War and Peace in the Political Thought of Francis Bacon

By

Samuel Garrett Zeitlin

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Committee in charge:

Professor Kinch Hoekstra, Chair
Professor Mark Bevir
Professor Timothy Hampton
Professor Victoria Kahn
Professor Shannon Stimson

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Abstract

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This dissertation examines war and peace in the political thought of Francis Bacon, moving from internal warfare (civil war) outward via wars of expansion, attrition, and empire to Bacon's conception of peace. The first chapter considers Bacon's views of the causes of civil war and strife within the body politic in relation to the contemporary and near-contemporary views held by Machiavelli, Montaigne, Bodin, and Edward Forset, concluding that for Bacon civil wars are caused by poverty and discontentment, both of which are themselves caused by excess population. Excess population may, in Bacon's assessment, best be reduced by being spread outward in wars for colonies, expansion, and empire and by wars of attrition in which a state engages in wars of aggression for the purposes of killing its own population. The second chapter of the dissertation examines Bacon's views of empire based upon the title of conquest and Bacon's preference for the government of colonies under martial law. Wars for colonies, expansion, and empire, do not, in Bacon's assessment, justify themselves, but had to be legitimized in terms of the justifications of war that then predominated. Chapters three and four of the dissertation thus examine Bacon's deployments of and innovations within the just war tradition and within the tradition of justifying war on religious grounds. Here, Bacon's views are contrasted with those of his contemporaries Justus Lipsius and Alberico Gentili. The final chapter of the dissertation examines Bacon's views of peace and his understanding of true peace as the incapacity of rival states and opponents to do harm. The chapter argues that this view of peace is in concord with Bacon's views of empire and amounts to an understanding of peace as hegemony. The final chapter further examines Bacon's distaste for the 1604 Treaty of London and offers a reading of Bacon's classic fable, *The New Atlantis*, in light of Bacon's views on peace. The dissertation concludes with a summation of its findings alongside a consideration of avenues for future research.

For my mother, Elizabeth, my sister, Ellie, and my dear friend and partner, Joanna.

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Acknowledgments

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An earlier version of the first chapter of the dissertation was presented at the Renaissance and Early Modern Studies graduate conference at the University of California, Berkeley in April 2018, and benefitted especially from comments by Professor Timothy Hampton both on that occasion and in preparation for the presentation. At the International Relations seminar at Berkeley, I presented an earlier version of chapter five and am thankful for the comments and feedback on that occasion from Professors Ron Hassner, Kinch Hoekstra, Aila Matanock, and Michaela Mattes. In Erlangen in December 2016, Professor Clemens Kauffmann, Dr. Eva Odzuck, and David Schkade offered helpful comments on a preliminary sketch of the fourth chapter, for which I am grateful.

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Finally, I am thankful for the love and support of my family, of my mother, Elizabeth, my sister, Ellie, and my dear friend and partner, Joanna. With love, I dedicate my work on this study to them.

Curriculum Vitae

Samuel Garrett Zeitlin

University of California, Berkeley

210 Barrows Hall #1950

Berkeley, CA 94720-1950

Academic Position:

Harper-Schmidt Fellow in the Society of Fellows and Collegiate Assistant Professor, University of Chicago (from 1 September, 2018 to 31 August, 2022)

Education

August 2011-August 2018, University of California, Berkeley

Doctoral student and PhD candidate in the Department of Political Science; Member of the Renaissance and Early Modern Studies Designated Emphasis. Advanced to doctoral candidacy: May, 2014.

Doctoral Dissertation: *War and Peace in the Political Thought of Francis Bacon*

Committee: Professors M. Bevir, T. Hampton, K. Hoekstra (chair), V. Kahn, S.C. Stimson

Award: Mark Rozance Memorial Dissertation Award, Department of Political Science, UC Berkeley, 2018

Master of Arts in Political Science (conferred May, 2012). Thesis: "History and Spirit in Alexis de Tocqueville's *Ancien Régime et la Révolution*" (Master's Thesis Supervisor: Professor Shannon C. Stimson)

September 2010-July 2011: Cambridge University

Master of Philosophy (MPhil) in Political Thought and Intellectual History

Thesis: "Politics and Human Nature in the Thought of Pierre Charron"

October 2008-September 2009: Ludwig-Maximilians Universität, Munich

Exchange with Balliol College, Oxford

October 2005-June 2008: Oxford University

Bachelor of Arts in Politics, Philosophy, & Economics (PPE)

Thesis: "Sovereign Mimicry: Imitation and Rebellion in the *Behemoth* of Thomas Hobbes"

Academic Honors, Prizes and Distinctions (selected, since 2009)

- Phi Beta Kappa, Northern California Chapter, Inducted 2015
- Mark Rozance Memorial Dissertation Award, Political Science Dept., UC Berkeley, 2018
- Visiting PhD Student, King's College, Cambridge and History Faculty, 2015-2017
- UC Berkeley, Institute of Governmental Studies, R. Kirk Underhill Fellowship 2016-2017.
- Independent Book Publisher Awards 2016—Bronze Medal for an edition of *Land and Sea*
- UC Berkeley/King's College, Cambridge, Sidney Ehrman Fellowship 2015-2016 for a year of post-graduate study at King's College Cambridge.
- UC Berkeley, Philo Sherman Bennett Prize in Political Science, 2012-2013 and 2013-2014. University prize in political science "awarded for the best essay encompassing some aspect of politics other than international relations."
- UC Berkeley, Dorothy Rosenberg Memorial Prize in Lyric Poetry (Graduate Winner), 2011-2012. University prize in poetry "awarded for composition of the best unpublished lyric poem."
- Finalist in Philosophy, Sélection International, École Normale Supérieure, Rue d'Ulm (Paris, France)—2009
- Maximilianeum Stiftung (Munich, Germany) Exchange with Balliol College, Oxford—2008-2009; Visiting Scholar, 2009-2010; 2011; 2014; 2015; 2017.

Publications

Peer-reviewed journal articles

- "Political and Moral Vision in the Thought of Sir Francis Bacon (1561-1626)," *Journal of Intellectual History and Political Thought*, 1:1 (October, 2012), pp. 32-55.
- "Interpretation and Critique: Jacob Taubes, Julien Freund, and the Interpretation of Hobbes," in *Telos* 181 (Winter 2017), pp. 9-39.

Edited Book

R.A. Berman and S.G. Zeitlin eds., S.G. Zeitlin trans.; C. Schmitt, *Land and Sea, A world-historical Meditation* (Candor, New York: Telos Press Publishing, 2015).

Awards: 2016 Independent Book Publisher Awards, Bronze Medal (Religion); 2015 London Book Festival Award in History

Reviewed in: *Thesis Eleven*; *Cambridge Review of International Affairs*.

Forthcoming:

D. Pan and S.G. Zeitlin eds., S.G. Zeitlin trans.; C. Schmitt, *The Tyranny of Values and Other Writings* (Candor, New York: Telos Press Publishing, forthcoming 2019). [contract signed July 2016]

Under contract:

L. Vinx and S.G. Zeitlin eds. *Carl Schmitt's Early Writings on Legal Theory* (Cambridge, UK: Cambridge University Press, under contract) [approved by Cambridge Syndics, August 2016; contract issued July 2017]

Book Chapters

- "Propaganda and Critique: An Introduction to *Land and Sea*," in R.A. Berman and S.G. Zeitlin eds., S.G. Zeitlin trans.; C. Schmitt, *Land and Sea, A world-historical Meditation* (Candor, New York: Telos Press Publishing, 2015), pp. xxxi-lxix.
- " 'Commonwealth,' 'Nation,' and 'State' in the Political Thought of Francis Bacon," in Luc Borot, Myriam-Isabelle Ducrocq, Raffaella Santi, and Samuel Garrett Zeitlin, *The "Commonwealth" as Political Space in Late Renaissance England* (Padua: CEDAM Editore, 2014), pp. 3-26.

Reviewed in: *Bulletin Hobbes XXVIII,* Archives de Philosophie 2016/2 (Tome 79), pp. 423-425.

Translated Book

S.G. Zeitlin, trans.; A. Kalyvas and F. Finchelstein eds; C. Schmitt, *Dialogues on Power and Space* (Cambridge, UK: Polity Press, 2015)

Reviewed in: *European Political Science*; *Cambridge Review of International Affairs*; *Survival: Global Politics and Strategy*, 58:3 (June-July 2016) [Brief notice].

Other Editions

- "Leviathan as Mortal God: On the Contemporaneity of Thomas Hobbes" (edition and translation of J. Taubes, "Statt einer Einleitung: Leviathan als Sterblicher Gott, Zur Aktualität von Thomas Hobbes,"), *Telos* 181 (Winter 2017), pp. 40-47.
- "The Contemporaneity of Thomas Hobbes" (edition and translation of J. Freund, "Die Aktualität des Thomas Hobbes"), *Telos* 181 (Winter 2017), pp. 48-64.

Other Translations

- "Freed Thought and other poems" (translations of J.W. Goethe and Else Lasker-Schüler), in *The Berkeley Poetry Review* 43 (2016), pp. 253-270.
- "The Panther" (translation of R.M. Rilke, "Der Panther"), in *The Tower Magazine* (Girton College, Cambridge), Michaelmas 2011.
- "Questions of a Reading Worker" (translation of B. Brecht, "Fragen eines lesenden Arbeiters"), in *The Common Review* (Chicago, IL), Summer 2010.

Book Reviews

- "Affable and Laughable," in *The Cambridge Humanities Review* 4, June 2013.
- "Philip Roth's Endgame," in *The Common Review* (Chicago, IL), Spring 2010.

Invited Lectures and Presentations

- "Francis Bacon on Peace," Institute for Historical Research, University of London, Early Career Seminar in the History of Ideas, 15 November, 2017.
- "Francis Bacon on Peace," Monday International Relations seminar (MIRTH), University of California, Berkeley, 18 September, 2017
- "Bacon, Hobbes, and the Problem of Religious Warfare," Friedrich-Alexander Universität, Erlangen-Nürnberg, 12 December, 2016.
- "Carl Schmitt as Historian of Political Thought," Seminar on the History of the History of Political Thought, Cambridge University, 24 October, 2016.
- "Eros, Power, and War in Plato's *Gorgias,*" guest lecture for Professor K. Hoekstra, "PS112A: Ancient Greek Political Thought," UC Berkeley, Evans Hall, March 12, 2015.
- "Thomas Hobbes's *Leviathan*—Freedom, Equality, and Command in *Leviathan*, Chapters 21, 29, and 30," guest lecture for Professor S.C. Stimson, "PS112B: History of Early Modern Political Thought," UC Berkeley, Hearst Mining, 13 March, 2014.
- "Goethe's 'Freysinn'," invited reading in the Morrison Room, Doe Library, UC Berkeley, 3 May, 2012.
- "Goethe's 'Freysinn'," invited presentation at "A Celebration of Writers," UC Berkeley, International House, 27 April, 2012.

Conferences and Workshops (selected)

Delivered:

- "Atheism, Superstition, and the Critique of Religion in the Philosophy of Francis Bacon," 2015 Collegio Ghislieri Graduate Conference in Philosophy, Collegio Ghislieri, University of Pavia, 14-15 September, 2015.
- "Propaganda and Critique in Carl Schmitt's *Land and Sea* (1942/1954/1981)," American Political Science Association, San Francisco, CA, 2-6 September, 2015. (Panel for APSA Division 1: Political Thought and Philosophy: Historical Approaches).
- "Friendship, Hermeneutics, and Judgment in Jacob Taubes's Critique of Carl Schmitt in the period 1952-1987," Midwest Political Science Association, Chicago, IL, 3-6 April, 2014. (Panel for Section 34 of the Midwest Political Science Association: Political Philosophy).
- "Sovereign Mimicry: Imitation and Rebellion in the *Behemoth* of Thomas Hobbes," Western Political Science Association (WPSA), Hollywood, CA, 28-30 March, 2013. (Panel for Section 15 of the Western Political Science Association: Political Thought, Historical Approaches).
- "Theory and Practice in the Political Thought of Jacob Taubes (1923-1987)," 2013 Cambridge University Graduate Conference in Political Thought and Intellectual History, History Faculty, Cambridge University, 18-19 March, 2013.
- "Property, *Dominium,* and Wealth in the Civil Philosophy of Sir Francis Bacon (1561-1626)," presented at *The Third Annual London Graduate Conference in the History of Political Thought, University of London, Senate House, London, 14-15 May 2012.*
- "Political and Moral Vision in the Thought of Sir Francis Bacon (1561-1626)," presented at the Berkeley Political Theory Workshop, 27 February, 2012.

Conferences Organized

- Third Berkeley Graduate Conference in the History of British Political Thought, UC Berkeley, 17-18 October, 2014 (co-organizer)
- Nature, Politics, and the Imagination in the Thought of Francis Bacon (1561-1626), UC Berkeley, 15 March, 2014, (graduate student organizer with Professor S.C. Stimson)
- Berkeley Graduate Conference in the History of British Political Thought, UC Berkeley, 18-19 October, 2013 (co-organizer)
- Berkeley Graduate Conference in Early Modern British Political Thought, 1500-1800, UC Berkeley, 23 February, 2013 (co-organizer)

Courses Taught

- Friedrich-Alexander Universität, Erlangen-Nürnberg, „Blockseminar: Krieg und Frieden im Politischen Denken Francis Bacons" (BA/MA Seminar: War and Peace in the Political Thought of Francis Bacon), Summer Semester 2018
- University of California, Berkeley, Department of Political Science, PS112A: History of Ancient Political Thought, 450-320 BCE (Sophocles, Thucydides, Plato, Aristotle) (Spring 2015, as Graduate Student Instructor)
- University of California, Berkeley, Department of Political Science, PS112B: History of Early Modern Political Thought 1513-1776 (Erasmus, Machiavelli, Hobbes, Locke, Rousseau) (Spring 2014, as Graduate Student Instructor)

- University of California, Berkeley, Department of Political Science, PS123H: Special Topics in International Relations: Religion and Conflict (Fall 2013, as Graduate Student Instructor)

Teaching Awards

- UC Berkeley, Outstanding Graduate Student Instructor, 2014. (Campus-wide award for the best Graduate Student Instructors at UC Berkeley)

INTRODUCTION

"Autre question: c'est la question des révoltes et des séditions qui ont été, bien entendu, jusqu'à la fin du XVIIe siècle, un problème politique majeur et pour lesquelles il y a un texte, un texte tout à fait remarquable qui a été écrit par le chancelier Bacon, Bacon que plus personne n'étudie et qui est certainement un des personnages les plus intéressants de ce début du XVIIe siècle. Je n'ai pas beaucoup l'habitude de vous donner des conseils quant au travail universitaire, mais si certains d'entre vous voulaient étudier Bacon, je crois qu'ils ne perdraient pas leur temps."

["Another question: it's the question of the revolts and of the seditions were, well understood, up to the end of the 17th century, a major political problem and for which there is a text, a text wholly remarkable which was written by the Chancellor Bacon, Bacon whom no one studies any longer and who is certainly one of the most interesting personages of this beginning of the 17th century. I have not very much been in the habit of giving you counsels with regard to what pertains to University work, but certain persons among you would like to study Bacon, I believe they would not be wasting their time."]

-Michel Foucault[1]

Poet, scientist, philosopher, statesman, and lawyer: how are we to approach Francis Bacon? The range of Bacon's writings is sweeping, encompassing treatises in logic, law, the division (and advancement) of learning and embracing speeches in Parliament and advocacy at the bar, masques, poems, fables, mythography, journals, governmental briefs, letters in Latin, English, and French, as well as innovations in genre stretching from compendia of scientific experiments to philosophic dialogues, to say nothing of the innovations in the essay form in English, for which he is renowned as something like an Anglophone counterpart to Montaigne.

[1] Michel Foucault, *Sécurité, territoire, population*: *Cours au Collège de France (1977-1978)* (Paris: Gallimard/EHESS /Seuil, 2004), p. 273. All translations, unless otherwise noted, are those of the author.

Francis Bacon was an extraordinarily careful writer. Richly situated within the Renaissance rhetorical tradition, Bacon cared deeply about his addressees, his interlocutors, and the positions of his adversaries and opponents. He consistently sought to fit his arguments to his addressees, noting that he chose the dedicatee of each of his works as the person in the present for whom the arguments of that work were most fitted and best suited.[2] In this regard, Bacon saw himself as addressing the living, rather than the dead—speaking both to present addressees, and, in his grander moments, to futurity. Indeed, in one such moment, Bacon asserted of his *Essayes* that that work would endure as long as books last. Bacon saw many of his writings as oratorical performances and he was acutely concerned with what was politically possible and feasible in a given moment. Yet, as this dissertation shall argue, he also pursued an abiding set of commitments and aims across his political and literary career, particularly in the domain of foreign policy. A core set of intellectual and political commitments, such as Bacon's commitment to his concept of peace, aid students of his political thought not only in identifying those things that seem to endure but also in identifying the reasons for which he shifts his positions and rhetoric when he does so.[3]

Intellectual historians, historians of philosophy, political historians, and literary scholars have all tried their hand with Bacon's works, with each set of scholars attending to the philosopher's works with concerns, approaches, and problems drawn from their local disciplines. Some approaches in both intellectual history and political history have each, in their own ways, drawn something from Bacon's pronounced oratorical ability. Political historians from Macaulay to the present have claimed that Bacon was nothing more than a

[2] Francis Bacon, *The Translation of Certaine Psalmes*, "To his very good frend, Mr. George Herbert," *OFB* VIII, p. 281: "it being my manner for Dedications, to choose those that I hold most fit for the Argument". See also Ralph Lerner, *Naïve Readings: Reveilles Political and Philosophic* (Chicago: University of Chicago Press, 2016), p. 76: "This philosopher-courtier knows in his bones that the speech must fit the occasion and the addressee."

[3] An inattention to Bacon's views on foreign policy and his concept of peace in particular have led Bacon's biographers to either underplay or misrepresent his foreign policy positions. For the view that Bacon shifts his position on Spain, for example, in the late 1610s, see Daphne du Maurier, *The Winding Stair: Francis Bacon, His Rise and Fall* (London: Virago Press, 2006 [1976]), Ch. 19, pp. 236-237: "Francis Bacon, who had been a man of peace for most of his life, showed himself to be something of a hawk in his last years, with considerable understanding of how the united forces of Great Britain, France and the Low Countries could scatter and overcome the armies and ships of Spain."

mouthpiece for Stuart absolutism, a marionette held to ventriloquize preferred crown policies. Intellectual historians, by contrast, have often seen Bacon as protean to the point of holding no persistent substantive commitments across his various speeches, interventions, and acts of advocacy—a rhetorician wholly concerned with the particular efficacy of particular speech acts in ever shifting local contexts. Both of these approaches, in their own ways, serve to deprive Bacon being seen to hold substantive positions of his own—the wily rhetorician committed to nothing in particular and the Jacobean lickspittle uttering only what crown and court dictate from day to day.

Other approaches to Bacon's thought seem uncertain about where to place him and how to situate his political thought. Some commentators approach Bacon's works with Niccolò Machiavelli (1469-1527) as the sole contextual point of reference, omitting reference to writers such as Giovanni Botero (1540-1617), Alberico Gentili (1552-1608), and Justus Lipsius (1547-1606), with whose work Bacon was only slightly less engaged.[4] While Machiavelli is a constant explicit presence in Bacon's texts, Bacon was no less engaged with the tradition of *ragion di stato* which succeeded Machiavelli and developed and expanded upon themes from Machiavelli's works. Other commentators have been no less keen to assimilate Bacon to Thomas Hobbes (1588-1679), with Carl Schmitt, for example, assimilating their shared premises in *Der Nomos der Erde* (1950). The tendency to assimilate Bacon to Hobbes has at times been pursued with such avidity that some scholars have ascribed the authorship of widely known Baconian works to Hobbes in the absence of any philological evidence favoring the ascription.[5] While this study will consider certain

[4] See Robert K. Faulkner, *Francis Bacon and the Project of Progress* (Lanham, MD: Rowman and Littlefield, 1993), p. 184: "This warlike mixture of public imperialism and private ambition is Machiavellian. Essay 29 is probably the most thoroughly Machiavellian of Baconian writings, although Machiavelli is not mentioned by name and his preoccupation with fighting is somewhat modified by commendations of economic growth, defensive war, and naval forces. While Bacon's civil teaching is more pacific, and designed to improve on Machiavelli's wolf-like republicanism, private security requires public security, and a state fit for national security must be fit for war." For another study treating Bacon on the topic of war that omits the local reference points of Essex, Cecil, Gentili, Botero, and Lipsius, see Howard B. White, *Peace Among the Willows* (The Hague: Martinus Nijhoff, 1968).

[5] Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999), p. 127: "The early 1620s were the years when Hobbes was close to Bacon and a number of early works by Hobbes grew out of this association. Indeed, given the striking resemblance in almost every particular between the sentiments of Bacon's *Considerations Touching a War with*

Baconian positions and views in relations to the positions and arguments of Machiavelli and Hobbes, Bacon's thought and views cannot, as we shall see, be merely be identified with either. One of the goals of my dissertation is to place Bacon in conversation with a wider set of contemporaries and sources.

This dissertation aims to approach Bacon both thematically and on his own terms. Thematically, this study treats the themes of war and peace across the entirety of Bacon's work. War and peace form a central concern not only of Bacon's political reflections but also of his political activity as a state counsel, parliamentary orator, and political philosopher. Bacon is situated both within a longer and broader tradition of political thought stretching back to Thucydides, Plato, Xenophon, Caesar, and Tacitus as well as within a rich conversation with sixteenth and seventeenth century interlocutors.[6] Intellectually, Bacon shaped his political reflections in dialogue not only with these ancient dialogic partners but no less with reference to the works of Desiderius Erasmus, Thomas More, Niccolò Machiavelli, Francesco Guicciardini (1483-1540), Giovanni Botero, Justus Lipsius, Francisco Suàrez (1548-1617), and Alberico Gentili. Politically, Bacon's reflections on the domestic and foreign policy of England and, after 1603, Britain, were formed not least in conversation with the writings and speeches of his monarchs Elizabeth I and James VI & I with no less attention to the compositions and orations of their leading courtiers and counsellors from Francis Walsingham and Edward Coke to the Earl of Essex and his factional opponents at court, William and Robert Cecil.

Attention to both of these key contexts—the intellectual, and the political—has been rare in treatments of Bacon in the history of political thought, which frequently privilege one or the other—focusing either on the local context or upon perennial problems, to the detriment of taking Bacon's thought on his own terms as richly imbued with both Plato and Thucydides as well as shaped by Essex and the Cecils. Thus, this dissertation does not read Bacon's

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Spain, and the views which Hobbes expressed in his later works, it is hard not to believe that Hobbes actually drafted the treatise for his master."

[6] Bacon, "Speech upon the case of Sir Thomas Parry, charged with Unlawful Interference in an Election," in *LL* V, p. 52: "We live not in Plato his Commonwealth, but in times in wherein abuses have got the upper hand."

Advancement of Learning exclusively as a tract against the 1604 Treaty of London, in the way that some scholars might wish to reduce Hobbes's *Elements of Law* to being a ship money tract.[7] Even less does it approach Bacon's *Redargutio Philosophiarum* as Bacon's authoritative restatement addressed to the theological-political problem.

