1. The Absolute Dynastic State

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1. The Absolute Dynastic State

Abstract
One of the most significant developments of the early modern period was the evolution of the national state from its beginnings in the feudal monarchy of the High and Late Middle Ages. The ghost of a universal state coincident with a universal church, which had lingered to the end of the Middle Ages, was finally laid to rest with the successful disruption of Christendom and recognition of the sovereignty of the national state. In its place there was a frank acceptance of the political fragmentation of Europe along the geographical lines which were already clearly discernible, at least in western Europe, by 1500. [excerpt]

Keywords
Contemporary Civilization, European History, Absolutism, Sovereign State

Disciplines
European History | History

Comments
This is a part of Section IX: Early Modern Europe, 1500-1789. The Contemporary Civilization page lists all additional sections of Ideas and Institutions of Western Man, as well as the Table of Contents for both volumes.

More About Contemporary Civilization:

From 1947 through 1969, all first-year Gettysburg College students took a two-semester course called Contemporary Civilization. The course was developed at President Henry W.A. Hanson's request with the goal of "introducing the student to the backgrounds of contemporary social problems through the major concepts, ideals, hopes and motivations of western culture since the Middle Ages."

Gettysburg College professors from the history, philosophy, and religion departments developed a textbook for the course. The first edition, published in 1955, was called An Introduction to Contemporary Civilization and Its Problems. A second edition, retitled Ideas and Institutions of Western Man, was published in 1958 and 1960. It is this second edition that we include here. The copy we digitized is from the Gary T. Hawbaker ’66 Collection and the marginalia are his.

Authors

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One of the most significant developments of the early modern period was the evolution of the national state from its beginnings in the feudal monarchy of the High and Late Middle Ages. The ghost of a universal state coincident with a universal church, which had lingered to the end of the Middle Ages, was finally laid to rest with the successful disruption of Christendom and recognition of the sovereignty of the national state. In its place there was a frank acceptance of the political fragmentation of Europe along the geographical lines which were already clearly discernible, at least in western Europe, by 1500.

The Protestant movement helped bring to a decision the long-brewing controversy between the universal church and the
national state, with the state emerging as the ultimate victor. Particularly after the religious wars, it became evident that a united Christendom would not be restored. When it became obvious that Catholics and Protestants were not going to fight on until they had eliminated each other, and that they would have to learn to live together, some of the loyalty hitherto reserved for the church was transferred to the state. With but few exceptions, this loyalty came to rest in the person of the hereditary monarch, who alone seemed able to provide the discipline and order which the times demanded.

The term "New Monarchy" has been used to describe the type of government which was developed in the late fifteenth century by such rulers as Louis XI of France (1461-1483), Ferdinand of Spain (1479-1516), and Henry VII of England (1485-1509), and which was continued during the next century and a half by their successors. Since the patriotic feeling engendered by the use of common language and customs, or perhaps only by sharing common tribulations, did not yet focus upon an abstraction such as the state, most men made little or no distinction between the king and the state. This fact undoubtedly helped the monarch to weaken or eliminate the hold of many old competing jurisdictions within his realm, whether those of the manor, guild, or monastery. In their place the king tried to establish one law, one guardian or order, one army, one mint, and one power to tax. Success in this ambitious endeavor was long in coming and was often incomplete, but the bureaucracy which the king inherited or developed in this effort to effect his will throughout the realm was perhaps the greatest tangible achievement of the New Monarchy.

In the search for order in the early modern world, men rejected one after another of the alternatives to strong monarchy. By 1500 the parliamentary institutions which had appeared in virtually every feudal state in the Late Middle Ages were on the decline. They had never attempted to replace the monarch as the effective instrument of government, nor did they display much promise in their efforts to share power with him. The independent political power of the nobility was being eclipsed by the crown. Many noblemen perished in battle, and those who remained often were bought off with valuable privileges. Fortunate indeed was the state which was able to use the talents of the nobility to implement the policies laid down by the royal government. Finally, the vast and sprawling power of the Church no longer posed the threat to the national monarchy that it once had. In states that remained Roman Catholic, agreements with the pope gave the kings a relatively free hand over religious affairs in their realms. In states that became Protestant, the usual arrangement was the territorial church, which customarily gave the monarch an even freer hand in controlling what was still a powerful institution.

The king continued to find his strongest and most dependable support in the middle class. The liquid wealth which it possessed was an indispensable factor in maintaining royal government. The order which that government provided was such a
decided improvement upon feudal confusion that the bourgeoisie not only supported it with their loyalty and money, but also staffed it with some of their best talent. In fact, the middle class regarded royal law and order with such esteem that it was long content to acquiesce in the destruction of the many substantial limitations with which both theory and practice had hedged medieval monarchy.

The idea that political authority is sacred was of long standing. The medieval world accepted as a truism that all earthly power, whether spiritual or temporal, comes from above. Not even Marsiglio would have denied that God was the ultimate source of the political authority which he said was vested in the people. The medieval world also accepted the belief that all political power, by whomsoever exercised, was limited by the law of nature and of God. It followed that men had the right, if not the duty, to resist a tyrannical or a heretical ruler. There is no better example of this than that provided by Magna Carta, an attempt to force the king to rule under the law.

