and regardeth not the wealth of his people but the advancement of himself, his faction, and kindred … Some men do judge the same of the kings of France … because that they make and abrogate laws and edicts, lay on tributes and impositions of their own will or by their private council and advice of their friends and favourers only, without the consent of the people. The people I do call that which the word *populus* doth signify, the whole body and the three estates of the common wealth: and they blame Louis XI for the bringing the administration royal of France, from the lawful and regulate reign, to this absolute and tyrannical power and government. He himself was wont to glory and say, he had brought the crown of France *hors de page*, as one would say out of wardship.[77]

The reference to Louis XI is telling. Adrianna Bakos has described how, in the second half of the sixteenth century, this monarch occupied a unique position in French political discourse, not only as an illustrative example of the inherent flaws of monarchical government but also, in his own person, as the 'diabolical perverter of the French constitution'. Reference to him as king *hors de page*, beyond constraint – precisely the terms that Smith employs – feature prominently in tracts written by Huguenot resistance theorists such as François Hotman and Theodore Beza during the 1560s and 1570s.[78]

Smith therefore describes his *respublica anglorum* as a Christian commonwealth in which 'virtue', hence some kind of civic capacity, is potentially accessible to all men (but not women), albeit differentially distributed roughly according to social standing; more precisely in line with the social standing of men of true zeal and Protestant conviction. It is a realm in which order and degree emanate from the collective will of all men: 'the people', who compose the 'whole body and the three estates of the common wealth', interpreted and enacted by 'just men' throughout the country.[79] His inability to attribute a stable identity to the *populus* is, I think, evidence of the difficulties inherent in the task he is engaged in, of discovering a godly nation potent enough to secure England's imperial crown against the threat to its existence posed by a queen.

What, then, of women, and more specifically the queen? Smith emphasized the consensual and collective aspects of governance in part as a means of guarding against the tyrannical potential of a female ruler; the threat which Osorio so astutely highlighted in his address to Elizabeth. In a work so intent on *describing* how 'England standeth and is governed at this day the 28 of March *Anno* 1565 in the 7th year of the reign and administration thereof by the most virtuous and noble Queen Elizabeth, daughter to King Henry the eighth' it is striking how little direct reference there is to queenship. Indeed, as Leonard Alston noticed, when Smith first comes to use the word 'monarch' in definite

[77] Ibid., pp. 53–4.

[78] Adrianna Bakos, *Images of kingship in early modern France: Louis XI in political thought, 1560–1789* (London and New York, 1997), pp. 27–38.

[79] See, for example, the discussion in *DRA*, pp. 49–52.

relationship to the king or queen of England, in Book II. 3, 'he finds it necessary to draw attention to fact he is doing so, as if this were in some degree a debatable point'.[80]

If we have to wait until this point in the text to find a definite reference to queenship in England, however, the ground for reading a female monarch as 'prince' – 'the head, life and governor of this common wealth' – has already been well prepared in Book I, in the course of his general discussion of commonwealths. The consideration of female rule in this first section, when his focus is on the historical origins of the commonwealth and before he turns his attention to England, allows him to outline the terms upon which a female ruler can be accommodated within the English polity which he describes.

In Book I Smith is quite categorical that women, like bondmen, can play no public role in the commonwealth. In terms of civic capacity,

> [only] freemen be considered … as subjects and citizens of the commonwealth, not bondmen who can bear no rule or jurisdiction over freemen, as they who be taken but as instruments and of the good and possessions of others. And in this consideration also we do reject women, as those whom nature hath made to keep home and to nourish their family and children, and not to meddle with matters abroad, nor to bear office in a city or common wealth no more than children and infants.[81]

It is all the more striking, given his attention to bondmen freed by the incursion of grace into the English commonwealth, that he makes no analogous move with regard to female rule in Book II. In this he differs from other apologists (most famously John Foxe), who advance Elizabeth's status as 'Deborah' – a providential ruler – as justification for her assumption of the crown.[82] Instead, Smith makes his case for the legitimacy of female rule on the basis of perpetuity, political stability, and the 'marriage' of blood to counsel:

> except in such case as the authority is annexed to the blood and progeny, as the crown, or duchy, or an earldom for there the blood is respected, not the age nor the sex. [In such cases women or children have the same authority in the role 'as they should have had if they had been men of full age'.] For the right and honour of the blood, and the quietness and surety of the realm, is more to be considered, than either the base age as yet impotent to rule, or the sex not accustomed (otherwise) to intermeddle with public affairs, being by common intendment understood, that such personages never do lack the counsel of such grave and discreet men as be able to supply all other defaults.[83]