In the history of political thought, Foucault is largely correct that Bacon has been less studied. Many of the major histories of the early modern period, such as Skinner's *Foundations of Modern Political Thought* (1978) omit treatment of Bacon as a state theorist, thinker of empire, and theorist of just war and political order.[8] Where Bacon has been treated the assessment has at times been cursory, as in Richard Tuck's *Philosophy and Government* (1993), or, when more extensively treated, Bacon is read at other times as a conduit of republican thought, bringing republicanism from the pages of Machiavelli into Britain to be received by the likes of Harrington, an interpretation to be found in Pocock's *Machiavellian Moment* (1975) and Markku Peltonen's *Classical Humanism and Republicanism in English Political Thought* (1995). In the work of the political historians on early modern Britain, a long tradition of commentary, dating at least to the jaunty polemics of Macaulay, presents Bacon as a water-boy for Stuart absolutism and as the crown's mouthpiece (and sometime tattle-tale) in the House of Commons. Dominant accounts of the just war tradition, such as Michael Walzer's *Just and Unjust Wars* and Peter Haggenmacher's *Grotius et la doctrine de la guerre juste* omit Bacon's involvement in the just war tradition. Historians of empire, such as Karuna Mantena, Sankar Muthu, and Jennifer Pitts cast the turn to empire in British

[7] See Richard Tuck, *Hobbes* (Oxford: Oxford University Press, 1989), p. 24: "As we shall see, these must have been the 'questions' to which Hobbes was referring—the argument of the *Elements of Law* is particularly well judged as a contribution to the Ship Money debate, on the King's side."

[8] For the lone mention of Bacon in this work, see Quentin Skinner, *The Foundations of Modern Political Thought* (Cambridge: Cambridge University Press, 1978), 2 vols., I, p. 107: "With their rejection of scholastic abstractions, they become increasingly anxious to maintain that all knowledge ought to be 'for use'—an outlook which may be said to reach its apotheosis in the work of Francis Bacon," For the absence of Bacon in bibliography of primary sources of this work, see *ibid*., I, p. 264. Indeed, this was a marked omission noted by critical reviews of the work when it first appeared, such as Michael Oakeshott's review in the *Historical Journal*. M. Oakeshott, "The Foundations of Modern Political Thought: Review of Q.R.D. Skinner, *The Foundations of Modern Political Thought*," in *The Historical Journal* 23:2 (June 1980), pp. 449-453, at p. 451: "Every reader will come across passages which puzzle him (why, for example, does the rather scrappy chapter oddly called 'the forerunners of Luther' come after one on 'the principles of Lutheranism'?), or an interpretation about which he may be doubtful, an under- or an over-exposed picture, a writer omitted about whom he would like to hear (Francis Bacon), or a theme incompletely handled ('reason of State')."

political thought as a development within late eighteenth and early nineteenth century liberal thought, thereby ignoring a substantial imperial tradition in political theory which long preceded the history they narrate. An implication of the dissertation is that the onset of narratives of empire in the history of political thought bears reconsideration and restoration to an earlier era. In what follows, I argue that Francis Bacon, as both a theorist and policymaker, sits at the very epicenter of this period and that a reconsideration of his thought in this context is far from a waste of one's time.

From the students of Leo Strauss, Bacon has been less ignored (Bacon is present in Strauss and Cropsey's *History of Political Philosophy*, in a chapter by Howard B. White), but his treatment by this set of scholars has been partial and substantially unhistorical, failing to treat Bacon's development as a thinker without attention to Bacon's relations to the contexts and political predicaments in which he understood himself.[9] The best book emerging from this school, Howard B. White's study *Peace Among the Willows: The Political Philosophy of Francis Bacon* (1968), is impressive in various respects but fails to situate Bacon amidst the contemporary positions in state theory and political philosophy with which Bacon was most engaged. Gentili, Botero, Lipsius, Essex, and the Cecils are also omitted from White's study and no account is made of Bacon's positions in the court controversies and politics of his time and the relation of their positions to Bacon's political philosophy. The other works in this tradition raise questions as well. Robert Faulkner's *Francis Bacon and the Project of Progress* (1993) omits all engagement with Bacon's voluminous correspondence, state papers, parliamentary speeches, judicial cases, and governmental white papers and in the process substantially errs in the presentation of Bacon's positions on many of the questions treated in Faulkner's book. Tom van Malssen in his *The Political Philosophy of Francis Bacon: On the Unity of Knowledge* (2015) follows Faulkner in ignoring Bacon's actual politics, governmental offices, political rivalries, correspondence and state papers. The work makes Bacon's (real) criticisms of revealed religion the complete substance of the Lord

[9] See Ralph Lerner, *Naïve Readings: Reveilles Political and Philosophic* (Chicago: University of Chicago Press, 2016), p. 88: "But it is far from obvious where his life's center of gravity lay. Granted, his early declaration that he took all knowledge to be his province is not to be discounted. But his is also a life marked by constant importunings of those with power, influence, and cash for patronage, office, and engagement with affairs of state. Even after his fall and public humiliation, he still fluttered like a moth drawn to the royal court's light."

Chancellor's political philosophy, while omitting everything else which Bacon has to say about politics, empire, and the state.

Attending to each of these lacunae in the secondary literature on both Bacon's political philosophy as well as the history of early modern political thought, the history of the just war tradition, and the history of empire, effectively serves to reinforce the insight from Michel Foucault. Foucault, in his 1977-78 lectures on *Security, Territory, and Population*,[10] aptly read Francis Bacon as a thinker concerned with problems of population. Drawing on Foucault's insight, the dissertation goes further to stress that for Bacon the problem of population is crucially related to the issue of war, above all to civil war.[11] Overpopulation, in Bacon's view, tended to generate both poverty and discontent in Britain, and poverty and discontent were the material causes of sedition, social tumults, and civil war. To prevent civil war thus required the diminution of poverty and discontentment, which meant that population had, in Bacon's assessment, to be diminished. The best ways to do this were either wars of attrition or external colonization, both of which required outward expansion. For Bacon, the rationale of imperial expansion emerges from an internal concern for the maintenance of order and the prevention of civil war. In omitting Bacon from the dominant narratives of both early modern political thought and the history of empire, historians of political thought (with the notable exceptions of David Armitage and Anthony Pagden) have thus misdated the ideological onset of imperialism in British political thought and political philosophy, while also overlooking that for the originary theorists of empire, it is *internal* order which pushes the compulsion for conquest and expansion and wars to diminish the metropole's *own* population.

Wars of attrition and colonies themselves required justification as, in Bacon's assessment, humans less willingly engage in endeavors for which they lack reasons and arguments. Reasons and arguments had thus, in Bacon's view, to be offered in terms both of religious

[10] Michel Foucault, *Sécurité, territoire, population*: *Cours au Collège de France (1977-1978)* (Paris: Gallimard/EHESS /Seuil, 2004), esp. pp. 273-277.
[11] While Foucault mentions this point, the present dissertation goes to greater length and into greater detail to develop the point. See Foucault, *Sécurité, Territoire, Population,* pp. 275-6.

justifications and in terms of the just war tradition, dominant ideological frames and traditions which Bacon inherited. Within the just war tradition, Justus Lipsius had explicitly precluded the use of *pretexts* for aggrandizement and expansion as just grounds of warfare. Freely adapting this tradition and collapsing the prior prohibition, Bacon innovated by expanding the set of claims which can serve as legitimate causes of war, incorporating *pretexts*, particularly those for expansion and aggrandizement, as legitimate claims which his predecessors and contemporaries had prohibited. With a view to religious justifications of warfare, Lipsius and Gentili had been cautious to check advocacy of war *for religion*. Bacon, however, similarly expanded the class of warfare which could be justified on religious grounds and subsequently offered prudential confessional justifications of the wars and imperial projects he favored whilst remaining dubious about the ultimate validity of these justifications.

The dissertation also situates Bacon against his contemporaries both in state theory and the theory of warfare as well as his allies and rivals in the Tudor and Stuart courts. Drawing in particular on the recent historical work of Paul Hammer and Alexandra Gajda, the dissertation situates Bacon amidst the Essex circle of the 1590s, but going beyond Hammer's and Gajda's research, the dissertation contends that Bacon maintained and expanded on the arguments of Essex for war with Spain during the Armada Wars well into the 1620s. In this regard, Bacon is seen as a late exponent of Essex's approach to foreign policy who survived to see the end of a long entente with Spain (1604-1624/5). The dissertation argues, in opposition to the line that views Bacon as a Jacobean mouthpiece and absolutist flatterer, that Bacon was tacitly critical of the foreign policy of James VI & I toward Spain and overtly critical of the 1604 Treaty of London negotiated by Essex's rival (and Bacon's cousin), Robert Cecil. Finally, against the republican reading of Bacon, the dissertation contends that Bacon was an avowed imperialist and an advocate of prerogative powers and the use of martial law both for the suppression of domestic rebellions, tumults, and sedition and for the external establishment of colonies. Bacon's imperialism as well as his proposals for the putting down tumults and domestic rebellions are predicated explicitly on *arbitrary* power—the use of "the severity of martial law"—precisely the suspension of the ordinary rule of law and the deployment of personalized discretionary authority (also instantiated by his persistent support for crown

prerogative powers) which those who assert Bacon's republicanism take republicanism to be quintessentially against.[12]

Poet, scientist, philosopher, statesman, and lawyer: how are we to approach Francis Bacon? The range of Bacon's writings is sweeping, encompassing treatises in logic, law, the division (and advancement) of learning and embracing speeches in Parliament and advocacy at the bar, masques, poems, fables, mythography, journals, governmental briefs, letters in Latin, English, and French, as well as innovations in genre stretching from compendia of scientific experiments to philosophic dialogues, to say nothing of the innovations in the essay form in English, for which he is renowned as something like an Anglophone counterpart to Montaigne.

Francis Bacon was an extraordinarily careful writer. Richly situated within the Renaissance rhetorical tradition, Bacon cared deeply about his addressees, his interlocutors, and the positions of his adversaries and opponents. He consistently sought to fit his arguments to his addressees, noting that he chose the dedicatee of each of his works as the person in the present for whom the arguments of that work were most fitted and best suited.[13] In this regard, Bacon saw himself as addressing the living, rather than the dead—speaking both to present addressees, and, in his grander moments, to futurity. Indeed, in one such moment, Bacon asserted of his *Essayes* that that work would endure as long as books last. Bacon saw many of his writings as oratorical performances and he was acutely concerned with what was politically possible and feasible in a given moment. Yet, as this dissertation shall argue, he also pursued an abiding set of commitments and aims across his political and literary career,

[12] Consider the opening sentence of Bacon's *A Declaration Touching the Treasons of the Late Earl of Essex and his Complices*, *LL* II, pp. 247-274, at p. 247: "Though public justice passed upon capital offenders, according to the laws, and in course of an honorable and ordinary trial (where the case would have borne and required the severity of martial law to have been speedily used)". For further instances of Bacon's advocacy of the implementation of martial law both in colonies and on English soil see Essay XXXIII "Of Plantations"; *The History of the Reign of King Henry VII*, at *OFB* VIII, p. 30; *Charge Touching Duels*, *LL* IV, p. 403.

[13] Francis Bacon, *The Translation of Certaine Psalmes*, "To his very good frend, Mr. George Herbert," *OFB* VIII, p. 281: "it being my manner for Dedications, to choose those that I hold most fit for the Argument". See also Ralph Lerner, *Naïve Readings: Reveilles Political and Philosophic* (Chicago: University of Chicago Press, 2016), p. 76: "This philosopher-courtier knows in his bones that the speech must fit the occasion and the addressee."

particularly in the domain of foreign policy. A core set of intellectual and political commitments, such as Bacon's commitment to his concept of peace, aid students of his political thought not only in identifying those things that seem to endure but also in identifying the reasons for which he shifts his positions and rhetoric when he does so.[14]

Intellectual historians, historians of philosophy, political historians, and literary scholars have all tried their hand with Bacon's works, with each set of scholars attending to the philosopher's works with concerns, approaches, and problems drawn from their local disciplines. Some approaches in both intellectual history and political history have each, in their own ways, drawn something from Bacon's pronounced oratorical ability. Political historians from Macaulay to the present have claimed that Bacon was nothing more than a mouthpiece for Stuart absolutism, a marionette held to ventriloquize preferred crown policies. Intellectual historians, by contrast, have often seen Bacon as protean to the point of holding no persistent substantive commitments across his various speeches, interventions, and acts of advocacy—a rhetorician wholly concerned with the particular efficacy of particular speech acts in ever shifting local contexts. Both of these approaches, in their own ways, serve to deprive Bacon being seen to hold substantive positions of his own—the wily rhetorician committed to nothing in particular and the Jacobean lickspittle uttering only what crown and court dictate from day to day.

Other approaches to Bacon's thought seem uncertain about where to place him and how to situate his political thought. Some commentators approach Bacon's works with Niccolò Machiavelli (1469-1527) as the sole contextual point of reference, omitting reference to writers such as Giovanni Botero (1540-1617), Alberico Gentili (1552-1608), and Justus

[14] An inattention to Bacon's views on foreign policy and his concept of peace in particular have led Bacon's biographers to either underplay or misrepresent his foreign policy positions. For the view that Bacon shifts his position on Spain, for example, in the late 1610s, see Daphne du Maurier, *The Winding Stair: Francis Bacon, His Rise and Fall* (London: Virago Press, 2006 [1976]), Ch. 19, pp. 236-237: "Francis Bacon, who had been a man of peace for most of his life, showed himself to be something of a hawk in his last years, with considerable understanding of how the united forces of Great Britain, France and the Low Countries could scatter and overcome the armies and ships of Spain."

Lipsius (1547-1606), with whose work Bacon was only slightly less engaged.[15] While Machiavelli is a constant explicit presence in Bacon's texts, Bacon was no less engaged with the tradition of *ragion di stato* which succeeded Machiavelli and developed and expanded upon themes from Machiavelli's works. Other commentators have been no less keen to assimilate Bacon to Thomas Hobbes (1588-1679), with Carl Schmitt, for example, assimilating their shared premises in *Der Nomos der Erde* (1950). The tendency to assimilate Bacon to Hobbes has at times been pursued with such avidity that some scholars have ascribed the authorship of widely known Baconian works to Hobbes in the absence of any philological evidence favoring the ascription.[16] While this study will consider certain Baconian positions and views in relations to the positions and arguments of Machiavelli and Hobbes, Bacon's thought and views cannot, as we shall see, be merely be identified with either. One of the goals of my dissertation is to place Bacon in conversation with a wider set of contemporaries and sources.

This dissertation aims to approach Bacon both thematically and on his own terms. Thematically, this study treats the themes of war and peace across the entirety of Bacon's work. War and peace form a central concern not only of Bacon's political reflections but also of his political activity as a state counsel, parliamentary orator, and political philosopher. Bacon is situated both within a longer and broader tradition of political thought stretching back to Thucydides, Plato, Xenophon, Caesar, and Tacitus as well as within a rich

[15] See Robert K. Faulkner, *Francis Bacon and the Project of Progress* (Lanham, MD: Rowman and Littlefield, 1993), p. 184: "This warlike mixture of public imperialism and private ambition is Machiavellian. Essay 29 is probably the most thoroughly Machiavellian of Baconian writings, although Machiavelli is not mentioned by name and his preoccupation with fighting is somewhat modified by commendations of economic growth, defensive war, and naval forces. While Bacon's civil teaching is more pacific, and designed to improve on Machiavelli's wolf-like republicanism, private security requires public security, and a state fit for national security must be fit for war." For another study treating Bacon on the topic of war that omits the local reference points of Essex, Cecil, Gentili, Botero, and Lipsius, see Howard B. White, *Peace Among the Willows* (The Hague: Martinus Nijhoff, 1968).

[16] Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999), p. 127: "The early 1620s were the years when Hobbes was close to Bacon and a number of early works by Hobbes grew out of this association. Indeed, given the striking resemblance in almost every particular between the sentiments of Bacon's *Considerations Touching a War with Spain*, and the views which Hobbes expressed in his later works, it is hard not to believe that Hobbes actually drafted the treatise for his master."

conversation with sixteenth and seventeenth century interlocutors.[17] Intellectually, Bacon shaped his political reflections in dialogue not only with these ancient dialogic partners but no less with reference to the works of Desiderius Erasmus, Thomas More, Niccolò Machiavelli, Francesco Guicciardini (1483-1540), Giovanni Botero, Justus Lipsius, Francisco Suàrez (1548-1617), and Alberico Gentili. Politically, Bacon's reflections on the domestic and foreign policy of England and, after 1603, Britain, were formed not least in conversation with the writings and speeches of his monarchs Elizabeth I and James VI & I with no less attention to the compositions and orations of their leading courtiers and counsellors from Francis Walsingham and Edward Coke to the Earl of Essex and his factional opponents at court, William and Robert Cecil.

Attention to both of these key contexts—the intellectual, and the political—has been rare in treatments of Bacon in the history of political thought, which frequently privilege one or the other—focusing either on the local context or upon perennial problems, to the detriment of taking Bacon's thought on his own terms as richly imbued with both Plato and Thucydides as well as shaped by Essex and the Cecils. Thus, this dissertation does not read Bacon's *Advancement of Learning* exclusively as a tract against the 1604 Treaty of London, in the way that some scholars might wish to reduce Hobbes's *Elements of Law* to being a ship money tract.[18] Even less does it approach Bacon's *Redargutio Philosophiarum* as Bacon's authoritative restatement addressed to the theological-political problem.

War and peace form a central concern not only of Francis Bacon's political reflections but also of his political activity as a state counsel, parliamentarian, orator, and political philosopher. From his earliest writings and parliamentary speeches to the last publications of his lifetime, the final edition of the *Essayes or Counsels, Civill and Morall* (1625) and the *Apophthegmes New and Old* (1625), Bacon treats the themes of war and peace constantly and within a frame of persistent concerns and commitments. The structure of the chapters of this

[17] Bacon, "Speech upon the case of Sir Thomas Parry, charged with Unlawful Interference in an Election," in *LL* V, p. 52: "We live not in Plato his Commonwealth, but in times in wherein abuses have got the upper hand."
[18] See Richard Tuck, *Hobbes* (Oxford: Oxford University Press, 1989), p. 24: "As we shall see, these must have been the 'questions' to which Hobbes was referring—the argument of the *Elements of Law* is particularly well judged as a contribution to the Ship Money debate, on the King's side."

dissertation thus aims to disclose something about the arc of Bacon's thought on matters of war and peace, moving away from the internal disorder and fratricide of civil war towards a peace grounded upon Britain's hegemony and dominance via wars for colonies, expansion, and empire that are to be justified on religious grounds and on the basis of the just war tradition.

The opening chapter accordingly begins with a close reading of Bacon's essay "Of Seditions and Troubles" (c. 1612/1625) and parallels the structure of that essay by considering Bacon's account of the matter, motives, and remedies of seditions and *tumulti*. Locating Bacon's concern with civil war and the seditions and troubles that he regarded as engendering it within Bacon's youthful experience observing the French Wars of Religion while attached to the English embassy of Sir Amyas Paulet in 1570s France, the chapter examines both Bacon's particular account of the French Wars of Religion as a protracted civil war and what he theorizes and generalizes out of his observations of the French case. Departing from the analysis of David Armitage, who reads civil war in the early modern period as a civilizational marker,[19] the chapter contends that Bacon did not view civil war in this way but rather as something of a *summum malum*, as that which sensible state policy should aim to avoid. Situating Bacon's accounts of tumults, civil war and sedition against those of Machiavelli and Edward Forset (c.1553-1630), the chapter argues that Bacon saw civil war and sedition as emerging from the matter of poverty and discontentment, both of which, on Bacon's view redounded to excess population (particularly in relation to the food supply), an issue which Bacon saw as urgent and pressing in the England, and later the Britain, of his own time. To ameliorate the problem of population, in Bacon's view, and thereby avoid civil war, it was necessary to move population outward via expansion and colonization or through wars of aggression and attrition, to reduce population size.

The impetus to empire which emerged from Bacon's reflections on civil war and his search for what he would term "an excellent remedy against surcharge of people and too many of

[19] David Armitage, *Civil Wars: A History in Ideas* (New Haven: Yale University Press, 2017), p. 96: "Nevertheless, to be civilized was to be capable of—but also fatally susceptible to—civil war."

inhabitants"[20] found its outlet in Bacon's white papers and essays on the administration and planning of colonies in both County Tyrone in Northern Ireland and in Virginia, projects on which Bacon advised in his capacity as Solicitor General and learned counsel. These writings form the theme of the dissertation's second chapter in which it is argued that contrary to current assessments in the secondary literature,[21] Bacon defended imperial expansion based upon a title of conquest and administered under martial law and did so for reasons of both domestic and foreign policy. In domestic policy, outward expansion, colonies, and empire served the end of solving the problem of "surcharge of people" leading to the poverty and discontentment which, in his view, fostered civil wars. In foreign policy, Bacon justified imperial expansion as a matter of necessity, arguing that states must keep parity in outward growth and territorial expansion with rival powers lest they be overwhelmed by the amassed expanse of their rivals. Given the expansion of Spanish power, treasure and territory in the period from 1492-1620, Bacon argued, this meant Britain faced the choice of catching up to the Spanish Empire or being swallowed up by it. Being swallowed up by Spain, in Bacon's estimation, would have its foreseeable consequence the establishment of the Inquisition in Britain, an outcome Bacon found both personally distasteful and one which he considered to bode ill for the progress and advancement of learning, science, and humanity. Reflecting on Bacon's proposals for colonies in Ireland and Virginia, the chapter compares Bacon's proposed treatments of native populations in both areas and arrives at the counterintuitive conclusion that Bacon favored greater leniency towards Native Americans than towards the Irish, in part because he regarded relations with the former as governed by international law or the *ius gentium* whereas the latter he regarded as rebellious subjects.

The wars of attrition and wars for colonies, expansion, and empire which Bacon favored and advocated suffered from a potential deficit in public legitimation—wars of attrition didn't sell well when advocated on their own terms. Indeed, Bacon held that human beings were more likely to undertake actions and more likely to do so with enthusiasm if they believed that

[20] Bacon, "In Camera Stellata XXIII Octobris [1614]," in *LL* V, pp. 87-89; at p. 88.
[21] See Michelle Tolman Clarke, "Uprooting Nebuchadnezzar's Tree: Francis Bacon's Critique of Machiavellian Imperialism," *Political Research Quarterly* 61:3 (September 2008), pp. 367-378, at p. 367: "Bacon signals his rejection of an imperial model based on violent conquest"; *ibid*. p. 373: "In the place of violent conquest, Bacon advocates colonization."

justice or something yet more pressing was on their side. For this reason, Bacon intervened within the tradition of just war theory, expanding out the categories of permissible wars for empire, territorial expansion, and gain which he inherited from his predecessors Justus Lipsius and Alberico Gentili and expanding the class of permissible wars which might be waged under color of religion as he found that topic treated in Gentili's *De jure belli*. Consideration of these themes occupies the third and fourth chapters of the study.