These beliefs underwent a modification in the early modern period when, in response to the need for ending civil and religious strife, the theory of the divine right of kings first appeared. There were a number of able writers who expounded this theory, but none of them was more conversant with the actual political problems of his day than King James VI of Scotland (1567-1625). He succeeded to the throne at the age of one when his mother, Mary Stuart, Queen of Scots, was forced to abdicate. James grew to manhood during a period of civil and religious warfare in Scotland, a fact which undoubtedly helped to fix his political ideas. Five years before succeeding Elizabeth on the throne of England (as James I), he published anonymously The True Law of Free Monarchies (1598).

After asserting that "there is not a thing so necessary to be known by the people of any land, next the knowledge of their God, as the right knowledge of their allegiance," James set down "the true grounds of the mutual duty and allegiance betwixt a free [that is, free of worldly control] and absolute monarch, and his people." He found these "true grounds" in three places: the Scriptures, the fundamental laws of Scotland, and the law of nature. From the Scriptures he drew texts to prove that "monarchy is the true pattern of divinity" and that kings "sit upon God's throne in the earth" in the role of God's lieutenants. From the laws of Scotland he concluded that kings had established the state and promulgated its laws. This was sufficient proof for him that "the king is above the law, as both the author and giver of strength thereunto" and, indeed, that he is

1 - This and other quotations from The True Law of Free Monarchies (with spelling modernized) are taken from The Workes of the Most High and Mightie Prince, James, By the Grace of God, King of Great Britaine, France and Ireland... (London, 1616), pp. 193-210.
the "overlord of the whole land...master over every person that inhabits the same, having power over the life and death of every one of them." Finally, from the law of nature James drew two illustrations. (He compared the king, first, to the father who cares for his children and who in return expects their unqualified obedience and, second, to the single head which controls the body and without which the body is useless.)

James denied the existence of any right on the part of subjects to rebel, even against the most tyrannical ruler. His rejection of such a right followed from the belief that kings were appointed by God to rule over men "as our God in earth, and loving Father." Disobedience to kings therefore was a sin. The only responsibility they have is responsibility to God, which James thought awesome enough:

the further a king is preferred by God above all other ranks and degrees of men, and the higher that his seat is above theirs, the greater is his obligation to his maker. And therefore in case he forget himself...the sadder and sharper will his correction be; and according to the greatness of the height he is in, the weight of his fall will recompense the same.... By remitting to the justice and providence of God to stir up such scourges as pleases him, for punishment of wicked kings...my only purpose and intention in this treatise is to persuade...all such good Christian readers, as bear not only the naked name of a Christian, but kithe the fruits thereof in their daily form of life, to keep their hearts and hands free from such monstrous and unnatural rebellions, whenever the wickedness of a prince shall procure the same at God's hands....

(One of the appeals of the theory of divine right was that it placed the ruler beyond the arena of religious and civil strife where he could command the respect, or at least the passive obedience, alike of noble and commoner, rich and poor, Protestant and Catholic). This theory rested on faith and emotion with few rational underpinnings, and it was soon abandoned by political thinkers. But in such places as France and Russia its acceptance among the lower classes (and the rulers) continued well into modern times.

The theory of divine right lost much of its currency when political arguments were no longer couched in specifically religious terms and backed by reference to Scripture. Another and different political idea which took on its modern form about the same time and which has persisted is the theory of sovereignty, associated with the name of the Frenchman, Jean Bodin (1530-1596).

Bodin's views were formed in the same crucible as the theory of divine right. During much of the latter half of his lifetime there was weak monarchy and religious warfare in France, similar to that in Scotland. Bodin, a lawyer, was associated with a
The idea of sovereignty was not original with Bodin, but can be traced through medieval writers back to the Greeks and Romans. What Bodin did was to revive it and begin casting it into its modern form. A student of Aristotle, he found the origins of the state in the natural needs of man. He concluded that the state was the creation of a group of families, often brought together by force, the heads of which grant "supreme and perpetual" power to some person or group of persons. This supreme and perpetual power he designated sovereignty and defined it as "supreme power over citizens and subjects, unrestrained by laws." That person (or group) possesses it, he wrote, "who after God acknowledges no one greater than himself." Bodin believed that sovereignty was by its very nature indivisible and therefore could not be shared. It would have to reside ultimately in the king, the aristocracy, or the whole people. If sovereignty is vested in the people, they must designate those who carry out the powers and duties associated with it. Bodin was convinced that the only well-ordered state was one in which sovereign power was vested in the king.

The chief attribute of sovereignty, wrote Bodin, was giving laws. From this legislative power flowed the other responsibilities of statecraft, such as maintaining order or making war. He insisted that the power, wherever it resides, must be unlimited by man and must command universal obedience, above the claims of church, guild, or parliament. This is not to say that in a well-ordered state there can be no parliamentary institutions. Bodin admitted that they may indeed have their place in assisting the king in the process of legislation, but it must be as distinct inferiors to the monarch.