Unlike other apologists – John Aylmer, for example, in his *Harborowe for faithfull and trewe subjects* – Smith does not advance St Paul's ruling that women can 'govern men in the house' as justification for their capacity for autonomous rule when their rule is manifestly ordained by God.[84] He ignores the possibility of such autonomous capacity, just as he ignores the idea of a direct providential

[80] Smith, *De republica anglorum*, ed. Alston, pp. xxiii–xxiv.
[81] *DRA*, pp. 64–5.
[82] Haller, *Foxe's book of martyrs*; Helen Hackett, *Virgin mother, maiden queen: Elizabeth I and the cult of the virgin Mary* (London, 1995).
[83] *DRA*, pp. 64–5.
[84] John Aylmer, *An harborowe for faithfull and trewe subjects, agaynst the late blowne blaste, concerninge the government of wemen* (Strasbourg, 1559), *STC* 1004, fo. C2[4].

sanction. Instead he proposes marriage as a God-ordained model of office-holding in which male and female conjointly exercise rule, metaphorically describing the relationship between queen and counsel that will make of the unmarried queen a 'prince'.

> So in the house and family is the first and most natural (but a private) appearance of one of the best kinds of a common wealth, that is called *Aristocratia* where a few and the best doth govern, and where not one always: but sometime and in some thing one, and sometime and in some thing another doth bear the rule. Which to maintain for his part God hath given to the man greater wit, bigger strength, and more courage to compel the woman to obey by reason or force, and to the woman beauty, fair countenance, and sweet words to make the man to obey her again for love. Thus each obeyeth and commandeth other, and they two together rule the house… The house I call here the man, the woman, their children, their servants bond and free, their cattle, their household stuff, and all other things, which are reckoned in their possession, so long as these remain together in one.[85]

This conception of marriage, applied to the Elizabethan monarchy of counsel, powerfully rebuts Osorio's point that, *sui generis* in her kingly office, Elizabeth can (indeed ought to) resist her councillors in order to enact the part of a king. It also constitutes, it would appear, Smith's fallback position from his preferred option of the queen's marriage to a godly prince, so fervently advanced in *Dialogue concerning the queen's marriage*. In the Erasmian vision of the household and family Smith found a political model which incorporated women's capacities, if it denied them political virtue, and preserved hierarchy and degree. And for Smith the queen married to, hence incorporated with, her councillors in this way is the necessary precondition for the *respublica anglorum* – the common doing of godly Englishmen – that he goes on to describe in Books II and III.

In Smith's commonwealth, then, male consensus was the order of the day at all social levels, meaning that counsel spoke with one voice to articulate the 'common weal' to the queen. And in the monarchical element of this *respublica* the 'prince' is a king, unless specifically counterindicated. When it is counterindicated we can generally substitute 'crown' – an office in the commonwealth – for 'king or queen', to see how Smith understood the continuity of regal majesty in a mixed monarchy headed by a queen. The evidence suggests that Smith, like François Hotman – like the Smith who fought with Bonner in Edward VI's reign – wanted to identify 'majesty', or sovereignty, as a quality divorceable from the person of the prince.[86] Instead he

[85] *DRA*, p. 59. For the relationships between the 'natural' and 'politic' bodies in the terrain of marriage see the whole chapter, pp. 58–9.

[86] For Hotman see Donald Kelley, *François Hotman: a revolutionary's ordeal* (Princeton, NJ, 1973), and François Hotman, *Francogallia*, ed. Ralph F. Giesey, trans. J. H. M. Salmon (Cambridge, 1972). Alston was astute to conclude on the basis of his reading of *De republica anglorum* that Smith's affinity lay with Hotman, not (the more usual assertion) with Bodin. He concludes, rightly, that 'Smith would have found [much] to approve in the *Francogallia* (Smith, *De republica anglorum*, ed. Alston, p. xlii).

depicts it as inherent in the body politic: a capacity which can, *pars pro toto*, be represented by parliament, by the prince, or by the judicial manifestation of the Privy Council, the Star Chamber.

The Star Chamber, for example, he describes as being unique, its like not to be found in any other country. Composed of the lord chancellor, lords and other members of the Privy Council, other lords and barons and the judges of England, it is peculiarly well equipped to deal with 'riot – an occupational disease of the great men of the country. If the riot is proved, the accused.