The dissertation concludes with a synoptic account of Bacon's conception of peace. Where past commentators have assimilated Bacon's thought to that of Hobbes on the subjects of war and peace, the chapter contends that Bacon and Hobbes have analytically distinct conceptualizations of peace. Hobbes conceives of peace as the time within which the will to contend by battle is sufficiently known. This definition yields a *volitional* concept of peace—where two parties, persons or states both desire or will peace with one another and know the will of the other towards peace, they have peace then and there. Bacon's notion of peace is a *capacitarian* concept of peace, where peace is not to be had by willing it. Rather, peace for a person or state consists in the incapacity or impotence (Bacon favors the term "impuissance") of one's opponents to harm one, *even if* they desire to do so. Bacon wields his concept of peace polemically against the 1604 Treaty of London both subtly and overtly, whenever the opportunity presents itself both in Parliamentary speeches and reports and in private correspondence, calling into question the longstanding thesis that Bacon is a mere crown mouthpiece and court flatterer of James VI and I. Moreover, Bacon's view of peace serves substantially as an alibi of empire and a conceptual figure favoring British hegemony not only in Europe but across the newly discovered Americas. The chapter, and the dissertation, thus conclude with a re-reading of Bacon's famous fable, *The New Atlantis*, set on the isle of Bensalem (literally the son of peace or offspring of peace) as the state of affairs which is made possible by the fulfillment of Bacon's vision of peace, premised on the enactment of his geopolitical aims. Where some writers have described Bacon as "a man of peace", I will argue that for Bacon peace and war were not abstract binary conceptual opposites which other seventeenth century thinkers took these notions to be. Bacon was an imperial theorist who

thought of war and peace in time as not mutually exclusive and who conceived the pursuit of peace as an end to be achieved through the waging of war on a non-diminutive scale.

CHAPTER 1:

BACON ON CIVIL WAR, SEDITION, AND REBELLION

This chapter explores Bacon's understanding and development of the concept of civil war. It considers Bacon's exploration of how one is to think about civil war, its principal causes, and the ways in which it might be avoided politically. Bacon's considerations about civil war extend further to the ways in which the sources and prevention of factional social and political violence might be considered more broadly. This chapter aims to reconstruct Francis Bacon's account of civil war, those things which he considered as causes of civil war, and the policies which he understood to be preventive measures and remedies against civil war.

Overall, Bacon conceives of civil war as a feverish disease of the body politic. I argue that Bacon sees the origins of civil war in poverty—material privation and bodily necessity—which, in conjunction with factional equality, engender civil war.[22] Poverty, which lowers the estate of the nobles and reduces the common people to desperation, creates the condition for factional conflict between parties for control of the state.[23] Further, this chapter argues that for Bacon, in contrast to some of his contemporaries, the sovereign power can play an important role both in causing and in ending civil war. Corresponding to this understanding of the origins of civil war, Bacon's measures against it include the sovereign reduction of factional power, the alleviation of poverty, and measures which bring population growth into conformity with the available food supply. This chapter aims to draw out the richness of Bacon's conceptual vocabulary and lexical scope in the treatment of these themes. While the

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[22] See Markku Peltonen, "Politics and Science: Francis Bacon and the True Greatness of States," *The Historical Journal* 35:2 (June 1992), pp. 279-305, at p. 285.

[23] Bacon refers to his cousin, Robert Cecil, the Earl of Salisbury who served successively as Principal Secretary and Lord Treasurer, as controlling a "party" in both houses of Parliament in a manuscript dated to 1613 on "The Incidents of a Parliament". See Bacon, "Incidents of a Parliament," in *LL* IV, pp. 366-368, at p. 368: "now the Treasurer is gone, who had a kind of party in both houses." Bacon seems to hold a primarily dyadic view of factions, claiming that when a single faction comes to dominate, that dominant faction tends subsequently to sub-divide. "Yet even in beginners," Bacon writes, "to adhere so moderately, as hee bee a Man of the one *Faction*, which is most Passable with the other, commonly giveth best Way. The Lower and Weaker *Faction*, is the firmer in Conjunction: And it is often seene, that a few, that are Stiffe, doe tire out, a greater Number, that are more Moderate. When One of the *Factions* is Extinguished, the Remaining Subdivideth". In "Of Faction," Bacon also seems to refer to parties or factions interchangeably with an 'or' of equivalence in noting that "The *Faction* or Partie of *Antonius,* and *Octavianus Cæsar*, against *Brutus* and *Cassius*, held out likewise for a time". Bacon, "Of Faction. LI.," in *The Essayes or Counsels, Civill and Morall* in *OFB* XV, pp. 154-156, at ll. 13-26.

chapter is centrally concerned with civil war, Bacon speaks of civil war in close conjunction with a series of similar, if not necessarily synonymous terms—rebellion, sedition, tumults and troubles—which are related to, but importantly different from, civil war.

In reconstructing Bacon's account of civil war, this chapter also aims to enrich contemporary accounts of civil war in the history of political thought and to deepen our knowledge of Bacon's political thought, as Bacon has not traditionally been read as a major thinker on the theme of war in general or about civil war more specifically. Moreover, many writers downplay Bacon's connections to continental political thought, situating his work preponderantly in an English or, even more parochially, within an Anglican context.[24] Here, by contrast, I shall argue that Bacon's writings on civil war and sedition display underappreciated connections with the work of Jean Bodin, Michel de Montaigne, and Machiavelli. But my most far-reaching conclusion is that a consideration of Bacon's thought on civil war discloses that his ideological justifications of empire and outward expansion emerge from considerations about the *internal* dangers of excessive population, thus situating early modern justifications of empire both much earlier than they are often taken to be in the historiography of political thought and more centrally emerging from domestic political concerns.[25]

In recent literature, the historian David Armitage is the scholar who has broached most extensively the theme of civil war. In his 2017 monograph, *Civil Wars: A History in Ideas*,

[24] For a reading of Bacon primarily within the context of English political thought in the early seventeenth century, see Markku Peltonen, *Classical Humanism and Republicanism in English Political Thought, 1570-1640* (Cambridge: Cambridge University Press, 1995), esp. pp. 190-228. For readings of Bacon which assimilates his work to High Church Anglicanism, see Stephen A. McKnight, *The Religious Foundations of Bacon's Thought* (Columbia, MO: University of Missouri Press, 2006) and Steven Matthews, *Theology and Science in the Thought of Francis Bacon* (Farnham: Ashgate, 2008).

[25] For important recent treatments of empire in the history of political thought that situate justifications of empire as emerging primarily in later periods see Sankar Muthu, *Enlightenment Against Empire* (Princeton: Princeton University Press, 2003); Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France* (Princeton: Princeton University Press, 2005); Karuna Mantena, *Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism* (Princeton: Princeton University Press, 2010). While these works focus on the largely contemporary sources of eighteenth and nineteenth century discourses of empire, the effort here is to suggest as well the important ways in which these later discourses have precursors in the sixteenth and seventeenth discourse of empire and imperial justification and can be seen to be inflected by sixteenth and seventeenth century continental and English predecessors such as Bacon.

Armitage asserts that civil war (*bellum civile*) is a uniquely Roman invention. The Greeks, not even Thucydides, Armitage contends, had no equivalent notion for it.[26] Civil wars, in Armitage's account, emerge in the first century B.C.E., and they emerge in Rome. From this point of disembarkation, Armitage begins a series of millennial leaps—jumping from one canonical moment of history to the next—from Rome he jumps to the English civil wars; from there to the American war of Independence, from thence to the American civil war and then, following Carl Schmitt, to a consideration of the twentieth century as a global civil war. Like Nietzsche's Zarathustra, Armitage leaps from peak to peak. What this trans-historical leaping leaves aside is, perhaps unsurprisingly, a great deal—in what is an ostensibly global history, Armitage leaves out much of the non-European world prior to the twentieth century. But even *within* European history and the history of the Americas, Armitage's narrative gives particularly short shift to the Greeks and to the Renaissance and Early Modernity prior to Thomas Hobbes and his contemporaries. In particular, he passes over civic strife within Northern Italian cities and to the French wars of religion (1562-1598). Armitage thus figures Hobbes as contending with neo-Roman notions of civil war, choosing to omit such sources as Montaigne, Bodin and Bacon, with which Hobbes and later writers were also in conversation.

A reconsideration of these sources occluded from Armitage's narrative, particularly Bacon's writings, sheds light on more than just a gap in the contemporary historiography of civil war. Looking at Bacon on civil war in particular will shed considerable light on the ideological origins of the British Empire which have often been ignored—where many contemporary political theorists and historians are keen to link ideologies of empire to corresponding positions in political anthropology. A consideration of Bacon's thought on civil war will show, instead, that for key ideological originators of imperial justifications, imperial projects have their origin in domestic politics and the avoidance of civil war. Looking to Bacon's works, this chapter asks, what, for Bacon, was civil war? What did Bacon regard as the causes of civil war? And what did he consider to be its remedies? The chapter proceeds to answer these questions, outlining Bacon's definition of civil war, his assessment of its causes, and his proposed remedies to it.

[26] David Armitage, *Civil Wars: A History in Ideas* (New Haven: Yale University Press, 2017), p. 25.

Michel de Montaigne (1533-1592), for example, seemed to think that civil war was something hot. Observing the French civil wars and wars of religion raging in the final third of the sixteenth century, Montaigne referred to civil war as "a heated passion"—a "fever" (*nostre fiebre*) in the body politic.[27] For Francis Bacon, civil war was a matter no less heated. Concurring with Montaigne in the central essay of his 1625 *Essayes or Counsels*, *Civill and Morall* Bacon depicted an image of the body politic in which "A Civill Warre, indeed, is like the Heat of a Feaver".[28] If civil war, for Bacon, constituted a civil ill, Bacon was unrelenting in the remedy he proposed for civic ills: it was, in his assessment, the princely duty of the sovereign power to stop civic ills in their first beginnings. "[I]t is wisdom in princes," Bacon wrote in 1612, "and a watch they owe to themselves and to their people, to stop the beginnings of evils, and not to despise them."[29] Stopping civil war in its very beginnings is a princely duty which the sovereign owes not only to her or his subjects, but also a duty to oneself as a sovereign.

As we have already seen, for Bacon, as for Montaigne, civil war was a feverish heat upon the body politic. There is an implied naturalness to this comparison—if civil war is like fever, it is not a product of artifice but of natural accident, albeit a natural accident that can be

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[27] Michel de Montaigne, "Des mauvais moyens employez à une bonne fin," in *Essais* II.23; p. 721 in the *Pléiade* edition: "Il y en a plusieurs en ce temps, qui discourent de pareille façon, souhaitans que ceste esmotion chaleureuse qui est parmy nous, se peust deriver à quelque guerre voisine, de peur que ces humeurs peccantes, qui dominent pour ceste heure nostre corps, si on ne les escoulle ailleurs, maintiennent nostre fiebvre tousjours en force, et apportent en fin nostre entiere ruine : Et de vray, une guerre estrangere est un mal bien plus doux que la civile : mais je ne croy pas que Dieu favorisast une si injuste entreprise, d'offencer et quereler autruy pour nostre commodité." Florio translates this passage as follows: "There are divers now adaies, which will speake thus, wishing this violent and burning emotion we see and feele amongst us, might be derived to some neighbor war, fearing lest those offending humours, which at this instant are predominant in our bodie, if they be not diverted elsewhere, will still maintaine our fever in force, and in the end cause our utter destruction: And in truth *a forraine warre is nothing so dangerous a disease as a civill*: But I will not believe that God would favour so unjust an enterprise, to offend and quarrell with others for our commodity." See "Of Bad Meanes Emploied to a Good End," II.23; pp. 409-410 in the Everyman's Library edition of Florio's Montaigne (London: 1910).

[28] Francis Bacon, "Of the true Greatnesse of Kingdomes and *Estates*," in *Essayes, OFB* XV, pp. 89-99, at p. 97, l. 258. The claim is already present in the incorporation of the draft of this version of the essay in the 1623 *De Augmentis Scientiarum*, where Bacon claims that ": "Bellum civile profecto instar caloris febrilis est; at bellum externum instar caloris ex motu, qui valetudini inprimis conducit." Francis Bacon, *De Augmentis Scientiarum*, Book VIII, in *SEH* I, p. 801. See also Francis Bacon, *Sylva Sylvarum*, Experiment § 99, p. 382 in *SEH* II: "It is evident that of all powers in nature heat is the chief; both in the frame of nature, and in the works of art."

[29] "Charge against the Countess of Shrewsbury," in *LL* IV, pp. 297-300, at p. 298.

aggravated or, perhaps, induced. If civil war is like the heat of fever, this does not mean that civil war immediately occasions the death of the body politic, which it will for both later and earlier theorists, most notably Montaigne and Thomas Hobbes. Fever, in the sixteenth and seventeenth centuries, surely could prove fatal, but it could also occasion recovery or, perhaps, lead to a stronger comportment following recuperation.

Bacon presents and figures other images of civic discord in feverish terms and with the metaphor of fever.[30] In his *Advancement of Learning* of 1605, Bacon describes the stunningly brief reign of Lady Jane Grey in 1553, during which time the forces of Mary Tudor massed and prevailed in a struggle for sovereignty, as an "ephemeral fever," a "*Febris Ephemera*" in which confessionally framed factions contended for control of the English crown.[31] Seventeen years later, in his *Historie of the raigne of King Henry the seventh* of 1622, the image of subjects apt for insurrection was figured as a civic disease with Bacon claiming that "the same disease" of "discontented Subiects apte to rise and raise tumulte"[32] afflicted King Henry VII. Later in the narrative of Bacon's *Historie*, the aptitude of Henry VII's subjects to raise insurrection is depicted as "almost a feauer, that tooke him euery yeare".[33] Moreover, in arguing for banishments from Court for those who plan duels or send challenges for dueling, Bacon claimed that via duels "the state by this means shall be like to a distempered and unperfect body, continually subject to inflammations and convulsions."[34] Such hot inflammations and heated convulsions in the body politic, Bacon warned in Star Chamber upon that occasion, "may grow from quarrels to banding, and from banding to trooping, and so to tumult and commotion, from particular persons to dissension of families and alliances,

[30] Cf. Kiernan, "Commentary," p. 235 in *OFB* XV.
[31] Francis Bacon, *The Advancement of Learning, OFB* IV, p. 68: "Then followeth the Raigne of a King, whose actions howsoeuer conducted had much intermixture with the affaires of *Europe*: balancing and inclyning them variably, in whose time also beganne that great alteration in the State Ecclesiasticall, an action which seldome commeth vppon the Stage: Then the Raigne of a Minor, then an offer of an vsurpation, (though it was but as *Febris Ephemera*). Then the Raigne of a Queene Matched with a Forreyner". Cf. Kiernan, "Commentary," in *OFB* IV, pp. 269-270.
[32] Francis Bacon, *The History of the Reign of King Henry the Seventh*, *OFB* VIII, p. 32, lines 7-9.
[33] Francis Bacon, *The History of the Reign of King Henry the Seventh*, *OFB* VIII, p. 51, lines 1-2; *SEH* VI, p. 89.
[34] Francis Bacon, *The Charge of Sir Francis Bacon, Knight, his Majesty's Attorney-General, touching Duels; upon an Information in the Star-Chamber against Priest and Wright*, in *LL* IV, pp. 399-416, at p. 400.

yea to national quarrels".[35] In addition to viewing civil war as a fever, Michel de Montaigne was keen to offer several further characterizations of civil war. Observing the French wars of religion as *guerres civiles*, Montaigne posed the question of whether civil wars could serve as a remedy or pharmaceutical drug for the ills of the body politic. "Is there any ill in a polity which ought to be combatted with so mortal a drug?"[36] Montaigne answered his question resoundingly in the negative: "Not even, Favonius said, the usurpation of the tyrannous possession of a republic."[37] In Montaigne's figuration—civil war is a fatal drug worse than any possible disease to the body politic—civil war presents "this notable spectacle of our public death"[38]—Civil war equals civic death, and for Montaigne, this is worse even than a tyrant's seizure of possession of a republic. Montaigne, for his part, was keen to assert that civil war was a fatal disease for *corpora politica*. The evidence is less clear that Bacon regarded civil wars as equivalent to civic death—one may catch a fever, in Bacon's view, and yet recover.

What, ultimately, *is* civil war for Bacon, beyond the metaphor of a disease? It is, of course, in the first instance a kind of war. How one defines or conceptualizes war shapes in large measure a corresponding definition or conceptualization of civil war. For Bacon, war is a trial of arms in which there is no judge (or none present in the courtroom) to determine the outcome.[39] This definition of war is fleshed out in application to civil wars, when we look at what Bacon numbers within the set of civil wars.

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[35] Francis Bacon, *The Charge of Sir Francis Bacon, Knight, his Majesty's Attorney-General, touching Duels; upon an Information in the Star-Chamber against Priest and Wright*, in *LL* IV, pp. 399-416, at p. 400.
[36] Montaigne, *Les Essais,* III.xii, « De la Physionomie », eds. Jean Balsamo, Michel Magnien, Catherine Magnien-Simonin, (Paris: Gallimard, 2007), p. 1089: « Mais est-il quelque mal en une police, qui vaille estre combatu par und drogue si mortelle ? »
[37] Montaigne, *Les Essais,* III.xii, « De la Physionomie », eds. Jean Balsamo, Michel Magnien, Catherine Magnien-Simonin, (Paris: Gallimard, 2007), p. 1089: « Non pas disoit Favonius, l'usurpation de la possession tyrannique d'une republique.»
[38] Montaigne, Essais III.12 "Of Physiognomy," in *The Complete Works*, tr. Donald M. Frame, p. 800. Montaigne, *Les Essais,* III.xii, « De la Physionomie », eds. Jean Balsamo, Michel Magnien, Catherine Magnien-Simonin, (Paris: Gallimard, 2007), p. 1092 : « ce notable spectacle de nostre mort publique. »
[39] Francis Bacon, *Certaine Obseruations vppon a libell* (1592/3)p. 343, ll. 13-17 in *OFB* I: "warres are no massacres and confusions, but they are the highest trialles of right, when princes and States that acknowledge no superior vppon earth shall putt themselves vpon the iustice of God for deciding of their controversies by such successe as it shall please them to give on either side." See also Francis Bacon, *A True Report of the Detestable*

In his essay "Of Honour and Reputation," Bacon lauds Augustus Caesar, King Henry VII of England, and Henri IV for being such as "compound the long Miseries of Civill Warres." Civil war here is figured as a state of misery (as will later be by Hobbes in chapter 13 of *Leviathan*). Significantly, Bacon seems to cast the Roman civil wars, the Wars of the Roses and the French wars of religion as his paradigm instances of "Civill Warres".

Keeping these paradigm cases of Baconian civil war in mind, let us look more closely at Bacon's assessment of the French Wars of Religion, which Bacon observed first hand in the tumultuous years of 1576-1579 as a young member of the English embassy of Amyas Paulet,[40] precisely in the period when Henri III sided with regal partiality for the cause of the Catholic League.[41]

Civil War and the Malignity of Sects

In a fragmentary preface to his project for the interpretation of nature, *De interpretatione naturae prooemium*, dated by Spedding to 1603, scholars have at times thought they saw in Bacon something almost resembling a prophet newly inspired.[42] In a text which Spedding has dated to 1603, but which seems likely to be somewhat later,[43] Bacon writes with regard to his

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Treason Intended by Doctor Rogerigo Lopez (1594), p. 449, ll. 443-445 in *OFB* I: "Warrs, which are the highest Trialls of Right, betweene *Princes*, (that acknowledge no superiour Jurisdiction;)".

[40] Jardine and Stewart, *Hostage to Fortune: The Troubled Life of Francis Bacon* (New York: Hill and Wang, 1999 [1998]), pp. 40-47.

[41] David Hume, *The History of England* (Indianapolis: Liberty Fund, 1983 [1788]), Vol. IV, Ch. XL, p. 168: "[1577.] Henry, in order to divert the force of the league from himself, and even to elude its efforts against the hugonots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists."

[42] For a late-twentieth century version of the claim that Bacon predicted the English Civil Wars, see B.H.G. Wormald, *Francis Bacon: History, politics and science 1561-1626* (Cambridge: Cambridge University Press, 1993), p. 1: "Bacon was a victim of a revolution before it took place—a revolution, moreover, which he predicted was likely to occur given the arrival of a certain set of contingencies. Further, because men rejected measures which he urged regarding the implications of the Union of the Crowns of England and Scotland, he was also able to predict the contingencies."

[43] *SEH* III, pp. 507-508; *LL* III, pp. 82-84. Might there potentially be grounds for re-dating this text, which Spedding places in the year 1603 in volume III of *The Letters and Life*? The text seems to imply that the new organon has already been constructed [*satis profecisse si machinam ipsam ac fabricam exstruxerim*], but also that Bacon still has his "hands full of civil business" or that he is still implicated in the thrall of civic matters [*civilibus studiis implicatum*]—perhaps after his appointment as Solicitor General in 1607 and prior to his fall in the Parliament of 1621, and perhaps during his preparation and composition of the *Novum Organum,* published

project of human betterment via invention and methodical innovation in human knowledge, "Nor am I discouraged from it because I see signs in the times of the decline and overthrow of that knowledge and erudition which is now in use. Not that I apprehend any more barbarian invasions (unless possibly the Spanish empire should recover its strength, and having crushed other nations by arms should itself sink under its own weight): but the civil wars [*ex bellis civilibus*] which may be expected, I think, (judging from certain fashions which have come in of late) to spread through many countries,—together with the malignity of sects [*et ex sectarum malignitate*] , and those compendious artifices and devices which have crept into the place of solid erudition—seem to portend for literature and the sciences a tempest not less fatal, and one against which the Printing-office will be no effectual security."[44]

The notion of knowledge being impeded and the progress of the sciences imperiled by civil war is significant for Bacon. This is a notion which recurs in his (and Essex's) *Letters of Advice to the Earl of Rutland*.[45] Beyond the concern with knowledge, the conjunction of civil war and the malignity of sects is also of marked interest for Bacon. Focusing on this gives fuller specification of the potential sectarian or confessional dimensions of Bacon's account of civil war. What does Bacon here mean by the "malignity of sects" and why does this notion, for Bacon, occur in close conjunction with civil war? What, for Bacon, is a sect? In the 1625 edition of the *Essayes*, the notion of a sect seems to take on conditions of potentially broad scope. Philosophic schools might fitly be likened to sects, as Bacon juxtaposes "the Sects of Philosophers"[46] to certain contemporary discoursing wits. Epicureanism might be

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in 1620, but worked out in the 1610s. The author is thankful to Dr. Richard Serjeantson for fruitful suggestions on the dating of this work. Cf. *SEH* III, p. 520.

[44] *LL* III, pp. 84-85; *SEH* III, p. 519: "Nec mihi animum minuit, quod ejus quae nunc in usu est doctrinae et eruditionis, declinationem quandam et ruinam in temporum statu prospicio. Tametsi enim barbarorum incursions non metuam (nisi forte, imperium Hispanum se corroboraverit, et alios armis, se onere, oppresserit et debilitarrit), tamen ex bellis civilibus (quae mihi videntur propter mores quosdam non ita pridem introductos multas regions peragratura), et ex sectarum malignitate, et ex compendiariis istis artificiis et cautelis quae in eruditionis locum surrepserunt, non minor in literas et scientias procella videbatur impendere. Nec typographorum officina his malis sufficere queat."

[45] As Alexandra Gajda notes on the *Letters of Advice to the Earl of Rutland*: "Rutland is told to nurture his 'active virtue' to 'attain to knowledge, which is not only the excellentest thing in man, but the very excellency of man'. Learning is only fostered in 'flourishing states', and is liable to be ruined in countries plagued by civil war, or luxury and corruption. The study of history is of the greatest use, 'in matter moral, military, and politic', but knowledge is also to be attained through 'study, conference, and observation'." Alexandra Gajda, *The Earl of Essex and Late Elizabethan Political Culture* (Oxford: OUP, 2012), p. 20.