When the king was sovereign, Bodin agreed with James VI that the ruler was above the laws and, therefore, not bound to obey them. He was responsible solely to the laws of nature and of God. Bodin regarded these as fundamental limitations on sovereign power, though not human in character. It was precisely at this point that he criticized Machiavelli for failing to recognize that such qualities as justice and good faith are demanded of rulers by God and that they must not be abandoned for the prospect of immediate gain.

It is true that Bodin never makes quite clear what final purposes the sovereign state is expected to serve that would justify the degree of obedience which he exacts of the citizen. Surely it did not exist to promote the good life, as for Aristotle. Perhaps for Bodin it is enough that the state provides
order. Again, it is true that he sets up a precarious relationship between the family and the all-powerful state by denying the latter the right to interfere with private property, an institution which Bodin prized highly and which he placed under family control. However, these inconsistencies in his theory need not detract from his perspicacity in observing that times were changing in sixteenth century Europe. He saw that the supreme and perpetual power that had been so thoroughly diffused during the Middle Ages as to be unrecognizable was now being concentrated in the state and, above all, in the prince. Within the national state the monarch vowed to tolerate no opposition. Outside it he vowed to bow to no human being.

Sovereignty is one of the key political concepts of contemporary Western Civilization. It provides a philosophic basis for the state system which for more than four centuries has been characteristic in the West. Ever since the Peace of Westphalia (1648) which ended the Thirty Years' War, diplomats have acted on the assumption that they represent political units which, however large or small, are separate and legally equal entities, subject to no external human authority or allegiance, with the undisputed right to maintain armies and navies, carry on war, make peace, manage their own foreign affairs, and regulate their domestic affairs without interference from outside or without opposition to the laws from within. Political thinkers since Bodin have been much more successful in their efforts to transfer the locus of sovereignty from the absolute monarch to the whole people than they have been in transferring it from the national state to some more inclusive political institution.

With the national state the ultimate in political development, subject to no transcending or limiting authority, there was ample room for anarchy in the relations that necessarily must exist among states. To modify this anarchy the Western World took over from the Italian city-states certain practices which it developed into the techniques of modern diplomacy. During the last half of the fifteenth century the Italian cities began the practice of sending regular representatives to each other's courts. Since these cities were usually bitter rivals, close enough to attack each other easily, it was vitally necessary that they obtain information on which each could base its estimate of the others and plan its actions accordingly. By the time the other European states adopted the procedures which the Italians had developed, they were engaged in a similar rivalry and needed similar information.

Diplomats began moving about according to an elaborate body of protocol and ceremony. They were expected to represent the best interests of their state at all times, a fact which may have given rise to the definition that they were good men sent abroad to lie for their country. The successful performance of their mission demanded constant attendance at the court to which they were accredited. Only in this way could they keep abreast of what was happening or strike a favorable bargain at what seemed to be the most propitious moment. The letters which
they regularly sent home to their governments were by far the
best source of information the latter had concerning the per-
sonalities of foreign rulers and the policies which they were
pursuing. The diplomat has often been criticized, but his craft
was, and still is, an indispensable one in a world of sovereign
national states, where orderly relations are on an essentially
voluntary basis.

The idea that the national state is sovereign has thus far
effectively precluded the development of a law whose purpose is
to eliminate international violence in the way that domestic law
ordinarily eliminates violence within the state. Nevertheless,
this has not prevented states, acting in what they regard as
their own interests, from generally following a body of usages
in the conduct of their relations with each other. We call
these usages the law of nations, or international law. They
derive chiefly from long-established customs, which under normal
circumstances are observed without question, and from formal
agreements entered into by two or more states. For example, it
was primarily mutual convenience which became force of habit
that led states to accord certain privileges to foreign diplo-
mats, while it was by the Peace of Westphalia that the powers
of Europe agreed to recognize Switzerland and the Netherlands
as sovereign states.

One of the first men to explore the bases on which a system
of international law must rest was a Dutch lawyer, statesman,
and theologian, Hugo Grotius (1583-1645). His greatest work,
The Law of War and Peace (1625), helped win for him the title
of father of international law. Accepting the national state
as an accomplished fact, Grotius refused to believe that thereby
the world was condemned to perpetual anarchy. Drawing upon
Greek and Roman ideas of natural law, he declared that God had
formed all men into one species and had given them language and
other ways to communicate with each other. Moreover, he had
given them all the faculty of reason, which enables them to
discover the principles which should govern the relations be-
tween states. While admitting that there was no supersovereign
who could suppress international disorder, Grotius believed
there were nevertheless definite sanctions operative upon
statesmen and diplomats which would tend to prevent them from
ignoring the law of nature. One of these sanctions was the
force of public opinion, another was conscience, and a third was
God. In this way Grotius dealt with a serious shortcoming of
the modern state: its ultimate irresponsibility when dealing
with others of its kind.