> must appear in this star chamber, where seeing (except the presence of the prince only) as it were the majesty of the whole realm before him, being never so stout, he will be abashed: and being called to answer (as he must come of what degree soever he be) he shall be so charged with such gravity, with such reason and remonstrance, and of those chief personages of England, one after another handling him on that sort, that what courage soever he hath, his heart will fall to the ground.[87]

He also made the court of Star Chamber more broadly representative of the nobility than it had actually become, suggesting that it was composed of 'as many as will' of the Privy Council as well as other lords and barons, when he must have known that its restricted membership had been contested by the earl of Hertford as recently as 1563.[88] And this of course was an issue of political moment, when Privy Councillors were unrepresentative of the old nobility, in terms of their social status and religious identity.

Similarly his description of the 'marvellous good order' which prevails in the House of Commons gives us an egalitarian assembly in which collective reason is exhibited through a 'perpetual oration'. In this idealized location the Speaker symbolizes parliament itself; he is 'as it were the mouth of them all', in an assembly so virtuous that degree has been forsworn.[89] He deliberately glosses over the relationship of the Speaker to the crown – another explicitly political issue – intimating that the best-qualified candidate assumes the role in a mystical process which 'the prince's will' contributes to but does not cause. MPs 'are willed [presumably by Privy Councillors] to choose an able and discreet man to be as it were the mouth of them all, and to speak for and in the name of them, and to present him so chosen by them to the prince…'.[90] (By 1589, in contrast, the third edition of *De republica* – published twelve years after Smith's death, although still as if written and amended by him alone – asserted that the Speaker is 'appointed by the King or Queen, though accepted by the assent of the House'.[91])

Finally, it is significant that his chapter on parliament, represented as the 'most high and absolute power of the realm of England' because it denotes the common consent of the nation, is the point at which the 'prince' is explicitly

[87] *DRA*, p. 126.
[88] John Guy, 'The Privy Council: revolution or evolution?', in Christopher Coleman and David Starkey, eds., *Revolution reassessed: revisions in the history of Tudor government and administration* (Oxford, 1986), pp. 81–2.
[89] *DRA*, p. 82.
[90] Ibid., p. 80.
[91] Smith, *De republica anglorum*, ed. Alston, p. 154.

identified as potentially a queen: 'For every Englishman is intended to be there present, either in person or by procuration and attorneys, of what pre-eminence, state, dignity, or quality soever he be, from the *Prince* (*be he King or Queen*) to the lowest person of England. And the consent of the Parliament is taken to be every man's consent'.[92] His subsequent description of monarchical authority – in Book II. 3, 'Of the monarch king or queen of England' – occurs *after* his chapters on parliament, a location which entitles us to read the prince as 'the life, the head, and the authority of all things that be done in the realm of England' insofar as he (or she) is ruling *politice*: as the mystical head of the body politic. Smith therefore refers 'majesty' to the office of the prince as representing the body politic. It is the office, not the person, to which Englishmen give their reverence. He also implies that only Englishmen can comprehend, hence attain to, this level of abstraction, with its concomitant potential for civic virtue:

> To be short the prince is the life, the head and the authority of all things that be done in the realm of England. And to no prince is done more honour and reverence than to the *king and queen of England*, no man speaketh to the prince nor serveth at the table but in adoration and kneeling, all persons of the realm be bareheaded before him: insomuch that in the chamber of presence where the cloth of estate is set, no man dare walk, yea though the prince be not there, no man dare tarry there but bareheaded. This is understood of them of the realm: for all strangers be suffered there and in all places to use the manner of their country such is the civility of our nation.[93]

IV

One final puzzle remains. If *De republica anglorum* is, as I have argued, Protestant apologetic, then how do we explain its singularly dispassionate tone? Why is his appeal to the Elect Nation one that must be read 'between the lines'? The answer, I think, lies in Smith's self-definition as emissary of that nation to the court of European opinion. In conclusion, therefore, I want to propose that Smith modelled *De republica anglorum* on a classic humanist text of the early sixteenth century, Claude de Seyssel's *The monarchy of France*, but did so with full awareness of its career in the hands of Huguenot political theorists at the time at which he was writing.[94]

Smith tells us that he wants to 'set before [our] eyes the principal points wherein [England] doth differ from the policy or government at this time used

[92] *DRA*, p. 79, my emphasis.

[93] Ibid., p. 88, my emphasis.