[46] *OFB* XV, "Of Truth. I." p. 7, lines 4-10.

one amongst the "Sects of Philosophers," for Bacon Lucretius is "The Poet, that beautified the Sect" of the Epicureans.[47] Like Epicureans, Aristotelians, too, in Bacon's eyes, seem to form a "sect," as, indeed, do scholastics, for Bacon writes in his *Historia Vitae et Mortis* of "the sects of peripatetics and schoolmen."[48] Atheism, too, in Bacon's view, may take on the attributes of a "Sect," as "you shall have *Atheists* strive to get *Disciples*, as it fareth with other Sects".[49] Certain revealed religions may assume the status of "Sect" as for instance, in Bacon's eyes, would seem to be the case with Islam.[50] Judaism, too, for Bacon, is a sect, for in his 1594 tract *A True Report of the Detestable Treason, Intended by Dr. Roderigo Lopez,* Bacon remarks that the Queen's former physician is "suspected to be in sect secretly a Jew".[51] Not least, Bacon writes that under certain conditions "the Christian Religion" itself may be a "Sect" as "indeed there was never Law, or Sect, or Opinion, did so much magnifie *Goodnesse*, as the Christian Religion doth."[52] If, in Bacon's view, scientific proficiency and progress face the threat of civil wars (*bella civilia*) accompanied by the malignity of sects, this description, within the frame of Bacon's political vocabulary applies to malignities internal to Christianity itself, with confessional conflict and its attendant martial strife not excluded.

In the 1597 edition of Bacon's *Essayes*, in "Of Honour and Reputation," Bacon articulated a hierarchy of "the degrees of Soueraigne Honour"[53] ranking first "*Conditores*, founders of states" and second "*Legislatores*, Lawgiuers" while hardly less to be esteemed, in the third position of sovereign honor, "are *Liberatores*, such as compound the long miseries of ciuill warres, or deliuer their Countries from seruitude of strangers or tyrants."[54] Preserving this hierarchy in all the editions of the *Essayes* which he published during his lifetime, Bacon thought it no less fit to expand upon this third category of sovereign honor in the 1625 edition

[47] *OFB* XV, "Of Truth. I." p. 8, lines 48-51.
[48] *SEH* II, p. 154; *SEH* V, p. 263; cf. Kiernan, "Commentary," p. 237 in *OFB* XV.
[49] *OFB* XV, "Of Atheisme. XVI." p. 52, lines 31-32.
[50] *OFB* XV, "Of the true Greatnesse of Kingdomes and *Estates*. XXIX." p. 96, lines 228-230: "The *Turke*, hath it at hand, for Cause of Warre, the Propagation of his Law or Sect; A Quarrell that he may always Command."
[51] *LL* I, *A True Report of the Detestable Treason, Intended by Dr. Roderigo Lopez*, p. 278.
[52] *OFB* XV, "Of Goodnesse *And* Goodnesse of Nature. XIII." p. 39, lines 28-33.
[53] Francis Bacon, *Essayes. Religious Meditations. Places of perswasion and disswasion. Seene and allowed.* (London: Printed for Humphrey Hooper, 1597), p. 10, sig. C2 recto.
[54] Francis Bacon, *Essayes. Religious Meditations. Places of perswasion and disswasion. Seene and allowed.* (London: Printed for Humphrey Hooper, 1597), pp. 10-11, sigs. C2 recto-C3 verso.

of the *Essayes*, now adding that "In the Third Place, are *Liberatores*, or *Salvatores*: Such as compound the long Miseries of Civill Warres".[55] Those who put an end to civil wars, Bacon added after thirty years of political activity and reflection, were not only to be seen as liberators, but also to be honoured as saviours, as "*Salvatores*."

Indeed, while preserving his hierarchic ranking "of the Degrees of *Soveraigne Honour*," Bacon also expanded this passage in the 1625 edition to enumerate those he considered amongst the ranks of the liberators and saviours, numbering out "*Augustus Caesar*, *Vespasianus*, *Aurelianus*, *Theodoricus*, K. *Henry* the 7. of *England,* K. *Henry* the 4. of *France.*"[56] Judging from the inclusion of Henry VII and Henri IV in Bacon's list of liberators, both the English Wars of the Roses and the French Wars of Religion would seem, in Bacon's view, to be numbered amongst the "long Miseries of Civill Warres".[57] In his *Observations Made Upon a Libel* of 1592, Bacon confirmed this judgment, claiming that in France "during the minority of Charles IX." Catherine de'Medici as Queen Mother had "raised and moved civil wars under pretence of religion".[58] In the absence of these "civil wars," Bacon claims, "France had been at this day a most flourishing kingdom, which is now a theatre of misery."[59] In Bacon's view, civil wars, of which the French troubles were a paradigmatic case, engender "a theatre of misery." The inclusion of the French case, in which Bacon had first-hand experience in the embassy of Sir Amias Paulet to France from 1576 to 1579, invites us to further consider Bacon's view of civil war in light of his understanding of the French wars of religion as an instance of civil war.

Wars of Religion as Civil Wars—*Notes on the Present State of Christendom* (1582)

In a document of 1582, now contained in the Harleian manuscripts, entitled "Notes on the Present State of Christendom," the reader is offered a survey of continental European politics in the year 1582, assessing the rulership, nobility, and internal political and military situation in the various European states and principalities. In the text in question, which Robert

[55] *OFB* XV, "Of Honour and Reputation. LV." p. 164, lines 38-39.
[56] *OFB* XV, "Of Honour and Reputation. LV." p. 164, lines 41-42.
[57] *OFB* XV, "Of Honour and Reputation. LV." p. 164, line 39.
[58] *LL* I, p. 188; Cf. *LL* I, p. 133.
[59] *LL* I, p. 189; Cf. *LL* I, p. 134.

Stephens and Fattori[60] attribute to Bacon but which Alan Stewart and James Spedding do not,[61] there is a reference to the French Wars of Religion as "civil wars."[62] This document, even if not by Bacon, seems to have been in his possession, and it thus may shed light on the formation of Bacon's views as well as his context, and may serve as an important source for the ways in which Bacon's political thought on civil war was situated in relation to other texts of the period.

Describing the rule of "The French King, Henry III.," the author of the "Notes" writes that this King "Abhorring the wars and all action; yet daily worketh the ruin of those he hateth, as all of the religion and the house of Bourbon."[63] In the "Notes on the Present State of Christendom," France's Henri III is presented as not entirely sovereign, but under the sway and suasion of others, not least Catherine de' Medici, for "The Queen Mother ruleth him rather by policy and fear he hath of her"[64]; and, in turn, presents Henri III as additionally subservient to the House of Guise, which house, as a result, "is now the greatest of all France"[65]—explicitly greater than the Valois royal house itself.

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[60] Marta Fattori, "Francis Bacon et la culture française (1576-1625)," pp. 25-47 in *Bacon et Descartes, Genèses de la modernité philosophique* (Élodie Cassan, ed.) (Lyon : ENS Éditions, 2014), at p. 27: "Encore adolescent mais admirateur à jamais de la France et de la langue et de la culture française, Francis Bacon émit un jugement mûr sur la Cour française. Dans les *Notes on the Present State of Christendom*, probablement écrites en 1582, il couvre de jugements sévères les conditions de la Cour françaises."

[61] *LL* I, Spedding's Commentary, p. 17. Weighing the evidence for attributing this text to Bacon, Spedding writes "I do not find however that Stephens had left any note of his opinion or the grounds of it concerning the authorship of this particular paper; and, whatever his opinion may have been, it is probable that all the evidence upon which it rested is as accessible to us as it was to him. To me this evidence does not appear strong enough to justify an editor in printing the tract as an undoubted work of Bacon's. The Harleian MS. is a copy in an old hand, probably contemporary,—but not Francis Bacon's. Blank spaces have been left here and there by the transcriber, as if for words which he could not decipher; and these words have been filled in by another hand,--but neither does this hand resemble Francis Bacon's. A few sentences have been inserted afterwards by the same hand, and two by another, which is very like *Anthony* Bacon's; none in Francis's. The blanks have all been filled up, but no words have been corrected, though it is obvious that in some places they stand in need of correction. Certain allusions to events then passing (which will be pointed out in their place) prove that the original paper was written, or at least completed, in the summer of 1582, at which time Francis Bacon was studying law in Gray's Inn, while Anthony was travelling in France in search of political intelligence, and was in close correspondence with Nicholas Faunt, a secretary of Sir Francis Walsingham's, who had spent the previous year in France, Germany, Switzerland, and the north of Italy, on the same errand; and was now living about the English court, studying affairs at home, and collecting and arranging the observations which he had made abroad". See also Jardine and Stewart, *Hostage to Fortune*, p. 87.

[62] *LL* I, pp. 18-30, at p. 28.

[63] *LL* I, pp. 18-30, at p. 26.

[64] *LL* I, pp. 18-30, at p. 26.

[65] *LL* I, pp. 18-30, at p. 26.

To this image of Henri III, the author of the "Notes" juxtaposes "Francis, Duke of Anjou and Brabant," who is "for his calling and quality greatly to be considered as any prince at this day living".[66] The "Notes" proceed to present the "Duc d'Anjou" as the hope of Christendom on the continent as "there is to be found no other prince in this part of the world so towards and forward as the Duke, towards whom they in distress may turn their eyes.... Besides, the French, desirous to shake off civil wars, must needs attempt somewhat abroad."[67]
Not only, therefore, do the "Notes on the Present State of Christendom" describe the French wars of religion as "civil wars"—they also offer a potential palliative for how these civil wars may be remedied. The "Notes" present the attempting of "somewhat abroad" as the solution to the civil wars of France at home. Here, external war is presented as the remedy to civil war, a theme to which Bacon also frequently recurs.

Fleshing out Bacon's view of civil war is his portrayal and description of France during the French civil wars. As we have seen, Bacon identified the French Wars of Religion as "civil wars" and proceeded further to offer his depiction of the state of France during these civil wars in the *Letter of Advice to the Queen*, which both James Spedding and Alan Stewart have ascribed to Bacon as a probable early composition of 1584 or 1585.[68] Here, in the course of surveying "yo*u*r strong factious Subiects, & your forreigne enymies"[69] the author depicts the present state of France under the government of King Henri III, precisely during the time of contested sovereignty. "Consideringe the present Condition of estate," the author of this letter to Queen Elizabeth writes of Henri III, "himself being a Prince, who hath payd very deare assurances to the world, that he loves his ease much better then victories; and a Prince that is not beloved nor feared of his people; & the people themselves being of a very light & inconstant disposition, & besides altogether vnexperienced & vndisciplined how to doe their duties either in warr or peace."[70] This is an image of a King barely sovereign, lacking the

[66] *LL* I, pp. 18-30, at p. 27.
[67] *LL* I, pp. 18-30, at pp. 27-28.
[68] *LL* I, pp. 42-48; *OFB* I, "*Letter of Advice to the Queen* (*AdQ*) (1584-1585)—Introduction," p. 10; Cf. Jardine and Stewart, *Hostage to Fortune*, p. 98; p. 539n11.
[69] *OFB* I, p. 22.
[70] *OFB* I, p. 30; Compare Machiavelli, *Il principe*, chapter 18.

Machiavellian attributes of being either loved or feared. Moreover, the author of the *Letter of Advice* presents France as factiously "devided and subdivided into sundry heads & seuerall factions not only betweene Huguenettes and Papistes, but betweene the Memoranciers, Guisardes, & Minions; the people opprest by all and hating all."[71] The image of France given in this text is that of a nation divided, riven with hatred, disunity, and faction and under a monarch quite incapable of exercising sovereignty.

Here we see Bacon's image of how civil war and the malignity of sects collide and coincide. Civil war both fosters and is fostered by factional divisions which multiply the more sovereign power is contested by arms. Civil war, for Bacon, is armed conflict internal to a commonwealth for the control or exercise of sovereignty.

What all of these examples of civil war have in common is alterations of sovereignty—or shifts in the nominal (and factual) holders of sovereign power—in the Wars of the Roses the Houses of Lancaster and York shift back and forth in holding sovereignty, with similar shifts in the fortunes of the Valois monarchs and the House of Navarre in the French wars of religion and shifts in sovereignty throughout the Roman civil wars. In contrast to Armitage's account, in Bacon's view, civil war is not a civilizational marker[72]—it is a state of misery from which one experiences liberation or salvation (in the felicitous situation in which one escapes it).

For Bacon, civil war is a trial of right with no higher jurisdiction where the trial concerns ultimate power over the commonwealth or sovereignty itself. We might contrast Bacon's definition with Hobbes's familiar later definition of war: war is the time within which the will to contend by battle is sufficiently known. For Hobbes, unlike for Bacon, civil war obviates the conditions of the commonwealth (as a domain of peace and order)—civil war, as war, destroys the commonwealth. For Bacon, it is not so clear that civil war amounts to a destruction of the commonwealth. Beyond being figured merely as a state of misery, for

[71] *OFB* I, p. 30.
[72] David Armitage, *Civil Wars: A History in Ideas* (New Haven: Yale University Press, 2017), p. 96: "Nevertheless, to be civilized was to be capable of—but also fatally susceptible to—civil war."

Bacon, civil war is an unarbitrated trial of right for the control of sovereignty. Hence we should further ask, what causes it—considering the causes with an ultimate view towards its prevention.

What then , for Bacon, causes civil war? Having a view of what, in Bacon's view, civil war *is*, we may now turn to the causes of civil war as Bacon perceived them. Bacon's presentation of the causes of civil war bears comparison with the work of Jean Bodin on the same question.

In the fourth of Bodin's *Six Books of the Republic*, Bodin exhorts his reader to uproot and displant the seeds of civil war[73]—which can best be achieved by the avoidance of inequality. "The primary and principal cause of sedition is inequality," Bodin writes, while the "nourishing mother of peace and amity is equality." This equality, Bodin informs his reader, "is nothing other than natural equity, distributing the rents, the estates, the honors, and the common things to each of the subjects, as well as may possibly be done."[74] For Bodin, civil

[73] Jean Bodin, *Les six livres de la république*, IV.iv (pp. 112-113 in the Fayard edition): "L'autre poinct que le sage Prince doit avoir devant les yeux, est de trancher les racines, et oster les semences des guerres civiles, pour maintenir les sujects en bonne paix et amitié les uns envers les autres. Cela est de tel poids, que plusieurs ont pensé que c'estoit le seul but, auquel doit aspirer le bon legislateur: car combine qu'on ait banni souvent la vertu des Republiques pour vivre en une license desbordee à tous plaisirs: si est-ce que tous sont d'accord, qu'il n'y a pestes plus dangereuses aux Republiques que la sedition civile, d'autant qu'elle tire apres soy la ruïne commune des bons et des mauvais." [Trans: The other point which the wise prince ought to place before his eyes is to cut the roots and to remove the seeds of civil wars, in order to maintain subjects in good peace and friendship with one another. This is of such significance that many have thought that it was the sole aim to which the good legislator should aspire: because how much has one thrown out the virtue of republics in order to live in an overflowing license of all pleasures: thus it is that all are in accord that there is no plague more dangerous to republics than civil sedition, as it draws after it the common ruin of the good and of the bad.]

[74] Jean Bodin, *Les six livres de la république*, IV.iv (p. 113 in the Fayard edition): "Or est-il que la premiere et principale cause de la sedition est l'inequalité, et au contraire la mere nourrice de paix et amitié est l'equalité : qui n'est autre chose que l'equité naturelle, distribuant les loyers, les estats, les honneurs, et les choses communes a chacun des subjects, au mieux que faire se peut : de laquelle equalité les voleurs mesmes et brigands ne sçauroyent se passer, s'ils veulent vivre ensemble : celui donc qui despart les honneurs et offices à un petit nombre de personnes, comme il est necessaire, quand ils sont donnez à vie : cestuy-là, di-je, allume les flammesches de jalousie des uns envers les autres, et le plus grand feu de sedition qui peut estre en la Republique. Quand il n'y auroit que ces deux poincts là, il semble qu'ils doyvent suffire, pour empescher qu'on face les offices perpetuels, à fin que chacun y ayant quelque part, ait aussi occasion de vivre en paix." [Trans: Indeed, it's the case that the primary and principal cause of sedition is inequality, and on the contrary, the nourishing mother of peace and amity is equality: which is nothing other than natural equity, distributing the rents, the estates, the honors, and the common things to each of the subjects, as well as may possibly be done: of which equality even thieves and brigands do not know how to do without, if they wish to live together: those therefore who disburse the honors and offices to a small number of persons, as is necessary, when they are given

sedition (the root and seed of civil war) is the most dangerous plague to republics. For Bodin, it is inequality, as Bodin understands this, that creates the conditions of civil sedition and equality (understood as equity) that removes them. Inequality, in Bodin's estimation, lies above all in the distribution of perpetual offices to the few without limits of term, which makes for many disaffected persons. Bodin's counsel is for equality or equity and particularly against the concentration of permanent offices in the hands of a few so as to check the ambitions of all those striving for position and place.

In his essay "Of Seditions and Troubles," Bacon offers a precisely inverted rhetorical presentation of the causes of civil sedition and the civil wars which it engenders. Indeed, Bacon's account of civil sedition and its causes, at first glance, seems directly opposed to Bodin's account. That is, where Bodin had contended that "the primary and principal cause of sedition is inequality", Bacon seems to open his essay "Of Seditions and Troubles" with a diametrically opposed image: "Tempests in State" Bacon warns, "are commonly greatest when Things grow to Equality."[75]

Yet, as one reads on, in Bacon's presentation, his distance from the Bodinian account diminishes. The structure of Essay XV, "Of Seditions and Troubles" is tripartite: Bacon claims that he will speak of the materials of seditions (material causes), the motives of seditions (efficient causes), and the "remedies" of seditions (the "Cures" for the "Disease"[76] which Bacon holds sedition to be).[77] The material causes of sedition, for Bacon, are principally two: one passionate or affective ("*Much Discontentment*") and one economic or

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to life: this one, I say, lights the flames of jealousy of some against others, and the greatest fire of sedition which may exist in the republic. When there are only these two points, it seems that it ought to suffice to prevent the creation of perpetual offices, so that each may have his part, having also the occasion to live in peace.]

[75] Francis Bacon, "Of Seditions *And* Troubles. XV." in *Essayes*, *OFB* XV, p. 43, lines 5-10: "*Shepherds* of *People*, had need know the *Kalenders* of *Tempests* in *State*; which are commonly greatest, when Things grow to Equality; As Naturall Tempests are greatest about the *Æquinoctia*. And as there are certaine hollow Blasts of Winde, and secret Swellings of Seas, before a Tempest, so are there in States".

[76] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 50, line 240. The terminal word of the essay, its place of punctal emphasis, is "Disease."

[77] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 73-75: "let us speake first of the *Materialls* of *Seditions*; Then of the *Motives* of them; And thirdly of the *Remedies*." See also Noah Dauber, *State and Commonwealth: The Theory of the State in Early Modern England 1549-1640* (Princeton: Princeton University Press, 2016), p. 183: "The 1625 version of 'Of Seditions and Troubles' broke the issue into three parts: the materials of seditions, their motives, and their remedies."

directly material ("*Much Poverty*").[78] Poverty, according to Bacon, is a major problem for state stability and a, if not the, true material cause of sedition. Mass poverty renders the upending of the state potentially appealing to the whole of the impoverished mass. But the relative diminution of estate amongst the nobility makes revolt appealing to the elite, who may direct the impoverished mass to effective rebellion. Where war is profitable to many, many will be found to make seditions and troubles.[79] Widespread poverty, Bacon seems to claim, is a powder-keg awaiting the spark of rebellion.[80] "And if this *Poverty*, and Broken Estate, in the better Sort, be joyned," Bacon contends, "with a Want and Necessity, in the meane People, the danger is imminent, and great. For the Rebellions of the Belly are the worst."[81] Poverty in the people and the reduction in the estate of the nobility together, for Bacon, breaks the state and brings about "Civil Warre."[82]

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[78] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 80-81: "The *Matter* of *Seditions* is of two kindes; *Much Poverty,*and *Much Discontentment*." See also Dauber, *State and Commonwealth*, p. 183: "The essay was really concerned with thinking through the two 'materials,' namely poverty and discontentment, and their remedies. Discontentment, as he explained in his essay 'Of Envy,' was another name for 'public envy.' Bacon had come to believe that there was a disjunction between the actual material arrangements of a society and the way that its people felt about it, their level of contentment." While aware of this passage in Bacon's essay "Of Sedition and Troubles," Markku Peltonen interprets Bacon as nonetheless praising poverty claiming that "Bacon gave two reasons why poverty was preferable to riches. Hardship and scarceness acted as an incentive to conquests and wars. 'For except there be a spur in the state that shall excite and prick them on to wars, they will but keep their own, and seek no further.' Poverty was the most forcible stimulus to a new war. Moreover, while riches corrupted the essential qualities of greatness, poverty maintained the same; whereas private wealth made people effeminate, the people living in poverty had the proper capacities for true greatness." Peltonen mistakes Bacon's remedy for sedition (external war) with praise for poverty (which leads, ultimately to civil war, if not vented, in Bacon's view, via external war). Bacon views poverty as facilitating war in any event—either civil war at home or foreign war abroad—and Bacon prefers external to internal warfare. Peltonen clefts the essays "Of Seditions and Troubles" (added to the print version of 1625 *Essayes*, but present in manuscript from 1612 onwards) and "Of the True Greatness of Kingdoms and Estates" as belonging to different contexts, when in fact Bacon has augmented both essays in the same work—the very much enlarged 1625 *Essayes,* which Bacon claims, when taken as a whole, "are indeed a New Worke." *Essayes*, Dedicatory Epistle to Buckingham, p. [5] in *OFB* XV. In this regard, "Of Seditions and Troubles" and "Of the True Greatness of Kingdoms and Estates", in the additions with which Bacon augmented his 1625 *Essayes*, form a single argument and are part of the same intervention: an argument for Britain to intervene in the Thirty Years' War on the Protestant side against the Spanish Habsburgs. Peltonen thus misreads Bacon on poverty, in part, because he is insufficiently attuned to the context of Bacon's additions to the 1625 *Essayes*. See Markku Peltonen, "Politics and Science: Francis Bacon and the True Greatness of States," *The Historical Journal* 35:2 (June 1992), pp. 279-305, at pp. 285-287.

[79] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 87-88: "This same *Multis utile Bellum*, is an assured and infallible Signe, of a State, disposed to *Seditions,* and *Troubles*."

[80] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 79-80: "For if there be Fuell prepared, it is hard to tell, whence the Spark shall come, that shall set it on Fire."

[81] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 88-89.

[82] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." p. 45, lines 87-90.

However, Bacon's presentation of poverty as a material cause of sedition leading to civil war raises a puzzle with regard to the opening passage of the same essay, claiming that equality occasions tempests of state. Bacon seems to claim both that material privation causes civil war and at the same time claims that tempests in state occur when things grow to equality. Is there any way to resolve this seeming paradox? The answer lies in a distinction between equality in a Bodinian sense and equality in a Machiavellian sense which Bacon will appropriate for his own aims.

Bacon's concern to suppress sedition, combined with his claim that tempestuous circumstances for the state coincide with a growth toward equality, may particularly surprise the reader who, several paragraphs later, finds Bacon lamenting the concentration of wealth "into few Hands," a matter, for Bacon, of no minor importance. "Above all things," Bacon writes in "Of Seditions *And* Troubles," "good Policie is to be used, that the Treasure and Moneyes, in a State, be not gathered into few Hands. For otherwise, a State may have a great Stock, and yet starve. And Money is like Muck, not good except it be spread."[83] Hence we shall ask what type of equality is Bacon referring to when he claims that it coincides with "*Tempests* in *State*" and only a few paragraphs later counsels against the excessive concentration of wealth and seems to argue for the goodness of "spreading" or reapportioning money?

Elsewhere in the 1625 *Essayes*, Bacon seems to speak well of "Equality," singling it out as an attribute of praise in his assessment of the regime of the United Provinces. "The united Provinces of the Low Countries," Bacon argues, "in their Government, excell: For where there is an Equality, the Consultations are more indifferent, and the Payments and Tributes more cheerfull."[84] Here, in praising the government of the United Provinces, Bacon seems to claim that something like political "Equality" makes for easier public extraction of taxes, in the form of "Payments and Tributes."

[83] *OFB* XV, *Essayes*, "Of Seditions *And* Troubles. XV," p. 47, lines 154-158. See also Bacon's "Advice to the King, touching Sutton's Estate," in *LL* IV, pp. 249-254, at p. 250.
[84] *OFB* XV, *Essayes*, "Of Nobility. XIIII." p. 41, lines 15-18.

In Bacon's discussion of sedition, he differs from his discussion of external warfare by explicitly diminishing the question of whether or not seditions are just. Treating seditions, Bacon counsels, "let no Prince measure the Danger of them, by this; whether they be Just, or Unjust? For that were to imagine People to be too reasonable; who doe often spurne at their owne Good". The danger of sedition is not, on Bacon's presentation, to be treated as a question of justice—it is to be treated as a matter to be put down or crushed, as Typhon is crushed by Jupiter's Olympian projectile, Mount Aetna, in Bacon's *De Sapientia Veterum*. Rebellions, for Bacon, may amount to war, but the question of rebellion and sedition is not whether it is just or otherwise but how quickly it may be suppressed in the present and how permanently it may be prevented and remedied in the time to come.

Bacon concludes his discussion of sedition with a discussion of "some Great Person, one, or rather more, of Military Valour neere unto them, for the Repressing of *Seditions*, in their beginnings. For without that, there useth to be more trepidation in Court, upon the first Breaking out of *Troubles*, then were fit."[85] In discussing sedition, Bacon claims that it is important to preserve and secure the reverence of government and the forms and appearances of state. Bacon writes that "when Discords, and Quarrells, and Factions, are carried openly, and audaciously; it is a Signe, the Reverence of Government is lost."[86] To this end, Bacon counsels against regal partiality and the regal fanning of the flames of faction, as we have seen in Bacon's treatment of the case of the French King Henri III. To make this argument, Bacon conjures with authority, writing that "as *Macciavel* noteth well; when Princes, that ought to be Common Parents, make themselves as a Party, and leane to a side, it is as a Boat that is overthrowen, by uneven weight, on the one Side" by which means "Kings begin to be put almost out of possession."[87]

As Michael Kiernan and other scholars have noted, Bacon here appears to be drawing on the discussion of faction and division in Machiavelli's *Discorsi*, Book III, chapter 27. In this part of the *Discorsi*, Machiavelli speaks to the question of how to unite a divided city, expressing his view that the opinion is not true (*non è vera quella opinione*) which holds that to hold a

[85] *OFB* XV, *Essayes*, "Of Seditions *And* Troubles. XV," p. 50, lines 229-234.
[86] *OFB* XV, Essay XV, p. 44, lines 55-57.
[87] *OFB* XV, Essay XV, p. 44, lines 44-54.

city it is necessary to hold it divided.[88] For Machiavelli, it is "natural" or "according to nature" (*dalla natura*) that when a city is divided humans part and side with one of the divisions.[89] The attachment to faction in a divided city, Machiavelli argues, is stronger than the attachment to the city itself—thus if a divided city is attacked externally, its internal divisions make it particularly incapable of a unified and successful defence.[90]

Machiavelli claims that there are three ways to unite a divided city—one can, in his view, execute or massacre the heads of a tumult or rebellion (*ammazzare i capi de' tumulti*); one can also exile or imprison the ringleaders on both sides, removing them from the city (*rimuovergli della città*); or, finally, one can force an internal peace obliging the heads of the factions to be obedient and inoffensive to one another and to the state as a whole. This triad, Machiavelli implies, forms a virtuous hierarchy—the third mode of forcing a peace between warring factions in a city is more dangerous, useless, and least sure (*più dannoso, meno certo e più inutile*),[91] while the mode of imprisonment and exile of the heads of tumults (*capi de' tumulti*) frames a surer peace, and, not least, Machiavelli holds that the first strategy, that of executing the rebels or the various heads of the tumults is "without doubt" (*sanza*[92] *dubbio*) surer still in bringing unity to a divided state.[93] To hold a city, Machiavelli contends, unity and the swift execution of the leaders of factions is the safest mode.

Summing up in this section, in the passage of the chapter to which Bacon seems to refer, Machiavelli notes the words of a French ambassador to Florence, "un monsignor di Lant,"[94] who claims that those in France who assert themselves to be of the King's party are to be chastised, for this implies that there are those who are not of the King's party. Princes and

[88] Niccolò Machiavelli, *Discorsi sopra la prima deca di Tito Livio* (Milano: Einaudi Editore, 2000), III.27, p. 342: "Come e' si ha ad unire una città divisa; e come e' non è vera quella opinion, che, a tenere le città, bisogni tenerle divise."
[89] Machiavelli, *Discorsi*, III.27, p. 343: "Perché dalla natura è dato agli uomini pigliare parte in qualunque cosa divisa, e piacergli più questa che quella."
[90] Machiavelli, *Discorsi*, III.27, p. 343: "Talché, avendo una parte di quella terra male contenta, fa che, la prima Guerra che viene, te la perdi; perché gli è impossibile guardare una città che abbia e' nimici fuori e dentro."
[91] Machiavelli, *Discorsi*, III.27, p. 342.
[92] In Italian in the 16th century, "sanza" was a spelling for "senza" (*sine*, *sans*, without) and is the spelling used in the edition of the passage cited above.
[93] Machiavelli, *Discorsi*, III.27, p. 343: "Ma sanza dubbio più sicuro saria stato di primo."
[94] Machiavelli, *Discorsi*, III.27, p. 344.

kings, Machiavelli seems to hold, are best served by the swift removal of factions and by not siding with any faction whatsoever, for fear that this may foment rebellion and foster further factionalism. On the basis of these contentions, Machiavelli professes that the view that one must hold subject cities divided is not only lacking in verity (*non è vera*) but also lacking in utility (*inutile*). Following Machiavellian counsels, one must, therefore, hold cities united.

What is Bacon doing in drawing upon this section of Machiavelli's *Discorsi*? In the first instance, it seems, Bacon's presentation is more muted in its presentation of the violence Machiavelli considers needful in putting down civic strife and division. While Bacon, like his source, Machiavelli, favors "the Repressing of Seditions, in their beginnings",[95] he does not foreground this conclusion as a matter of presentation, as Machiavelli does in the very beginning of *Discorsi* III. 27. No less significantly, it seems that here Bacon is drawing upon Machiavelli to make a point about class-based faction, which resembles the Machiavellian humors of the *popolo* and the *grandi*.[96] However, where Machiavelli had claimed in *Discorsi* that there are in every republic two diverse humors, the people (*popolo*) and the grandees (*grandi*),[97] Bacon, modifies this dyad for a monarchic, or at least aristocratic context, claims in Essay XV that: "There is in every State (as we know) two Portions of *Subjects*; The *Noblesse*, and the *Commonaltie*."[98] When one of these two factions, Bacon holds, "is *Discontent*, the danger is not great", but the real danger lurks in the moment when both factions are *equally* discontent. Here, one may observe the Baconian components of civil war, when the classes, both impoverished (albeit to differing degrees), combine and go against the monarch or the sovereign, joining together to upend the monarch's state. "Then is the danger," Bacon writes, "when the Greater Sort doe but wait for the Troubling of Waters, amongst the Meaner, that then they may declare themselves."[99]

[95] *OFB* XV, Essay XV, p. 50, line 231.
[96] Machiavelli, *Discorsi*, I.4, p. 17: "e che non considerino, come e' sono in ogni repubblica duoi umori diversi, quello del popolo, e quello de' grandi".
[97] Machiavelli, *Discorsi*, I.4, p. 17: "e che e' non considerino come e' sono in ogni repubblica due umori diversi, quello del popolo, e quello de' grandi".
[98] *OFB* XV, Essay XV, p. 48, lines 162-163.
[99] *OFB* XV, Essay XV, p. 48, lines 168-170.

The kind of equality with which Bacon is concerned in Essay XV therefore seems to be a kind of factional equality. In a republic or civil state, this is the point at which each major class or faction is equally enraged or discontent at the present state of affairs as well as each other and risks civic peace by open factional warfare. In a monarchic order, with which Bacon (in contradistinction to Machiavelli) was particularly concerned, this is the civic point at which each class or faction, the nobles and the commoners, are equally enraged at the monarchic government and considers their joint forces or means roughly equal to the forces at the disposal of the established order, and *both* factions, nobles and commoners, are willing to risk their fortunes against the established order and the common peace. It is in this sense that "*Tempests* in *State*", in Bacon's understanding, "are commonly greatest, when Things grow to Equality."[100]

In addition to poverty as a cause of sedition leading to civil war, opinion, information, and utterance can also cause sedition. For Bacon, there seems to be a question of knowledge or proper information related to swelling sedition and civic trouble. Drawing upon a theme present in his writings since the 1580s, as well as in the *De Sapientia Veterum* of 1609, Bacon lists off the signs of troubles in a sentence augmented in the 1625 edition of the *Essayes*. "Libels, and licentious Discourses against the State," Bacon notes, "when they are frequent and open; And in like sort, false Newes, often running up and downe, to the disadvantage of the State, and hastily embraced; are amongst the Signes of *Troubles*."[101] Rumors, libels, and fame can foretell the fall of states and empires.

Rumor and ill-fame, Bacon seems to contend, can have a redescriptive or paradiastolic force upon the good actions of a government or state, turning good deeds to ill-repute in the mind of the population. Fame and rumors, Bacon claims, are "the preludes of *Seditions* to come… Especially, if it come to that, that the best Actions of a State, and the most plausible, and which ought to give greatest Contentment, are taken in ill Sense, and traduced: For that shewes the Envy great, as *Tacitus* saith; *Conflata magna Invidia*, *seu benè, seu malè, gesta premunt*. [Great envy having been set ablaze, actions, whether good or ill, are assailed]."[102]

[100] *OFB* XV, Essay XV, p. 43, lines 6-7. Compare Grotius, *De jure belli ac pacis*, II.xviii.II.3.
[101] *OFB* XV, p. 43, lines 13-17.
[102] *OFB* XV, p. 44, lines 23-34.

As we have seen, for Bacon, libel and rumor can be the source of an intractable situation—once loosed, the state cannot be seen to do good, and an excuse is ever at hand for redescribing the actions of the regime in an ill-light. But, Bacon reflects nearly forty years after the arrest of the opponent of the Jesuit Bill on the floor of the House of Commons, rumor that upends the state cannot be so easily repressed with severity, in the manner in which Dr. Parry was arrested on the floor. Seditious rumor, paradoxically, although it may be legitimately suppressed by force, may be best suppressed with contempt. For, Bacon continues in "Of Seditions and Troubles," "Neither doth it follow, that because these *Fames*, are a signe of *Troubles*, that the suppressing of them, with too much Severity, should be a Remedy of *Troubles*. For the Despising of them, many times, checks them best".[103]

The notion of fame or rumor in relation to rebellion presents a recurrent theme, which Bacon had previously articulated in his *De Sapientia Veterum* of 1609. In this work, in his fable on rebellion, "Typhon, sive Rebellis,"[104] Bacon identifies his Typhon as both "the Rebel," or, "the Rebellious" (*Rebellis*), [105] and as a "tumor" (*tumor*)[106]—a swelling, an excrescence, a bodily malignity.[107] The tumor, like the rebel, for Bacon, is something which must be treated and, optimally, removed or, if necessary, crushed. Bacon's Typhon is regally crushed by Bacon's allegoric monarch of choice, Jupiter.[108] In Bacon's fable, Jupiter thwarts Typhon by hurling the mass of Mount Etna atop the rebel (*Aetnam super eum jaculatus*),[109] which hinders the rebel in flight and crushes the tumor under the force of the mountain (*mole montis oppressit*).[110]

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[103] *OFB* XV, p. 44, lines 23-34.
[104] *SEH* VI, p. 630.
[105] *SEH* VI,, p. 630.
[106] *SEH* VI,, p. 626: "cum Metis uxor Jovis plane consilium sonnet; Typhon tumorem; Pan universum; Nemesis vindictam: et similia."
[107] *OED*, "tumour, tumor, n," "3a. An abnormal or morbid swelling or enlargement in any part of the body of an animal or plant; an excrescence; a tumefaction: 1597 R. Hooker *Of Lawes Eccl. Politie* v. lxxii. 214 To helpe the tumors which alwaies fulnes breedeth."
[108] This imagery recurs in "Of Seditions *And* Troubles," *OFB* XV, p. 48, lines 170-175: "The Poets faigne, that the rest of the Gods, would have bound *Jupiter*; which he hearing of, by the Counsell of *Pallas*, sent for *Briareus*, with his hundred Hands, to come in to his Aid. An Embleme, no doubt, to shew, how safe it is for Monarchs, to make sure of the good Will of Common People."
[109] *SEH* VI, p. 630; Francis Bacon, *De Sapientia Veterum* (London: Robert Barker, 1609), p. 4, sig. B3 verso.
[110] *SEH* VI, p. 630; Bacon 1609, p. 4, sig. B3 verso.

Bacon's "Typhon" is interpreted by its author as a fable on the variant fortune of kings and the rebellions which are customarily made against monarchies (*Fabula de fortuna regum variâ et Rebellionibus*, *quae in Monarchijs quandóque evenire consueverunt*, *conficta est*).[111] Bacon's fable figures rebellion as a mode of war, which for contemporaries like Grotius it was not.[112] Bacon's Typhon, the rebel, moves war against Jupiter without delay upon reaching maturity.[113] As a mode of war, rebellion is presented as a product of mixed causation—related partly to the ruler and partly to the realm.[114] Rebellion is caused, Bacon offers, in part when monarchs become depraved by habituation to ruling imperially (*imperandi consuetudine*) and kings turn tyrant, drawing all to themselves, disdaining consent of orders and parliaments, and governing arbitrarily.[115] Rebellion is caused, Bacon claims, in part by popular discontent at the monarch's tyrannical behaviour. Popular discontent against the monarch is partially nourished, according to Bacon, by the "innate depravity and malignant nature of the common people [*plebs*]," which inclines them to revolt.[116]

One of the tactics for quelling rebellion which Bacon draws out of his fable is the tactic of withdrawing the estimation and reputation of the rebels by rumor or report prior to facing them openly in battle. As we have seen, for Bacon, while seditious rumors may not best be quelled with violence, open rebellion may be weakened by counter-rumors of the rebel's weakness disseminated by the state. While in "Of Seditions *And* Troubles," Bacon professes that he will discuss the matter, motives, and remedies of seditions in turn,[117] Bacon speaks relatively swiftly of the motives of sedition in a seemingly cursory single-sentence list: "The *Causes* and *Motives* of *Seditions* are; *Innovation* in *Religion*; *Taxes*; *Alteration of Lawes and Customes*; *Breaking of Privileges*; *Generall Oppression*; *Advancement of unworthy persons*;

[111] *SEH* VI, p. 630; Bacon 1609, p. 4, sig. B3 verso. (The Spedding edition omits the punctuation, accents, and capitalizations from this sentence, which have been restored to the 1609 version above).
[112] Grotius, *De jure belli ac pacis*, III.vi.27, note.
[113] *SEH* VI, p. 630: "Nec mora, postquam adolevisset, quin bellum Jovi moveret." See also Bacon 1609, pp. 3-4, signature pages B2 recto-B3 verso.
[114] *SEH* VI, p. 630: "Reges enim regnis suis, ut Jupiter Junoni, veluti matrimonii vinculo juncti recte censentur." See also Bacon 1609, p. 4, sig. B3 verso.
[115] *SEH* VI, p. 630; Bacon 1609, p. 4, sig. B3 verso.
[116] *SEH* VI, p. 631: "Atque iste rerum status ab insita plebis pravitate et natura maligna (serpente regibus infestissimo) nutricatur." Cf. Bacon 1609, p. 5, sig. B3 recto.
[117] *OFB* XV, p. 45, lines 73-75: "And let us speake first of the *Materials* of *Seditions*; Then of the *Motives* of them; And thirdly of the *Remedies*."

Strangers; *Dearths*; *Disbanded Soldiers*; *Factions growne desperate*; And whatsoever in offending People, joyneth and knitteth them, in a Common Cause."[118] Bacon's stance towards high taxation as potentially a factor contributing to sedition and civic troubles may be observed in his opposition to the 1593 Subsidy Bill, which famously brought him into disfavour with Queen Elizabeth for the ten-years' remainder of the latter's reign. In his Committee Speech on the Bill, Bacon claimed, first, that the subsidy was impossible for gentry, yeomen, and the poor to pay. The poor, Bacon contended, could not pay the subsidy and Bacon further offered the image of farmers and gentle persons selling their kitchenware in order to pay the tax: "The gentlemen must sell their plate and the farmers their brass pots ere this will be paid." [119] As "the general commonality is not able to pay so much upon the present",[120] Bacon held, such a subsidy would amount to skinning the wounds of the realm. Moreover, Bacon argued, the coffers of the crown might better be filled in other ways—a part of the speech which is truncated in the manuscripts and notes from this session of the House of Commons.[121] Most of all, however, Bacon opposed the bill because he considered a trebled subsidy and augmented rate of taxation to be a source of "Danger and discontentment."[122] Speaking against the trebled Subsidy Bill, Bacon claimed that the bill placed purse-strings above heart-strings, putting the public coffers above affection for the sovereign. In a case of necessity or "cause of jeopardy," Bacon stated to the select committee, it matters more that subjects love their Queen than that the public coffers be full and the subsidy risked filling coffers at the expense of love for the crown. Taxes, as Bacon therefore held in both 1593 and 1625, risk breeding discontentment in the people and a people discontented is all the readier to rebel.

Discontentment leading to sedition, Bacon claims, can have a deep affective or passionate dimension, particularly where fear plays a part. Bacon argues that "they are the most dangerous *Discontentments*, where the Feare is greater than the Feeling."[123] Quoting Pliny,

[118] *OFB* XV, p. 46, lines 111-116.
[119] *LL* I, "Speech on Motion for a Grant of Three Subsidies Payable in Four Years," p. 223.
[120] *LL* I, "Speech on Motion for a Grant of Three Subsidies Payable in Four Years," p. 223.
[121] *Ibid*.
[122] *LL* I, "Speech on Motion for a Grant of Three Subsidies Payable in Four Years," p. 223.
[123] *OFB* XV, p. 46, lines 99-100.

Bacon continues, *Dolendi Modus*, *Timendi non item*—for the suffering there is a way, for the fearing not so. For Bacon, fear is the "most dangerous" affective spark to the fuel of rebellion. As we have seen, one of the causes of sedition, in Bacon's view, is regal partiality. Kings and sovereigns should, in Bacon's estimation, stay (and appear to stay) above factional partiality. With respect to faction, rising politicians should take a side, but in a manner least offensive to the opposing side. In a passage in "Of Great Place" added especially to the 1625 version of the *Essayes*, Bacon writes that for those seeking great place, in a politic situation characterized by factions, "it is good, to side a Mans selfe whilest hee is in the Rising."[124] In the 1625 version of his essay "Of Faction," Bacon writes that "beginners" in politics should "adhere" to a faction but "adhere so moderately, as hee bee a Man of the one *Faction*, which is most Passable with the other," which Bacon notes "commonly giveth best Way."[125] But things stand differently between those who are rising and those who have risen. Persons at the height of "Great Place," and the sovereign most of all, should "ballance Himselfe, when he is placed."[126] In a discussion of the French Wars of Religion, Bacon offers the example of Henri III favouring the Catholic League as an errant (and fatal) example of regal partiality. Henri III did not "balance Himselfe" but sided fully with the Catholic League, which had him subsequently assassinated.[127] Bacon draws a politic lesson from this favoring of faction on the part of Henri III — sovereign partiality may lend weight to the thought that the sovereign is personally dispensable by the faction preferred: "when the Authority of Princes is made but an Accessary to a Cause; And there be other Bands, that tie faster, then the Band of Sovereignty, Kings begin to be put almost out of Possession."[128] Sovereign power should balance factions, perhaps best of all by politic reducing of the heft and sway of all factions, rather than side with particular parties or factions which may put them "almost out of Possession."

Here, Bacon makes sovereign action in supporting or siding with factions a cause of sedition and civil war. In this aspect of his political thought, Bacon offers a contrast of emphasis from

[124] *OFB* XV, "Of Great Place. XI." p. 36, lines 104-106.
[125] *OFB* XV, "Of Faction. LI." p. 155, lines 13-16.
[126] *OFB* XV, "Of Great Place. XI." p. 36, line 106.
[127] *OFB* XV, "Of Seditions *And* Troubles. XV." p. 44, lines 44-54; "Of Revenge. IV." p. 17, lines 40-41.
[128] *OFB* XV, "Of Seditions *And* Troubles. XV." p. 44, lines 50-54.

certain of his contemporaries who would position civic diseases as emanating from the people. Bacon's contemporary, Edward Forset (a fellow alumnus of Trinity College, Cambridge) adopts this position in his 1606 tract, *A comparative discourse of the bodies natural and politique*. Analogizing sovereignty to the head of a politic body and the people to the bulk of the body politic itself, Forset purported to follow "the Phisitions" in asserting that "most of the diseases of the head are originally arising and caused from the bodie" from which, Forset continues, it may be inferred that "many the escapes of Soveraignes by omission or commission, may thus far by this excuse be extenuated, as more imputable to the people than to them."[129] Bacon, by contrast, understands certain civic maladies to be matters of sovereign causation, matters which, *in extremis*, the sovereign may pay for with forfeited life, after the manner of Henri III.