[94] Claude de Seyssel, *The monarchy of France*, trans. J. H. Hexter, ed. Donald R. Kelley (New Haven, 1981). It was written in 1515, published in 1519. A second edition was published in 1541 – coincidentally when Smith was in France on a project to assess different European countries' forms of civil law. The German reformer Johann Sleiden published a partial rendering in Latin in 1548, for the enlightenment of his Protestant brethren. It became extremely influential among French Huguenots – Donald Kelley signals François Hotman's *Francogallia* in particular – after the publication of the third edition in 1557. Dewar, *Sir Thomas Smith*, pp. 13–14; Kelley, 'Introduction', *The monarchy of France*, pp. 21–4.

in France, Italy, Spain, Germany and all other countries, which do follow the civil law of the Romans'.[95] On one level he obviously draws on the contemporary fame of Seyssel's book and uses Seyssel's humanist vocabulary to depict England as superior to France in her 'policy' – a key word for Seyssel. This was a project that entailed the move to historical, read as empirical, investigation which became so characteristic a feature of the sixteenth century.[96] Like Seyssel – like other humanist political commentators of the early sixteenth century – in *De republica anglorum* Smith explicitly disavowed the Platonic tradition of political thought, affirming that his treatise has nothing in common with 'feigned common wealths, such as never was nor never shall be' of such philosophers as Plato and Sir Thomas More in his *Utopia*; the project, that is, of identifying the ideally best commonwealth.[97] At the same time, however, as Seyssel's editors have recognized, his panegyric to French monarchical government implicitly advanced a programme of reform 'of quite radical constitutional implications', to ensure that the French nation measure up to the imperial potential which he described.[98] Again, this was entirely in keeping with the conventions of humanist discourse; conventions of which Smith would have been well aware. Seyssel's twofold agenda leads to what Donald Kelley identifies as the main problem with Seyssel's text – one which we similarly encounter with Smith's – that Seyssel made so little effort to distinguish between the descriptive and the prescriptive modes which he employed, 'not to speak of the apologetic arguments that informed both'.[99]

But what particular features of Seyssel's work might have attracted Smith? First, he would have found there an understanding of monarchical authority consonant with the one that he had developed over his political career, and which he theorized as the 'mixed monarchy' during Elizabeth's reign. Seyssel identified monarchy as the best form of government, but he did so in entirely pragmatic (and quite equivocal) terms.[100] He argued that French monarchical government is supreme because, regulated by the three 'bridles' of religion, justice, and policy, it blends monarchic and aristocratic elements in a uniquely sustaining compound.[101] He also asserted that it was best, in the circumstances of the present, for the maintenance of French (Christian) empire. He acknowledged, however, that at points in the past other forms of government have fulfilled that function, and even more successfully. (He instances the rule of consuls and the senate 'under the authority of the people' in the Roman empire; a move which enabled him to regard the capacity for citizenship demonstrated by the Roman *cives* as being available to modern French

[95] *DRA*, p. 144.

[96] Ralph E. Giesey, 'When and why Hotman wrote the *Francogallia*', *Bibliothèque d'humanisme et Renaissance*, 29 (1967), p. 591.

[97] *DRA*, p. 144. See Brendan Bradshaw, 'Transalpine humanism', in J. H. Burns and Mark Goldie, eds., *The Cambridge history of political thought, 1450–1700* (Cambridge, 1991), passim, and esp. pp. 99, 110, 130–1. Bradshaw's analysis is illuminating throughout and I am particularly indebted to it in this section.

[98] Kelley, 'Introduction', p. 24.

[99] Ibid., p. 19.

[100] *The monarchy of France*, pp. 38–40.

[101] Ibid., p. 58.

patriots.[102]) Finally, Smith found in Seyssel's work a description of the estates of the realm couched in terms of social rather than legal analysis. This is a 'people' – the reference to citizen might alert us – which comprise classes rather than corporate groups, and who therefore (like Smith's bondmen or justices of the peace, for example) claim social mobility 'by virtue and diligence without any assistance of grace or privilege'.[103]

Smith thus drew on Seyssel's model as a means of promoting the godly nation which he represented and to which he was committed. In the political context of the 1560s the emphasis on empirical investigation constituted a statesman-like move; one which positioned his own text and the nation it described as immune from, because superior to, contemporary ideological cut and thrust. Adopting Seyssel's model also enabled Smith to trumpet England's glory to a European audience, whilst underscoring the need for continuing reformation to an elite of godly men among the English political nation: the same dynamic which, in an attenuated form, informed Walter Haddon's response to Osorio da Fonseca.