With a view, then, to poverty and discontentment as the material causes of sedition leading to civil war, how does Bacon see the remedies for avoiding and preventing civil war?
In the longer term, Bacon's answer would seem to be in large part economic. Because poverty can play such an important role in stirring rebellion and civil war, when Bacon comes to outlining the remedies to remove or prevent rebellion, he dwells strongly on questions of poor relief, manufacture, and trade. "The first *Remedy* or prevention," Bacon writes, "is to remove by all meanes possible, that *materiall Cause* of Sedition, wherof we spake; which is *Want* and *Poverty* in the *Estate*." In order to alleviate poverty, and thereby remedy sedition, Bacon advises "the Opening, and well Ballancing of Trade; The Cherishing of Manufactures; the Banishing of Idlenesse; the Repressing of waste and Excesse by Sumptuary Lawes; the Improvement and Husbanding of the Soyle; the Regulating of Prices of things vendible; the Moderating of Taxes and Tributes; And the like."[130] All of these economic recommendations

[129] Edward Forset, *A comparative discourse of the bodies natural and politique. Wherein out of the principles of Nature, is set forth the true forme of a Commonweale, with the dutie of Subiects, and the right of the Soueraigne: together with many good points of Politicall learning, mentioned in a Briefe after the Preface.* (London: John Bill, 1606), p. 28. On Forset, see further Raphaela Santi, "Edward Forset," in Santi et al., *The Commonwealth as Political Space in Late Renaissance England* (Padua: Cedam Editore, 2014), pp. 27-54.
[130] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." P. 47, lines 123-129. Dauber, *State and Commonwealth*, p. 185: "Within this swirling mass of discontentment, the old concerns of commonwealth were still relevant. Bacon's list of remedies would have been familiar decades earlier…Yet these laws were not to be administered in quite the same way as they had [been] under the Tudors, and this represented in the latest

occur within Bacon's explicit treatment of sedition, troubles, and rebellion. It is a policy which is open to trade and material betterment that alleviates what Bacon regards as the material cause of sedition—poverty. Furthermore, Bacon's claim that *Poverty* is "that *materiall Cause* of *Sedition*" has important implications. To the extent that Bacon wishes to "Cure" the "Disease" of sedition, he seems to commit himself to removing what he regards as its material cause (poverty), as well as root sources of this cause. As a population excessively large (for its corresponding food supply) or excessively idle (for what it produces and in relation to the labor supply which supports it) may be regarded by Bacon as causes of poverty, Bacon's commitment to curing sedition seems to commit him to removing these ills as well. In "Of Seditions and Troubles," Bacon thus devotes himself to an unexpectedly extensive discussion of population and population size, precisely when considering the "*Remedy* or prevention" for sedition.[131]

"Generally, it is to be foreseen," Bacon observes, "that the Population of a Kingdome, (especially if it be not mowen downe by warrs) doe not exceed, the Stock of the Kingdome, which should maintaine them."[132] The question of population in relation to war had earlier been raised in Bacon's 1592/3 *Certaine obseruations vppon a libell,* where in answer to the charge that the English people are oppressed by "consumption of people in warres," Bacon replies that the realm can easily afford such a loss of population as the wars with Spain in the 1580s and 1590s occasioned. Here, Bacon invokes the Biblical injunction to "go forth and multiply" (*Crescite et multiplicamini*)[133] and remarks that the realm of England has little

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thinking a sense that it was the role of the state to rise to the endlessly changing expectations about the future so as to reign them in."

[131] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." P. 47, lines 121-141. On this point, see the helpful discussion in Michel Foucault, *Security, Territory, Population*, *Lectures at the Collège de France*, ed. Michel Senellart, tr. Graham Burchell (Basingstoke: Palgrave Macmillan, 2007), pp. 267-272.

[132] *OFB* XV, *Essayes*, "Of Seditions and Troubles. XV." P. 47, lines 129-131.

[133] OFB I, *Certaine obseruations vppon a libell*, p. 375, line 964; Cf. Genesis 1:28; 9:7. Francis Bacon, *Certain Observations upon a Libel* (1592/3), p. 174 in *LL* I: "Touching the oppression of the people, he mentioneth four points.

1. The consumption of people in the wars.
2. The interruption of traffic.
3. The corruption of justice.
4. The multitude of taxations.

Unto all which points there needeth no long speech. For the first, thanks be to God, the benediction of *Crescite et multiplicamini* is not so weak upon this realm of England, but the population thereof may afford such loss of

difficulty in obeying this commandment to the point that "the populac*i*on therof maie afforde such losse of men as hath bin*e* sufficient for the making o*u*r late warres." Bacon presses the point further in his *Certaine obseruations*, claiming that far from being oppressed by "depopulac*i*on" by deaths in warfare, the realm suffers rather from "surcharge of people."[134]

What, in Bacon's view, is to be done with this surcharge of people? Two things above all: first, the movement of this surcharge population outwards—in colonies and plantations—both to Ireland and to the newly discovered Americas;[135] and second, the surcharge of people is to be reduced via foreign wars—through wars of attrition to reduce the metropole's *own* population.[136] This is, for Bacon, a matter of policy, for while he had proposed a series of

men as were sufficient for the making our late wars, and it were in a perpetuity, without being seen either in city or country."

[134] OFB I, *Certaine obseruations vppon a libell*, p. 375, lines 974-6: "There be manie tokens in this Realme rather of p*re*sse and surcharge of people then of want or depopulac*i*on w*hi*ch were before recited." In his marginal notes to his copy of the Bacon's *Essays*, in the nineteenth century edition of W. Aldis Wright, Anthony Trollope took empire and outward expansion to be Bacon's 'remedy' for internal strife, sedition, and civil war. Following the essay "Of Seditions and Troubles," according to Trollope's biographer Michael Sadleir, Trollope penned the following commentary into his copy of Bacon's *Essays*, "The Remedy may be well worse than the disease, as is shown by the state of the Roman Empire and by the injuries done by Napoleon. In all his political Essays Bacon is governed by his natural desire to support Kings. His references to sumptuary laws and repression of the population show that he was not so very much before his age." Michael Sadleir, "Trollope and Bacon's Essays," in *The Trollopian* 1:1 (Summer 1945), pp. 21-34, at p. 25.

[135] Francis Bacon, Speech in the House of Commons, 17 February 1606/7, "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization," pp. 307-325, at p. 313: "And lastly (Mr. Speaker) there was never any kingdom in the ages of the world had, I think, so fair and happy a means to issue and discharge the multitude of their people, if it were too great, as this kingdom hath, in regard of that desolate and wasted kingdom of Ireland; which (being a country blessed with almost all the dowries of nature, as rivers, havens, woods, quarries, good soil, and temperate climate, and now at last under his Majesty blessed also with obedience) doth, as it were, continually call unto us for our colonies and plantations."

[136] Francis Bacon, Speech in the House of Commons, 17 February 1606/7, "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization," pp. 307-325, at p. 313: "The third answer (Mr. Speaker) which I give, is this: I demand what is the worst effect that can follow of surcharge of people? Look into all stories, and you shall find it none other than some honourable war for the enlargement of their borders, which find themselves pent, upon foreign parts; which inconvenience, in a valorous and warlike nation, I know not whether I should term it an inconvenience or no; for the saying is most true, though in another sense, *Omne solum forti patria*. It was spoken indeed of the patience of an exiled man: but it is no less true of the valour of a warlike nation." On surcharge population and the "matter of revolution" in Bacon, see also Francis Bacon, "Advice to the King, touching Sutton's Estate," (1611/12), pp. 252-253 in *LL* IV: "That for grammar schools there are already too many, and therefore no providence to add where there is excess. For the great number of schools which are in your Highness realm, doth cause a want and doth cause likewise an overflow, both of them inconvenient, and one of them dangerous. For by means thereof they find want in the country and towns, both of servants and husbandry, and apprentices for trade; and on the other side there being more scholars bred than the state can prefer and employ, and the active part of that life not bearing a proportion to the preparative, it must needs fall out that many persons will be bred unfit for other vocations, and

economic remedies for the long-term diminution of poverty, he seemed to regard the population size of the England, and later, of the Britain of his time as excessively large to the point of requiring urgent proposals for expansive colonization as well as numerous proposals for external wars—with Spain, with the Ottoman Empire, with the Vatican and occurring in the Spanish Netherlands, the United Provinces, the Mediterranean and the Caribbean. However, Bacon's views on the matters of preventing civil war were not wholly out of keeping with his time—one finds similar ideas in the opening chapters of the first two books of Machiavelli's *Florentine Histories* and in Book III, chapter 11 of Alberico Gentili's *De Jure Belli*.[137] Yet Bacon takes the scope of the external expansion requisite to the management of civil war much further than his predecessors and contemporaries—placing the scene of the expansion as nothing less than the world stage—extending from the Pacific Ocean in his *New Atlantis* to the Mediterranean in his *Advertisement Touching an Holy War* to the Iberian peninsula and the Caribbean in his *Brief View* of Britain and Spain.

Conclusion

So how should we summarize Bacon's view of civil war? Civil war, for Bacon, as it was for Montaigne, is a kind of feverish pox on the body politic, a mode of internal warfare within a political body for the sovereign control of that body, a judgeless trial of right for the control of sovereignty. Yet, departing from Montaigne, Bacon does not fully align civil war with the public death of the political body. Civil war is caused by sedition, swelling rebellion, and tumults, which in turn are caused by poverty. Poverty may reduce the estate of both the grand and the common people, and, when this occurs, poverty renders both desperate to risk their fortunes against the established order and one another. Civil war, for Bacon, is also fomented by factional conflict, either between divisions of class, divisions of party, divisions of religion, or confessional divisions internal to a single religion—as in the case of the French

unprofitable for that in which they are brought up; which fills the realm full of indigent, idle, and wanton people, which are but *materia rerum novarum*."

[137] Alberico Gentili, *De jure belli* III.xi, p. 556 in the 1612 edition: "Tolle Gallis bellum externum: quod inepto consilio Galliæ hostes eis intulerunt; quodque sapientissime suscepit, & proclamauit Galliæ rex: & mirum nisi cernimus statim ciuilia rursum bella: quæ per externum silent." [tr. (SGZ): "Take from the French external war: which the enemies of France have borne into it; and which the King of France most wisely received, & proclaimed: & it would be a miracle unless we immediately discern the return of civil wars: which are silenced via the external war."]

wars of religion which Bacon regarded as civil wars. Bacon's analysis combines what contemporary writers might term social or material considerations (poverty and food supply) with ideal considerations (confessional politics, religious allegiance), integrating both elements. Where Bodin had stressed material inequality as a cause of civil war, Bacon followed him in this. But in contradistinction to Bodin, Bacon stressed that faction *equality* could be no less generative of tempests in state. For Bacon, it is when factions are equally desperate and of roughly equal strength that sedition and civil war is most likely to occur. Importantly, civil war, for Bacon, is conceived as partially a matter of sovereign causation—the sovereign can hinder the growth of the causes of civil war by ameliorating poverty, redistributing wealth, and concerning him- or herself with population size relative to food supply. The sovereign may further hinder the causes of civil war by being equitable and impartial, by the apt deployment of rumor to hinder the forces of rebels or potential rebels, and by refraining from the use of force in the suppression of rumors and ill-fames. In this regard, Bacon's view differs from that of Edward Forset, who had loyally contended that sovereigns are not to be regarded as responsible for maladies that afflict the body politic.

Why, then, does this matter? It matters not only because this idea is substantially absent in Armitage's recent monograph. Armitage cannot account for Bacon's views on civil war simply by recurring to the Romans. This is the case because Armitage has substantially omitted Bacon's modern paradigm cases of civil war—the Wars of the Roses and the French wars of religion from his analysis and in so doing, Armitage occludes as well the Machiavellian and post-Machiavellian analyses of those conflicts. Armitage fails to link the notion of civil war to justifications of empire which emerge from the factional conflicts of the fifteenth and sixteenth centuries, not least omitting the thought that civil wars may be managed and alleviated through foreign warfare and external expansion.

The contentions of this chapter thus matter for a much broader and more basic reason. Empire, for Bacon as well as for Gentili, was thus not an extension of their philosophical anthropology (as the dominant accounts of early modern empire in contemporary political

theory contend)[138]—rather, empire, in their thought is a key solution to avoiding a yet more pressing concern—Bacon, Gentili, and other members of the Essex circle, advocated empire primarily as the strategy of population management for avoiding a fratricidal war at home.

Our survey of Bacon's views of civil war thus lead us to the theme of wars for colonies, empire, and outward expansion, which will be the theme of the second chapter of this study.

[138] Sankar Muthu, *Enlightenment Against Empire* (Princeton: Princeton University Press, 2003), pp. 7; 11; 23; 30; 67. Muthu argues that there is a correlation in political thought between advocating imperial expansion and viewing peoples other than one's own as something other than autonomous cultural agents. While Bacon, particularly in his essay "Of Custome and Education," might be read as offering a confirmation of this thesis, it is the argument of this dissertation that Bacon's imperial advocacy stems primarily from his intense preferences for the avoidance of internal warfare and the external conquest of England, and later, Britain, by Spain. The avoidance of civil war, the prevention of the conquest of one's own country, and the rivalry of power politics, together, for Bacon, generate the logic of empire. For Bacon's views of custom and cultural agency, see Francis Bacon, "Of Custome and Education. XXXIX." in *Essayes*, *OFB* XV, pp. 120-122, at ll. 20-39ff.

CHAPTER 2:

BACON ON IMPERIAL AND COLONIAL WARFARE

Francis Bacon was deeply involved in various trans-Atlantic colonial projects,[139] sitting as a member of Council for the Virginia Company of London from 1609,[140] an incorporator of the Newfoundland Company in 1610[141] and of the Northwest Passage Company in 1612,[142] and holding membership in the East India Company from 1618.[143] Some scholars have been silent on the role of colonies in Bacon's political thought or persistently downplayed this aspect of his work in favour of a "classical republican" reading of Bacon that eschews both empire[144] as well as Bacon's colonial endeavours.[145] Others have asserted that colonial apologetics played no role in Bacon's thought.[146] This chapter will argue that Bacon's

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[139] In a late-nineteenth century compilation of historical manuscripts on the English settlement of North America, Alexander Brown speculated that Bacon may have had a hand as Solicitor General in drafting the Second Charter of the Virginia Company of 1609, in which Bacon is mentioned amongst those who "shall be our Council for the said Company of Adventurers and Planters in Virginia."[139] Of the Second Charter of the Virginia Company, Brown wrote "This charter, it seems, was drafted by Sir Edwin Sandys, assisted possibly by Lord Bacon, both of whom were at that time members of his Majesty's Council for the company, and they were, about this time, assisting each other in drafting several instruments of writing, notably the 'remonstrance against the King's conduct toward the Parliament of 1604-1611.'" See Alexander Brown (ed.), *The Genesis of the United States; A Narrative of the Movement in England, 1605-1616, Which Resulted in the Plantation of North America By Englishmen, Disclosing the Contest Between England and Spain for the Possession of the Soil Now Occupied by the United States of America* (London: William Heinemann, 1890), 2 vols, vol. I., p. 232; vol. I., p. 207. Some details might give one pause about Brown's account, as in 1609 Bacon was not yet a Lord. In his 1985 Commentary on Bacon's *Essayes*, Michael Kiernan follows Brown's suggestion in writing that "the Second Charter for the Virginia Company (23 May 1609), which may have been prepared in part by Bacon in his capacity as Solicitor-General, established that the Governor be appointed by the Council in London. Under the original Letters Patent of 10 April 1606, a president was elected in Virginia by his fellow councillors to preside over the council, a system which produced considerable squabbling." *OFB* XV, Kiernan, "Commentary," p. 244.

[140] Michael Kiernan, "Commentary," *Oxford Francis Bacon* (*OFB*), vol. XV, p. 239; See also Alexander Brown (ed.), *The Genesis of the United States; A Narrative of the Movement in England, 1605-1616, Which Resulted in the Plantation of North America By Englishmen, Disclosing the Contest Between England and Spain for the Possession of the Soil Now Occupied by the United States of America* (London: William Heinemann, 1890), 2 vols, vol. I, p. 207; vol. I, p. 232.

[141] Michael Kiernan, "Commentary," *Oxford Francis Bacon* (*OFB*), vol. XV, p. 239.

[142] Michael Kiernan, "Commentary," *Oxford Francis Bacon* (*OFB*), vol. XV, p. 239.

[143] Michael Kiernan, "Commentary," *Oxford Francis Bacon* (*OFB*), vol. XV, p. 239.

[144] Markku Peltonen, "Politics and Science: Francis Bacon and the True Greatness of States," *Historical Journal* 35:2 (June 1992), pp. 279-305; Markku Peltonen, "Bacon's political philosophy," in M. Peltonen ed., *The Cambridge Companion to Francis Bacon* (Cambridge: Cambridge University Press, 1996), pp. 283-310.

[145] Markku Peltonen, *Classical humanism and republicanism in English political thought 1570-1640* (Cambridge: Cambridge University Press, 1995), pp. 190-228.

[146] Sarah Irving, "'In a Pure Soil': Colonial anxieties in the work of Francis Bacon," *History of European Ideas*, 32:3 (2006), pp. 249-262, at 261: "Francis Bacon was no ideological apologist for English colonisation."; p. 249: "Far from being an ideological apologist for English colonisation". Bacon was not only without anxieties about

colonial and imperial involvement was reflected and meditated upon in his theoretical and political writings. In particular, this chapter will argue that Bacon's colonial and imperial involvement, and his theoretical and political thought regarding colonies and empire, were rooted in a view of imperial dominion based on a title of conquest.

In laying out his view of kingship and obedience whilst arguing *Calvin's Case* in 1608, Bacon listed four original grounds which motivate and occasion human beings to submit themselves to obedience to a sovereign power: paternity, admiration of virtue, conduct in war, and conquest.[147] Of these four modes of submission to sovereign power, Bacon averred that he thought conduct in war "the most usual of all" and generative of a claim of obedience similar to paternity: "For as men owe their life and being to their parents in regard of generation, so they owe it also to saviours in the wars in regard of preservation."[148] Conquest, Bacon argues in the immediately succeeding sentences, generates a submission to sovereign authority similar to that generated by war-conduct, "And this likewise is upon the same root, which is the saving or gift as it were of life and being. For the conqueror hath power of life and death over his captives; and therefore where he giveth them themselves, he may reserve upon such a gift what service and subjection he will."[149] Both war-conduct and conquest, in Bacon's argument, "are evident to be natural and more ancient than law."[150] Hence conquest, in Bacon's view, is prior to law in time and generative of a submission to the sovereign power of a conqueror that grounds future legality.

The Title of the Sword

In his dialogue, *An Advertisement Touching an Holy War,* Bacon's character Martius, "a Militar Man", gives voice to the view that the territorial acquisitions of Portugal under the reign of King Manuel I, not least, all of Brazil, were famed "Conquests" which, in Martius's estimation were spurred on by "Gold, and Siluer, and Temporall Profit, and Glory" rather than

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colonization but also an active participant in and advocate of colonial projects. For the view that Bacon's *Essayes* offer "an endorsement of colonialism", see Svetozar Minkov, "Baconian Science and the Intelligibility of Human Experience: The Case of Love," *Review of Politics* 71:3 (Summer 2009), pp. 389-410, at p. 401.

[147] *SEH* VII, *The Case of the Post-Nati of Scotland*, pp. 645-646; Daniel R. Coquillette, *Francis Bacon* (Palo Alto: Stanford University Press, 1992), p. 159.

[148] *SEH* VII, *The Case of the Post-Nati of Scotland*, p. 645.

[149] *SEH* VII, *The Case of the Post-Nati of Scotland*, p. 646.

[150] *SEH* VII, *The Case of the Post-Nati of Scotland*, p. 646.

any pretence advanced for "the *Propagation*, of the Christian faith".[151] Speaking of "the famous Nauigations, and Conquests, of *Emanuel*, *King* of *Portugall*, whose Armes beganne to circle *Africke,* and *Asia*," Bacon's Martius emphasizes that "neither in this, was *Religion* the Principall, but Amplification, and Enlargement, of Riches, and Dominion."[152]

Bacon's Martius seems to hold a similar view of the acquisitions of the Spanish "*Castilians*" who "opened the *New World*; And subdued, and planted *Mexico*, *Peru*, *Chile*, and other Parts of the *West Indies*."[153] To the extent that to subdue is to compel another to submit by force, to claim, in Baconian terms, that a people or place is "subdued" by force is equivalent to claiming that that people or place has been conquered. Bacon, arguing in *Calvin's Case,* understood conquest definitionally to be "inforced submission" to a sovereign authority.[154] Bacon's Martius thus boldly asserts that the title of Spanish and Portuguese holdings in the Americas and beyond is a title of conquest.

Bacon himself might seem to confirm this assessment in his own person, in arguing hypothetically in the case of the Post-Nati that "if Henry VII. had accepted the offer of Christopher Columbus, whereby the Crown of England had obtained the Indies by conquest or occupation, all the Indies had been naturalized by the confession of the adverse part."[155] Had Henry VII of England hired Columbus to explore on his behalf, the Americas would have accrued to him by title of "conquest or occupation",[156] the very titles which Bacon's Martius attributes to Portugal and Spain.

A people that is forcibly subdued is conquered, in the terms of the definition which Bacon the jurist will give at the bar arguing for the crown in *Calvin's Case* in 1608 and in the terms that Bacon's Martius will reiterate to the audience assembled in the Parisian salon setting of Bacon's 1622/3 dialogue.

On the note of conquest, Bacon opens his *History of the Reign of King Henry the Seventh* by stressing Henry's title to rule from conquest, having vanquished the forces of Richard III at

[151] *OFB* VIII, p. 191, lines 11-13; *SEH* VII, p. 21.
[152] *OFB* VIII, p. 191, lines 15-21; *SEH* VII, p. 21.
[153] *OFB* VIII, p. 190, lines 29-30; *OFB* VIII, p. 191, line 1; *SEH* VII, p. 20.
[154] *SEH* VII, p. 646.
[155] *SEH* VII, p. 659.
[156] *SEH* VII, p. 659.

Bosworth Field,[157] noting that upon the victory, Henry was "in a kind of *Militar Election*, or *Recognition*, saluted King."[158] Bacon stresses that this "*Militar Election*" amounted to a title to the English crown by "the Title of the *Sword* or *Conquest*,"[159] a title which was accompanied by two hereditary titles: a Yorkist title to rule by marriage to the Lady Elizabeth of York, the eldest daughter of Edward IV;[160] and a Lancastrian title in his own person as heir to Kings Henry VI, V, and IV.

Both of the hereditary titles, Bacon emphasized, had their pitfalls: although acknowledging the title derived from the House of York to be "fairest,"[161] Bacon observed that if Henry chose to rule through the Yorkist title of his wife "he could be but a *King* at *Curtesie*, and haue rather a *Matrimoniall* then a *Regall* power" as he would hold title only via his wife and would be imperilled upon her surcease with rival claims to the throne.[162]

While remarking that Henry was crowned upon his victory at Bosworth Field "as if there were his chiefe Title",[163] Bacon stresses that publicly avowing to rule by conquest carries its own political and historical heft, both scaring away potential friends and potentially encouraging regimental foes to take arms but also recalling historical memories of the Norman Conquest, when even "WILLIAM himselfe, commonly called the *Conqueror*, howsoeuer he vsed and exercised the power of a *Conqueror* to reward his *Normans*, yet he forbare to vse that Claime in the beginning, but mixed it with a Titularie pretence grounded vpon the *Will* and designation of EDWARD the *Confessor*."[164]

Public reliance on the title of conquest, even if, in Bacon's assessment, such a title is juridically sound, is politically precarious: it frightens both allies and adversaries with the

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[157] *OFB* VIII, p. 4, lines 6-9.
[158] *OFB* VIII, p. 4, lines 15-16.
[159] *OFB* VII, p. 5, line 31.
[160] *OFB* VIII, Michael Kiernan, "Commentary," p. 296.
[161] *OFB* VIII, p. 5, line 33.
[162] *OFB* VIII, pp. 5-6.
[163] *OFB* VIII, p. 6, lines 24-25.
[164] *OFB* VIII, p. 6, lines 30-34. On English mistrust of the title of conquest in the period European imperial expansion, Anthony Pagden writes "In England, furthermore, there existed a long-standing distrust of conquest…that originated in the Norman occupation after 1066 and resulted in the 'continuity theory' of constitutional law in which the legal and political institutions of the conquered are deemd to survive a conquest." Anthony Pagden, *The Burdens of Empire, 1539-Present* (Cambridge: Cambridge University Press, 2015), pp. 123-124.

prospect of suspending the orderly rule of law and of expropriating subjects, bearing the imprint of "like points of absolute power."[165]

In the case of Henry VII, Bacon distinguishes *claiming* as a conqueror from *ruling* as a conqueror—and commends Henry's "greatnesse" of mind in foregrounding his claim to rule as the heir of the Lancastrian line while keeping his claim of conquest and title of "*Battaile*" to "beate downe open murmer and dispute".[166] In short, Bacon presents his Henry as following William the Conqueror's example: forbearing "to vse that Claime" but nonetheless exercising the power of a Conqueror.

Bacon is quite emphatic that conquest forms one of Henry VII's "three seuerall *Titles* to the Imperiall Crowne."[167] His prudent counsel with regard to Henry's title by conquest is that it is important to rule by right of conquest in such a manner as to quell dissent and the propensity to revolt without the odious aftertaste of claiming as a Conqueror. To this end, Bacon presents his Henry as eager to multiply his formal and legal titles by procuring swift Papal and Parliamentary confirmation of his right to rule so that by March of 1486 he had received both statutory confirmation and a Papal Bull affirming him as King of England "with mention neuerthelesse (by waie of recitall) of his other titles both of discent and Conquest."[168] Conquest is again presented as temporally prior to confirmation by statute or religious authority and is confirmed by a "wise king" in the very act of augmenting the titles to dissimulate it.

Bacon's reflections on the title of conquest in his *History of the Reign* might be extended to his treatment of colonial titles to rule. While Bacon urges his colonial administrators to *act* as conquerors, forcing others to submit to the Crown's authority, he does not foreground the *claim* of legal title to conquest. As a counsellor for empire and colonial plantations, Bacon urges his addressees to govern as conquerors while keeping an adept silence about their title by conquest.[169]

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[165] *OFB* VIII, p. 6, line 29.
[166] *OFB* VIII, p. 7, lines 8-9.
[167] *OFB* VIII, p. 5, lines 26-27.
[168] *OFB* VIII, p. 12, lines 26-27.
[169] As Anthony Pagden writes, "Although very few of the English settlements in America were in fact 'conquered' in any meaningful sense, conquest nevertheless remained the basis of the English crown's claim to

In view of Bacon's thought that conquest is a natural title of obedience to a sovereign power, let us look more closely at how Bacon relates his thought on war and empire to his thought on colonies or plantations.

Bacon's Essay 33 in the 1625 edition of his *Essayes*, "Of Plantations" was translated into Latin as *De Plantationibus Populorum et Coloniis* in the 1638 edition of Bacon's *Opera civilia et moralia*, "On the Plantations of Peoples, and Colonies."[170] Bacon's vocabulary of "plantations" was thought by his literary agents and translators, in whose number, according to John Aubrey, the philosopher Thomas Hobbes was one,[171] to be close enough to that of "colonies" that they translated the terms as at least partial equivalents.

In "Of Plantations," Bacon ties his notion of a "plantation" or planting colony to war in at least three senses: the first is Bacon's claim that plantations should be governed by those with a commission or authority to exercise martial law, keeping silent on the fact that to rule by martial law is to rule as a conqueror; second is the stratagems Bacon proposes for colonial rule; and third is the relation of colonial settlement to the native populations, which serves, for Bacon, as a ground of legitimation for English and British colonies over and against Spanish imperial power in particular.

With regard to the first connection between Bacon's notion of "plantation" and war, Bacon claims that such plantations should be governed by those with a commission or the authority to exercise martial law: "let them have Commission, to exercise Martiall Lawes,"[172] to the end that the plantation may run smoothly. Martial law, in Bacon's view, was fitly invoked for the suppression of rebellion as well as the administration of colonial plantations. In his 1601 *Declaration Touching the Treasons of the Late Earl of Essex and His Complices*, Bacon

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its American colony until independence." Anthony Pagden, *The Burdens of Empire, 1539-Present* (Cambridge: Cambridge University Press, 2015), p. 124.

[170] Bacon (1638), p. 217. On the Latin translation of this essay, Spedding writes: "*De Plantationibus populorum et coloniis.* This Essay seems to have been carefully translated; and revised in the translation, probably by Bacon himself." *SEH* VI, p. 457n1.

[171] John Aubrey, "Thomas Hobbes," pp. 321-403 in '*Brief Lives*,' *chiefly of Contemporaries, set down by John Aubrey, between the Years 1669 &* 1696, ed. Andrew Clark, at p. 331: "The Lord Chancellour Bacon loved to converse with him. [Marginal note after "converse": This, I beleeve, was after his first lord's death.] He assisted his lordship in translating severall of his Essayes into Latin, one, I remember well, is that *Of the Greatnes of Cities*: the rest I have forgott."

[172] *OFB* XV, p. 107.

opens the tract with the concession that while Essex and his associates received "an honourable and ordinary trial", Essex's case, in Bacon's estimation, would not only have "borne" but "required" the "severity of martial law" to bring the matter swiftly to justice.[173] In his *Historie of the raigne of King Henry the seuenth* (1622), Bacon further commends his Henry following his victory at the Battle of Stoke Field in 1487 for his use of prerogative justice "partly by Martiall Lawe and partly by Commission" to punish those who aided the Earl of Lincoln and his Yorkist rebellion.[174]

In Bacon's preferred colonial administration, the commission to exercise martial law is to be held in the hands of a well-counselled governor, who is to rule the plantation monarchically or at least quasi-monarchically: "For the Government, let it be in the Hands of one, assisted with some Counsell."[175] This Counsel, on Bacon's account, is not to be too numerous and it is not be composed of a social class other than Governor's own: the counsellors to a colonial governor are not to be "Merchants" but rather "Noblemen, and Gentlemen."[176] As he was later to propose for the Virginia Colony in "Of Plantations" in his *Considerations touching the Queen's Service in Ireland*, Bacon was keen to commit the government of Ireland under martial law as a necessary implement for the establishment of colonial order. "For justice," Bacon wrote, "the barbarism and desolation of the country considered, it is not possible they should find any sweetness at all of justice."[177] On this view, conquest is prior to justice and the reestablishment of order in Ireland amounts to reconquest, or forcing rebels to submit to the Crown. For this reason, Bacon averred that for the better pacification of the rebellion recently put down, "there must be an interim, in which justice must be only summary; the rather, because it is fit and safe for a time the country do participate of martial government."[178]

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[173] *LL* II, "A Declaration Touching the Treasons of the late Earl of Essex and his Complices," p. 247: "*Though public justice passed upon capital offenders, according to the laws, and in course of an honourable and ordinary trial (where the case would have borne and required the severity of martial law to have been speedily used), do in itself carry a sufficient satisfaction towards all men*".
[174] *OFB* VIII, *The historie of the raigne of King Henry the seuenth,* p. 30, lines 7-8 with Michael Kiernan, "Commentary," pp. 331-334 in *OFB* VIII.
[175] *Ibid.*
[176] *OFB* XV, p. 107.
[177] *LL* III, "Certain considerations touching the Queen's service in Ireland," p. 49.
[178] *LL* III, "Certain considerations touching the Queen's service in Ireland," p. 50.

Juridically, as Ken MacMillan has argued, colonies were a space of regal prerogative in which the Roman civil law of equity rather than the common law obtained.[179] Bacon's avid endorsement of martial law, placing colonies on a war footing, might be seen not only as advocacy of this use of prerogative but as a stark amplification of it.

Second, Bacon ties his "plantations" to war in the stratagems he proposes for their management. In Bacon's counsel for "plantations" which he judges aptly administered, food is to be rationed on the model of rationing in a state of siege: "The Victuall in *Plantations*, ought to be expended, almost as in a Besieged Towne."[180]

Third, in Bacon's "Of Plantations," war is pertinent for how settlers or colonists in a "plantation" are to relate to native populations. Planters and settlers in Baconian plantations are to conduct themselves toward native populations and peoples "with sufficient Guard."[181] Bacon counsels settlers and those who would plant plantations against waging offensive war on behalf of local populations and peoples to win their favour, but concedes that coming to the aid of a native people when that people is attacked may be permissible for the purpose of earning their esteem: "doe not winne their favour, by helping them to invade their Enemies, but for their Defence it is not amisse."[182] Bacon's counsel approving defensive but disapproving invasive wars in "Of Plantations" therefore seems to parallel Bacon's rhetorical and conceptual distinction between invasive and defensive war in his 1624 white paper on war with Spain.

Bacon explicitly juxtaposes the English practice of colonization with his image of the Spanish practice of empire in the Americas.[183] In Bacon's 1622/3 dialogue, *Advertisement Touching*

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[179] Ken MacMillan, *Sovereignty and Possession in the English New World: The Legal Foundations of Empire 1576-1640* (Cambridge: Cambridge University Press, 2005), p. 7: "these English peripheries did not hold *imperium* and an imperial authority was imposed over the whole. This authority was based, in part, on the limited efficacy of English common law and its central institutions—which meant that the crown (king-in-council), ruling through royal prerogatives and Roman laws of liberty and natural equity, was the principal body that retained sovereignty and legal oversight throughout the composite monarchy."
[180] *Ibid*.
[181] *OFB* XV, p. 108.
[182] *Ibid*.
[183] Bacon (1638), p. 335: "Zebedaeus *Romano-Catholicus*, *fervidus, & Zelotes*." See also *SEH* VII, p. 17n2; *OFB* VIII, p. 187; *OFB* VIII, Michael Kiernan, "Commentary," p. 496. Michelle Tolman Clarke picks up on this rhetorical strategy, but places it amongst English and French imperial rhetorical strategies in the period after Bacon wrote: ""In the century after Bacon wrote, England and France would describe their Empires in the New World using the language of humanity, prosperity, and cosmopolitanism. Moreover, they would compare

an Holy War, his character "Zebedaeus," endowed with the persona "of a…Zelant"[184] and instilled with a "fervid" *(fervidus*) disposition, makes several strong claims advancing Spain's claims to overseas dominion on the grounds of "the Law of Nature."[185] "The Law of Nature," Bacon's Zebedaeus asserts, proscribes the custom of eating of human flesh; thus, this "Law of Nature" grants just cause to the Spanish imperial power to expel and reduce those who have adopted this custom.[186]

Drawing an ideological contrast to this picture, Bacon's proposed mode for "plantations" and settler populations seeking amity with native populations and groups is not mediation, but defensive war on behalf of the native population with which a colonial and imperial power seeks alliance. Alliances made by colonies and "plantations," for Bacon writing on the Virginia colony in "Of Plantations" are sought by means of war.

In his Parliamentary speech on behalf of the 1597 Subsidy Bill, Bacon would critique Spanish colonial rule for "the great and barbarous cruelties which they have committed upon the poor Indians"—where, in Bacon's presentation, it is the Spanish colonial power, and not the Native Americans, that is described as "barbarous."[187] Across his political and literary career, from his Parliamentary speeches in the 1590s to his writings after his fall from power, Bacon deployed his juxtaposition of his favored mode of English engagement with native populations in contrast to his image of Spanish colonial administration as an ideological warrant for the superiority of English and British claims to empire over and against their Spanish opponents.

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themselves favorably with Spain, which they criticized for pursuing an aggressive and destructive policy of conquest designed to augment the martial glory of the nobility." (references removed) Michelle Tolman Clarke, "Uprooting Nebuchadnezzar's Tree: Francis Bacon's Criticism of Machiavellian Imperialism," *Political Research Quarterly* 61: 3 (September 2008), pp. 367-378; at p. 377.

[184] *OFB* VIII, p. 187; Bacon (1638), p. 335.

[185] *OFB* VIII, p. 205; Bacon (2000), p. 37; Bacon (1638), p. 348.

[186] Bacon (1638), p. 348. *OFB* VIII, p. 205 and *SEH* VII, p. 34: "[Zebedaeus:] But, I say, their sacrificing, and more especially their eating of men, is such an abomination, as (methinks) a man's face should be a little confused, to deny that this custom, joined with the rest, did not make it lawful for the Spaniards to invade their territory, forfeited by the law of nature; and either to reduce them or displant them."

[187] *LL* II, p. 88: "The first of these expeditions invasive was achieved with great felicity, ravished a strong and famous port in the lap and bosom of their high countries, brought them to such despair as they fired themselves and their Indian fleet in sacrifice, as a good odour and incense unto God for the great and barbarous cruelties which they have committed upon the poor Indians, whither that fleet was sailing, disordered their reckonings, so as the next news we heard was of nothing but protesting of bills and breaking credit."

These facets of Bacon's presentation of his favored modes of considering colonial administration in relation to war and empire occasion a further look at Baconian colonies in relation to profit and war.

Bacon has a series of concerns which he wishes to emphasize in the essay "Of Plantations." First and foremost, he is concerned for the stability and longevity[188] of plantations and his subsequent concerns are aimed at securing this. Subordinated to the concern for stability are concerns for the population, for hygiene, and for the long-term profitability of the plantations or colonies.

The theme of profit was nothing new for Bacon and had been articulated by Bacon at least as early as 1609 in *De Sapientia Veterum*, *On the Wisdom of the Ancients,* his allegorical mythography in which fables are turned to the end of conceptual elucidation. In that work, in the fable of Perseus, Bacon advises his reader that "profit" (*fructus*) is a key consideration in the expansion of empire which differentiates empire-building from expanding a private land-holding, writing that "Nor, indeed, is the rationality of augmenting a patrimony the same as that of expanding an empire. For in private possessions, one ought to look to the proximity of the loot; but in propagating empire, occasion, both the ease of waging war and the profit of waging war, ought to be looked to in place of the proximity."[189]

While some writers have downplayed the role and prominence of profit in the writings of the natural philosophers on the imperial theme,[190] the notion of profit was important to Bacon in his political writings and he emphasized it with greater force and frequency in his essay "Of Plantations" to the extent that it overshadows both explicit Biblical quotation and appeals to

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[188] Compare Peltonen, *Classical humanism and republicanism,* p. 198.

[189] *SEH* VI, *De Sapientia Veterum,* p. 642: "Neque enim eadem est patrimonii et imperii amplificandi ratio. Nam in possessionibus privatis, vicinitas praediorum spectatur; sed in propagando imperio, occasio, et belli conficiendi facilitas et fructus, loco vicinitatis esse debent." Cf. *SEH* VI, p. 715 (translation above is that of the author).

[190] "There is little space in this debate for a discussion of the sixteenth- and seventeenth-century intellectual origins of the British Empire, in which ideas of profit and capital were less important than those of virtue or Old Testament theology, for example." Sarah Irving, *Natural Science and the Origins of the British Empire* (London: Pickering & Chatto, 2008), p. 5. See further Andrew Fitzmaurice, *Humanism and America: An Intellectual History of English Colonisation 1500-1625* (Cambridge: Cambridge University Press, 2003), p. 3: "Drawing a parallel between the experience of Rome and their own encounters with the New World, humanists perceived colonisation with nervousness, anxiety and, sometimes, outright hostility. Indeed, through to the first quarter of the seventeenth century, these concerns overshadowed discussions of colonies. Profit and possession, it was repeatedly emphasised, were secondary aims or were denied to be aims at all."

virtue present in that essay. In setting out to establish a plantation or colony, Bacon writes in "Of Plantations," "you must make account, to leese almost Twenty yeeres Profit, and expect your Recompence, in the end."[191] It was a miscalculation of profit-structure, not a misunderstanding of the Bible or of virtue, in Bacon's estimation, which had led past plantations in the Americas to fail, as Bacon writes that "the Principall Thing, that hath beene the Destruction of most *Plantations*, hath beene the Base, and Hastie drawing of Profit, in the first Yeeres."[192] Profit is not, in Bacon's estimation, a matter to be neglected in the early-stages of a plantation but only insofar as it is compatible with the establishment of a plantation that may be of long duration.[193] In this argument, Bacon appears to reiterate a critique of the management of the Virginia Company made by John Smith in a 1608 letter to the Treasurer of the Company, in which he lamented that "in overtoyling our weake and unskilfull bodies, to satisfie this desire of present profit, we can scarce ever recover ourselves from one supply to another."[194] Bacon, like Captain Smith, was criticizing not the pursuit of profit generally, but the overhasty pursuit of "present profit," checking the long-term stability and profitability of the Virginia plantation. Not least, in his choice of crops for growing in a colony Bacon is not shy to commend those which "cannot but yield great Profit."[195] With regard to colonies or plantations, a discourse of and concern with "Profit" far exceeds any explicit discussion of virtue or overt Biblical citation.

Bacon ends his essay, "Of Plantations," with a strong admonition against abandoning a colony or plantation once planted or begun: such colonial abandonment, Bacon asserts, amounts to "sin," or particularly loathsome betrayal. "It is the sinfullest Thing in the world," Bacon claims, "to forsake or destitute a *Plantation*, once in Forwardnesse."[196] Plantations, for

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[191] *OFB* XV, "Of Planations. XXXIII." p. 106, lines 10-12.
[192] *OFB* XV, "Of Planations. XXXIII." p. 106, lines 12-14.
[193] *OFB* XV, "Of Planations. XXXIII." p. 106, lines 14-16: "It is true, Speedie Profit is not to be neglected, as farre as may stand, with the Good of the *Plantation*, but no further."
[194] "LXIV. Smith to the Treasurer of Virginia," [1608], printed in Captain John Smith, *History of Virginia* (London: 1624), pp. 70-72 and reprinted in Alexander Brown (ed.), *The Genesis of the United States; A Narrative of the Movement in England, 1605-1616, Which Resulted in the Plantation of North America By Englishmen, Disclosing the Contest Between England and Spain for the Possession of the Soil Now Occupied by the United States of America* (London: William Heinemann, 1890), 2 vols, vol. I, pp. 199-204, at pp. 203-204.
[195] *OFB* XV, "Of Planations. XXXIII." p. 107, lines 61-62: "So Drugs, and, Sweet Woods, where they are, cannot but yield great Profit."
[196] *OFB* XV, "Of Plantations. XXXIII." p. 108.

Bacon, seem thus to give rise to obligations on the part of the imperial or "planting" power. Plantations, for Bacon, are thus not wholly reducible to the advantages which they provide.

A consideration of Bacon's essay "Of Empire" may illuminate Bacon's caution against rendering destitute a plantation once established.

Bacon's *Of Empire* (1612/1625)

In the essay "Of Empire," the term "empire" itself is undefined. Indeed, in the 1612 edition of the *Essaies of Sir Francis Bacon Knight, The Kings Solliciter Generall*,[197] beyond the title of the essay, the word "empire" is entirely absent from "Of Empire."[198] Where the 1612 essay spoke of "Kings" and "Princes", "great and fortunate Conquerors", "gouernment", and "power", the essay was silent on "empire" itself.[199] Revising the essay for the 1625 edition, Bacon altered his claim that "A true temper of gouernment is a rare thing"[200] to claim of "the true Temper of *Empire*: It is a Thing rare and hard to keep",[201] thereby replacing "gouernment" with "empire" and introducing the latter into the body of the text, while at the same time retaining a cross-referent to "gouernment" later in the same paragraph and thereby implying that empire and a certain mode of government were semantically interchangeable.[202] On the basis of his usage, does Bacon understand empire as a mere synonym for government or is the term linked to external expansion and the growth of the realm through conquest?

Bacon links his essay "Of Empire" to the essay "Of the true Greatnesse of Kingdomes and *Estates*" through the example of Neronian politics—a politics that fiddles while the state or city burns. Drawing on the example of Themistocles, a prominent figure in the ancient historians Herodotus, Thucydides, Xenophon, and Plutarch, Bacon notes that at a wine symposium the Athenian statesman "said; *He could not fiddle, but yet he could make a small Towne, a great Citty.*"[203] From this quote Bacon draws an implicit contrast between Nero and Themistocles, claiming that in contrast to the Themistoclean talent of being able to expand a

[197] *SEH* VI, pp. 537-591.
[198] *SEH* VI, "9. Of Empire." pp. 552-553.
[199] *SEH* VI, "9. Of Empire." pp. 552-553.
[200] *SEH* VI, "9. Of Empire." p. 553.
[201] *OFB* XV, "Of Empire. XIX.", p. 59, lines 33-34.
[202] *OFB* XV, "Of Empire. XIX.", p. 59, lines 33-34 with line 39; *SEH* VI, "9. Of Empire." p. 553.
[203] *OFB* XV, "Of the true Greatness of Kingdomes and *Estates*. XXIX.", p. 89, lines 8-10.

city to greatness, "there will be found a great many, that can *fiddle* very cunningly, but yet are so farre from being able, to make *a Small State Great,* as their Gift lieth the other way; To bring a Great and Flourishing Estate to Ruine and Decay."[204] In the context of the *Essayes* as a whole, Bacon's juxtaposition of Nero with Themistocles is made explicit in "Of Empire" where Bacon presents Apollonius answering the Emperor Vespasian's question as to the cause of Nero's downfall writing that "He answered; *Nero could touch and tune the Harpe well; But in Government, sometimes he used to winde the pins too high, and sometimes to let them downe too low.*"[205] Here, as elsewhere, Bacon deploys the literary juxtaposition of figures of ancient history to link his treatment of empire to his treatment of civic greatness and aggrandizement at the same time that he uses the terms "Government" and "Empire" interchangeably, where Nero's "*Government*" illustrates that he lacked "the true Temper of *Empire*". The true temper that this quotation seems to suggest is apt for empire is a form of balance. Bacon will return to this idea throughout the essay.

Bacon's essay "Of Empire" is concerned, in the first instance, with "the Case of *Kings,*" and treats, above all, the modes of monarchic rule and the relations which a successful monarch must keep.[206] Monarchs, in Bacon's view, must be particularly attentive to the dangers arising both from their "Neighbours" as well as from the dangers arising from their families, clergy, nobles, and commons.

Bacon counsels monarchs to look first to their neighbours, from whom "arise Dangers, if Care and Circumspection be not used."[207] In looking to the actions of foreign states, Bacon emphasizes that their greatness and expansion must be checked as "for their *Neighbours*; There can no general Rule be given, (The Occasions are so variable,) save one; which ever holdeth; which is, That *Princes* doe keepe due Centinell, that none of their *Neighbours* doe overgrow so, (by Encrease of Territory, by Embracing of Trade, by Approaches, or the like)

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[204] *OFB* XV, "Of the true Greatness of Kingdomes and *Estates*. XXIX.", p. 89, lines 15-18.
[205] *OFB* XV, "Of Empire. XIX.", p. 59, lines 38-41. Cf. *SEH* VII, *Apophthegms New and Old*, p. 132, number 51; *OFB* VIII, *Apophthegms*, p. 221, lines 1-3: "Vespasian askt of Apollonius; *What was the cause of Nero's ruine?* who answered; *Nero could tune the Harpe well; but in Gouernment, hee did always winde vp the strings too high, or let them downe too low.*"
[206] *OFB* XV, "Of Empire. XIX.", p. 58, lines 4-5. Daniel Coquillette notes that in questions of conflicting obligations in politics "Bacon chose, as he always did, the royal side." Daniel Coquillette, *Francis Bacon* (Palo Alto: Stanford University Press, 1992), p. 185n143.
[207] *OFB* XV, "Of Empire. XIX." p. 60, ll. 61-62.

as they become more able to annoy them, then they were."[208] Bacon here emphasizes a general rule of seemingly perpetual temporal ambit ("which ever holdeth") and of broad scope: monarchs must keenly attend that their neighbours' relative power position in territory, trade, navigation or martial access does not grow *in any respect*: neighbours must not be allowed to expand relative to one's power so that they be "more able to annoy them, then they were."[209] The easiest way to satisfy Bacon's general rule with regard to the power of neighbours is for one's own power to expand in territory, trade, and "Approaches" faster than all other neighbouring powers—this would satisfy Bacon's sole rule of foreign affairs articulated in "Of Empire"—only when no neighbouring power's growth exceeds one's own is a monarch's state secure.