But Smith made this move at the very moment when Seyssel's vision of France was being appropriated by French Huguenot theorists in support of their own ideologically driven constitutionalist vision of a nation of free Protestant men; a vision which Smith himself supported. This context suggests that Smith too used Seyssel's vocabulary to promote an image of a Protestant nation uniquely designed, through history and by God's grace, to survive the threat of ungodly rule – at this point potentially at hand (in England) in the form of a female ruler. Might this specific exigency explain the affinity between Smith's text and Huguenot political discourse, in particular François Hotman's *Francogallia*? Or, to put it another way, what did Smith need to forward his apologetical design that was not available in Seyssel's work?

One answer might be 'a satisfactory response to the problem of female rule'. As Ralph Giesey and J. H. M. Salmon have suggested, the 'exaggerated constitutionalism' which Hotman and other Huguenot theorists advanced actually allowed for female rule, to prove the efficacy of the Ancient Constitution which they found in the mists of French national history.[104] Hotman's Francogallia was a land where despotic government was powerfully figured as female.[105] It was also a land in which a free French people (male) cultivated, exercised, and enacted their political virtue by protecting the common weal from that most desperate of all perils confronting monarchical government at this point in the sixteenth century: tyranny exercised against the body of the realm by its legitimately constituted (female) ruler. (We need only think of Mary Stuart and Catherine de' Medici.) Hence, paradoxically, Francogallia was a land in which female rule, indirectly – possibly perversely

[102] Ibid., p. 35; Kelley, 'Introduction', pp. 10–11.

[103] *The monarchy of France*, pp. 62–3. The 'grace and privilege' to which Seyssel refers is the king's, not God's.

[104] François Hotman, *Francogallia*, Introduction, p. 71.

[105] François Hotman, *Francogallia*, passim.

– assisted in the formation of the French nation: the common weal in reformed mode. And it is worth bearing in mind that in the Reformation debate over godly governance all European parties, with this peculiar exception, rejected the possibility of women ruling for the benefit of the common weal, no matter how indirectly. Osorio, as we saw, suggested that a queen could be 'absolute' in her commitment to and enactment of God's will only if she conducted a holy war against it: 'the office of a king and the will of the people be contrary'. Seyssel identified France as superior to any other monarchy first and foremost – before his description of the famous 'bridles' which constrain the king – because the realm could not 'fall into the hands of a woman'.[106] Writing in 1566 Jean Bodin similarly celebrated the 'law of the Salians' and referred specifically to England as a example of spectacular national declension:

> the Britons, who in early days always abhorred the rule of women, recently allowed Mary and her sister to reign, whereby, of course, not only divine laws were violated, which explicitly subject women to the rule of men, but even the laws of nature itself, which gave to men the power of ruling, judging, assembling, and fighting, and kept the women away. The laws are disregarded, not only of nature, but also of all races, which never allowed women to rule.[107]

De republica anglorum was thus a product of Smith's engagement in a debate which resonated throughout Europe during the sixteenth century over 'who hath taken the righter, truer, and more commodious way to govern', in accordance with God's will and the example of classical antiquity.[108] In northern Europe the parameters of this debate were initially established during what Brendan Bradshaw calls humanism's 'epic phase': from the last decades of the fifteenth century to the late 1530s.[109] This debate was transmuted – not superseded – as it became implicated in the contest between Protestant and Catholic reformation that dominated especially the second half of the sixteenth century. And this was also the point at which debate over female rule became an important element in that contest. The two periods – the humanist and the evangelical – correspond neatly (if schematically) to the formative periods of Smith's life: the period of his intellectual formation, and the period of his involvement in national politics. In this article I have suggested that Smith himself exemplified the progression from one to the other, in his career and in his writings. That it had been effected by the point at which he wrote *De republica anglorum* is suggested by an episode that occurred during his ambassadorship to France. He had brought with him in his retinue a Catholic servant who, in 1562, he found it necessary to dismiss. He had known the man's religion when he brought him to France, but had come to realize, as he wrote to William Cecil, that only those could fully serve the queen 'who beside the love of the country be also favourers in heart of the same religion'.[110]

[106] *The monarchy of France*, p. 48. [107] Bodin, *Method*, p. 253. [108] *DRA*, p. 144.
[109] Bradshaw, 'Transalpine humanism', p. 95.
[110] Smith to Cecil, 7 Mar. 1563; quoted in Dewar, *Sir Thomas Smith*, p. 92.