In Bacon's 1624 *Considerations Touching a War with Spain*, Bacon would apply precisely this perpetual maxim to the most salient contemporary case, that of Spain, with Bacon warning the heir apparent, Prince Charles, that "nothing is more manifest, than that this nation of Spain runs a race (still) of empire when all other states of Christendom stand in effect at a stay."[210] Bacon's point is that in this matter no other state, Britain least of all, can afford to be a looker-on: Spain's augmentation of territory and, not least, titles of conquest, should ring a bell of warning, Spain's "so many new conquests and purchases" should sound "so many strokes of the larum bell of fear and awaking to other nations."[211]

The Baconian maxim from "Of Empire" combined with its politic application in his *Considerations* sheds light on why, in Bacon's estimation, abandoning a colony is superlatively sinful: If a neighbor power, say, Spain, is growing in colonies, then to maintain a state secure, England or Britain must grow in colonies at an equivalent rate, in Bacon's estimation. Otherwise one's relative power diminishes and one risks the loss of one's state.

Plantations and the Bounds of Empire

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[208] *OFB* XV, "Of Empire. XIX." p. 60, ll. 62-70.
[209] *OFB* XV, "Of Empire. XIX." p. 60, ll. 62-70.
[210] *LL* VII, *Considerations Touching a War with Spain,* p. 479. There is here a connection with more recent understandings of empire, where imperial growth, for Bacon, is multi-modal, and may advance "by Encrease of Territory, by Embracing of Trade, by Approaches, or the like" in the passage from "Of Empire." *OFB* XV, p. 60, ll. 62-70.
[211] *LL* VII, *Considerations Touching a War with Spain,* p. 479.

To what extent, for Bacon, do "plantations" serve as a marker of the greatness of kingdoms and states? Colonies and plantations, for Bacon, are about expanding the bounds of empire, understood as command. Discussing "the nation of the Swisses" in his treatment *Of the True Greatness of the Kingdom of Britain*, Bacon praises them for demonstrating "what an authority *iron* hath over *gold*". Yet, although in his estimation a martially fit group, Bacon notes the fact that "this people have made no plantations with their arms" as marking a potential diminution of Swiss greatness.[212] Elsewhere in the tract *Of the True Greatness of the Kingdom of Britain*, Bacon notes of different provinces within a state that "some are profitable in present, and some may be converted and improved in profit by plantations and good policy."[213] "Ireland" is explicitly mentioned in Bacon's text, and this may link *Of the True Greatness of the Kingdom of Britain* to Bacon's *Certain Considerations* on Irish plantations, temporally and thematically. Plantations, on Bacon's early presentation in *Of the True Greatness of the Kingdom of Britain*, do have a role to play in extending and expanding the greatness of a kingdom or state.[214]

If colonies serve to expand the bounds of empire, one might ask whether every colony or plantation would count as an expansion of empire, for Bacon. It would seem that for Bacon colonies may serve both for the expansion of empire (the case of Virginia) but also for the restitution of empire or the reclaiming of territories and peoples which, in his view, seem to have fallen away from obedience to the crown (the latter case being that of Ireland, for Bacon).

Similarly, one might ask whether every expansion of the bounds of empire, for Bacon, must take the form of a colony. It would seem, in this case, that it would not, for empire may be expanding by the expansion of *imperium* at sea—naval and maritime empire, for Bacon, was

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[212] *SEH* VII, "Of the True Greatness of the Kingdom of Britain," p. 57: "And although this people have made no plantations with their arms, yet we see the reputation of them such, as not only their forces have been employed and waged, but their alliance sought and purchased, by the greatest kings and states of Europe."
[213] *SEH* VII, "Of the True Greatness of the Kingdom of Britain," p. 54.
[214] Compare Markku Peltonen, *Classical Humanism and Republicanism in English Political Thought 1570-1640* (Cambridge: Cambridge University Press, 1995), pp. 190-228, where colonies and plantations are absent from the presentation of Bacon's thought on the greatness of kingdoms. More recent treatments of Bacon's political philosophy have also eschewed treatment of colonies and plantations. See Tom van Malssen, *The Political Philosophy of Francis Bacon: On the Unity of Knowledge* (Albany: SUNY Press, 2015), p. 199; p. 248n16; p. 269n102; p. 275n46.

a necessary constituent of greatness and component of expanding one's *imperium* into the New World.[215]

For Bacon, both empire and colonies are juridically rooted in titles of conquest—in the case of Ireland, Bacon emphasizes in *Calvin's Case* that the Irish are naturalized by conquest[216] and he collapses the distinction between naturalization by conquest and naturalization by descent in a manner which makes the juridical rights of a sovereign by descent equivalent to those of a sovereign by conquest.[217] In "Of Empire," Bacon instructs his addressee, the Lord Admiral Buckingham, that engaging in conquest is a rightful and happy act of kings as Bacon writes of "*Kings*, that have beene fortunate Conquerors in their first yeares" who descend into "Melancholy" when the rate of their conquests slows.[218]

While some scholars have claimed that Bacon favors a federative model of colonial and imperial government,[219] plantations and colonies, for Bacon, are non-federative and to be governed monarchically, as we have seen. To the extent that Ireland does serve as a model for plantation in the New World,[220] Bacon's proposal that Irish noblemen should be welcome at the court of King James and Bacon would seem, over time, to favour the expansion of all rights of English subjects to Irish subjects as well, following his preference in the cases related to the Post-Nati.[221] If this is the model for Bacon's view of colonial government, he would seem to favour an expansive empire in which subjects in plantations may attend the English court and may, ultimately share in English rights and representation.[222] Residents of

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[215] *SEH* VII, "Of the true Greatness of the Kingdom of Britain," p. 49: "*That it consisteth in the commandment of the sea.*"
[216] *SEH* VII, *The Case of the Post-Nati of Scotland*, p. 663.
[217] *SEH* VII, *The Case of the Post-Nati of Scotland*, pp. 659-663.
[218] *OFB* XV, "Of Empire. XIX." p. 59, lines 24-28.
[219] Michelle Tolman Clarke, "Uprooting Nebuchadnezzar's Tree: Francis Bacon's Criticism of Machiavellian Imperialism," *Political Research Quarterly* 61: 3 (September 2008), pp. 367-378, at p. 367.
[220] This point derives from the path-breaking work of D.B. Quinn. See David B. Quinn, *The Elizabethans and the Irish* (Ithaca, 1966) and David B. Quinn, '"A Discourse of Ireland" (circa 1599): A sidelight on English colonial policy', *Proceedings of the Royal Irish Academy*, 47 C (1942), 151–66 (pp. 156 and 164); cited in R.W. Serjeantson, "Francis Bacon, Colonisation, and the Limits of Atlanticism," paper delivered at UC-Berkeley, March 2014.
[221] *SEH* VII, p. 659: "we do urge the confession of the other side, that they confess the Irish are naturalized."
[222] *SEH* VI, *The Case of the Post-Nati*, p. 649: "For an earl of Ireland, though he be naturalized in England, yet hath no voice in the parliament of England, except he have either a call by writ, or creation by patent; but he is capable of either."

English colonial plantations would thus be equal subjects in an imperial monarchy bounded only by the relative expansion of its opponent states.

Of the True Greatness of the Kingdom of Britain and the question of Internal Order

It has been well-observed that certain important passages from Bacon's incomplete *Of the true greatness of the Kingdom of Britain* find their way into Bacon's later essays "Of the greatness of Kingdomes" (1612) and "Of the true Greatnesse of Kingdomes and *Estates*".[223] In the earlier piece, Bacon wrote that "the true greatness of kingdoms upon earth is not without some analogy with the kingdom of heaven, as our Saviour describes it: which he doth resemble, not to any great *kernel* or *nut*, but to one of the least *grains*, but yet such a one as hath a property to grow and spread",[224] a passage which was to recur in the 1612 and 1625 *Essayes* on civic greatness.[225] Less noted is the relation of Bacon's treatment *Of the true greatness of the Kingdom of Britain* to questions of internal order and the suppression of "inward rebellion."

Attentive to the problem of internal order in this early fragment, Bacon wrote that "There be two manners of securing large territories: the one by the natural arms of every province; and the other by the protecting arms of the principal estate, in which case commonly the provincials are held disarmed. So are there two dangers incident to every estate; foreign invasion, and inward rebellion."[226] Looking to the question of compact territory, which Bacon prefers to dispersed territory in the absence of a maritime *imperium*, Bacon writes that "if the parts of an estate be disjoined and remote, and so be interrupted with the provinces of another sovereignty, they cannot possibly have ready succours in case of invasion, nor ready suppression in case of rebellion."[227]

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[223] Markku Peltonen, "Politics and Science: Francis Bacon and the true greatness of states," in *The Historical Journal* 35:2 (June 1992), pp. 279-305, at pp. 282-284.
[224] *SEH* VII, "Of the true greatness of the Kingdom of Britain," p. 49.
[225] *SEH* VI, *Essaies* (1612), "Of the greatnesse of Kingdomes," p. 587: "Certainly, there is a kind of resemblance betweene the Kingdome of heauen, and the Kingdomes vpon the earth. The Kingdome of heauen is compared not to any great kernel, or nut; but to a graine of Musterd; which is one of the least of grains, but hath in it a propertie and spirit hastily to get vp and spread."
[226] *SEH* VII, "Of the true greatness of the Kingdom of Britain," p. 49.
[227] *SEH* VII, "Of the true greatness of the Kingdom of Britain," p. 51.

Looking further to the question of the best mode by which a state may expand, Bacon writes that "it is necessary in a state that shall grow and inlarge, that there be that composition which the poet speaketh of, *Multis utile bellum*; an ill condition of a state (no question) if it be meant of a civil war, as it was spoken; but a condition proper to a state that shall increase, if it be taken of a foreign war."[228]

This last passage with its reference to Lucan's *Bellum Civile*, is borrowed *not* for Bacon's later essay "Of the greatness of Kingdomes" but rather for his essay "Of Seditions and Troubles" where it is present in both the manuscript for the 1612 edition of the *Essaies* (from the print version of which it was withheld) and in the 1625 edition of Bacon's *Essayes or Counsels, Civill and Morall*. In the latter essay, where Bacon repeats the earlier text, he writes that "*Lucan* noteth well the state of the tymes before the civill warre: *Hinc usura vorax, rapidumque in tempore foenus, / Hinc concussa fides, et multis utile bellum.* This same *Multis utile bellum* is an assured and infallible signe of a State disposed to troubles and seditions."[229] In the later essay, Bacon omits his earlier conclusion from his "True Greatness of Britain": the composition of the population which is good for external expansion (namely that a part of it be desperate and impoverished[230]) also makes for conditions ripe for civil war.[231]

From this repetition of parts of Bacon's fragment "Of the True Greatness of the Kingdom of Britain" incorporated into the argument of the essay "Of Seditions and Troubles", we see that

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[228] *SEH* VII, "Of the true greatness of the Kingdom of Britain," p. 59; Lucan, *De Bello Civile* I.182 in Lucan, *The Civil War*, J.D. Duff ed. (Cambridge, MA: Harvard University Press, 1928), pp. 16-17.
[229] *SEH* VI, "Of Seditions and Troubles," p. 590; *OFB* XV, "Of Seditions and Troubles. XV." p. 45, lines 83-88; Michael Kiernan, "Commentary," *OFB* XV, p. 203. Cf. Lucan, *De Bello Civile* I.181-182 in Lucan, *The Civil War*, J.D. Duff ed. (Cambridge, MA: Harvard University Press, 1928), pp. 16-17. For an account of the political reception of Lucan in England from the second half of the reign of Elizabeth I to the English Civil War see Edward Paleit, *War, Liberty, and Caesar: Responses to Lucan's Bellum Ciuile, ca. 1580-1650* (Oxford: Oxford University Press, 2013), which does not mention Bacon's appropriation of this passage.
[230] *SEH* VII, "Of the true greatness of the Kingdom of Britain," p. 59: "And in all experience and stories you shall find but three things that prepare and dispose an estate to war: *the ambition of governors*; *a state of soldiers professed*; and *the hard means to live of many subjects*. Whereof the last is the most forcible and the most constant. And this is the true reason of that event which we observed and rehearsed before, that most of the great kingdoms of the world have sprung out of hardness and scarceness of means, as the strongest herbs out of the barrenest soils."
[231] On this theme, Howard B. White noted that "Bacon feared the common people, because he feared civil war". H.B. White, *Peace Among the Willows: The Political Philosophy of Francis Bacon* (The Hague: Martinus Nijhoff, 1968), p. 39.

Bacon's concern with greatness, which is integrally related to his preference for colonies, is importantly concerned with aspects of both internal order (civic peace) and external order (expanding the bounds of empire). Colonies solve a problem of internal order because they allow for the redistribution of population,[232] which Bacon regarded as excessive within England, at the same time that they facilitate the equalization of land tenures, a condition which Bacon regarded as crucial to the formation of a virtuous and martial population. It is easier to equalize land holdings in the newly founded Virginia Colony than it is in long since founded Surrey or Kent.

Bacon lays out three conditions in *Of the True Greatness of the Kingdom of Britain* in which wealth and riches can be a force multiplier, but all of which are based on a situation in which a population is skilled in warfare and prepared to exercise martial valour:[233]

> "Treasure and moneys do then add true greatness and strength to a state, when they are accompanied with these three conditions:
> First, (the same condition which hath been annexed to largeness of territory,) that is, *that they be joined with martial prowess and valour.*
> Secondly, *That treasure doth then advance greatness, when it is rather in mediocrity than in great abundance. And again better when some part of the state is poor, than when all parts of it are rich.*
> And lastly, *That treasure in a state is more or less serviceable, as the hands are in which the wealth chiefly resideth*."[234]

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[232] *SEH* VII, *The Case of the Post-Nati of Scotland,* p. 661: "I find by the best opinions, that there be two means to assure and retain in obedience countries conquered, both very differing, almost in extremes, the one towards the other. The one is by colonies, and intermixture of people, and transplantation of families, which Mr. Walter spoke of; and it was indeed the Roman manner".

[233] Compare Peltonen, *Classical Humanism and Republicanism*, pp. 199-200, where these conditions are downplayed in a discussion of the *True Greatness of the Kingdom of Britain* with the aim of assimilating Bacon's position to that of Machiavelli and Harrington: "Although Bacon conceded that in certain circumstances riches increased 'true greatness', his account is organized around the polarity between virtue and riches." Peltonen omits Bacon's discussion of colonies and plantations as facilitating and furthering "greatness" in order to draw a sharper polarity between "virtue" and wealth, whereas Bacon's position is that colonies can serve to create and foster the material conditions which he thinks optimal for the growth and flourishing of martial valor. Peltonen, *Classical Humanism and Republicanism*, at p. 199.

[234] *SEH* VII, "Of the True Greatness of the Kingdom of Britain," p. 58.

These conditions stand in some tension or complicated relation to Bacon's discussion of the distribution of wealth in what would become the fifteenth of his 1625 *Essayes*, "Of Seditions and Troubles."[235] Perhaps, an uneven distribution of wealth, in Bacon's view is superior for fostering external conquest, but it creates problems for the maintenance of internal order and may elicit the conditions which foment rebellion.

Bacon on the Irish Plantation

Having surveyed Bacon's general view of colonies, empire, and conquest, in light of the internal relation which Bacon posits between external expansion and the prevention of rebellion, it is worth taking a closer look at Bacon's practical proposals for the colonization of Ireland in relation to the colonization of the Americas as these positions developed over his career.

In keeping with his interest in Ireland, Bacon had assiduous interest in advising the Earl of Essex before his ill-fated 1599 expedition to defeat Tyrone's Rebellion, with the aim of furthering Essex's success by a letter of counsel. Bacon opens his letter of advice to Essex by recurring to "my oracles and divinations" which are "not all natural" but which nonetheless foretell of great success, potentially attended by "greatness of peril" in Essex's forthcoming expedition.[236] These oracles and the non-natural entities which emanate from them "hath," in Bacon's estimation, "disposed of this great defection in Ireland, thereby to give an urgent occasion to the reduction of that whole kingdom; as upon the rebellion of Desmond there ensued the reduction of that whole province."[237] Bacon thus frames the "reduction of that whole kingdom" of Ireland as a matter of enacting "God's providence", comparing the reduction he wishes for in 1599 to the reduction achieved in the 1580s following the suppression of the earlier Desmond Rebellion. Importantly, for Bacon, such a reduction is only the beginning of what must be done by Essex in Ireland—the ploughing is to be swiftly followed by resowing of the soil so that "the end may be *pacique imponere morem*, to replant and refound the policy of that nation"[238]—the imposition of peace and morality, with a

[235] *OFB* XV, "Of Seditions and Troubles. XV."
[236] *LL* II, p. 130.
[237] *LL* II, p. 130.
[238] *LL* II, pp. 131-132.

replanting of Ireland to England's wishes. To impose peace and morality when putting down rebellion amounts, in Bacon's legal definition, to forcing Hugh O'Neill, the Earl of Tyrone, and his followers, to submit to the English crown. In short, Essex's brief, from Bacon's perspective, is that of the reconquest of County Tyrone.[239]

Bacon's advice to Essex just before his departure for Ireland to suppress the Earl of Tyrone's rebellion closes with a confessionally-laced appeal to confine his actions within the scope of obedience to the crown, with Bacon emphasizing to Essex that "proceeding like a good Protestant upon express warrant, and not upon good intention, your Lordship knoweth in your wisdom that as it is most fit for you to desire convenient liberty of instructions, so it is no less fit for you to observe the due limits of them"—as deviation from his orders could be taken ill in the event of both success and failure.[240]

In his advice to Essex, Bacon is keen to compare the Irish to Native Americans in terms most unfavourable to the former, urging Essex to engage in "a recovery of them not only to obedience, but to humanity and policy, from more than Indian barbarism."[241] In Bacon's exhortation, Essex's expedition and the suppression of Tyrone's Rebellion is to be a mission of pacification with civilizing intent—one which aims at the imposition of both peace and manners [*pacique imponere morem*].[242]

In his discussion of English plantations or colonies in Ireland, particularly in the north of Ireland, Bacon links the issue of Anglo-Scottish Union to the question of the colonization of Ulster, and of county Tyrone in particular. In a letter to King James, dated to January

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[239] *SEH* VII, p. 646.

[240] *LL* II, p. 132: "And for the other point, that is the proceeding like a good Protestant upon express warrant, and not upon good intention, your Lordship knoweth in your wisdom that as it is most fit for you to observe the limits of them; remembering that the exceeding of them may not only procure in case of adverse accident a dangerous disavow; but also in case of prosperous success be subject to interpretation, as if all were not referred to the right end." While this passage may be read as a metaphorical jest on Bacon's part, it is nonetheless a confessionally-inflected appeal.

[241] *LL* II, p. 130.

[242] *LL* II, pp. 131-132. See also *LL* III, "A Proclamation drawn for his Majesty's First Coming in, prepared but not used," pp. 67-71, at p. 69: "And it is our princely design and full purpose and resolution not only to reduce that nation from their rebellion and revolt, but also to reclaim them from their barbarous manners to justice and the fear of God; and to populate, plant, and make civil all the provinces in that kingdom". See further *SEH* III, *Commentarius Solutus,* p. 525, *SEH* VII, p. 42: "Cyvilyzing Ireland, furder coloniz. y^{e} wild of Scotl. Annexing y^{e} Lowe Countries."

1608/9,[243] speaking of plans for a plantation in the northern counties of Ireland, Bacon writes that he reckons "this action as a second brother to the Union. For I assure myself that England, Scotland, and Ireland well united is such a trefoil as no prince except yourself (who are the worthiest) weareth in his crown".[244]

Bacon's 1608/9 *Considerations* give support to the issue of transportation of population,[245] which, for Bacon, is primarily the transportation of English and Scottish gentry into Ireland. In the *Considerations*, Bacon envisages that "the people transported will consist of gentlemen and their servants, and of labourers and hinds, and not of yeomen of any wealth".[246] Bacon wishes for yeoman to remain rather in England and Scotland and for craftspersons to be transported for American colonization.[247] It is above all in the question of the "quality" of persons[248] who are to be planted in Ulster that Bacon differentiates the "plantation" of Ulster from the "plantation" in Virginia.

However, Bacon's differentiation of the type of persons who are, in Bacon's assessment, most fit to colonize America and Ireland respectively, belies an underlying similarity of Bacon's approach to plantations generally: Bacon regards Ireland, like America, as a place in which

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[243] *LL* IV, pp. 113-115.
[244] *LL* IV, p. 114. This stands in some contrast to the image of Bacon and other early modern natural philosophers as advancing a particularly *English* vision of empire. Sarah Irving, for instance, writes of "the tension between the universal language of Adamic empire, which, of course, belonged to man, and the very *English* empire of knowledge which the natural philosophers intended to create. They maintained the belief that England adopted the Protestant mantle for all mankind." (Emphasis in original). *Natural Science and the Origins of the British Empire* (London: Pickering & Chatto, 2008), p. 22. Bacon did not maintain the belief here ascribed to him: Bacon's empire was at least that of a greater Britain, potentially extending to the empire of European Christendom as a whole.
[245] Compare *SEH* VII, p. 661.
[246] *LL* IV, p. 125. See also *OED*, "hind, *n*2", "1. As *pl.* Household servants, domestics, servants. *Obs.* 2 a. As *sing.* A servant; esp., in later use, a farm servant, an agricultural labourer. 2 b. *spec.* In Scotland and some parts of northern England: A married and skilled farm-workman, for whom a cottage is provided on the farm, and sometimes a cow; he has the charge of a pair of horses, and a responsible part in the working of the farm. An average-size farm has two hinds' houses besides the farm-house."
[247] *OFB* XV, "Of Plantations," p. 106, lines 23-26: "The People wherewith you *Plant*, ought to be Gardners, Plough-men, Labourers, Smiths, Carpenters, Joyners, Fisher-men, Fowlers, with some few Apothecaries, Surgeons, Cookes, and Bakers." See also *OFB* XV, "Of the true Greatnesse of Kingdomes and Estates," p. 95, lines 189-196: "That which commeth nearest to it, is, to leave those Arts chiefly to Strangers, (which for that purpose are the more easily to be received) and to containe, the principall Bulke of the vulgar Natives, within those three kinds; *Tillers* of the Ground; *Free Servants*; and *Handy-Crafts-Men*, of Strong, and Manly Arts, as Smiths, Masons, Carpenters, &c; Not reckoning Professed Souldiers."
[248] *LL* IV, "Certain Considerations touching the Plantation in Ireland," p. 120: "it is fit in this place to interlace a word or two of the quality of the undertakers."

"your Majesty shall build *in solo puro et in area pura*"[249]—as a place of "pure" soil and locale, which is to say, as, in effect, an empty place. Both Ulster and America, in Bacon's assessment, are places to build *in solo puro* and may thus bear resemblance to the legal notion of *res nullius*—lands of nothing, wastelands, no man's lands and empty spaces, but, importantly, for Bacon, Ulster is to be considered as emptier than America.[250] Only in "Of Plantations" in the 1625 edition of Bacon's *Essayes*, which is concerned above all with the Virginia colony, does Bacon write against the extirpation of the native population.[251] Bacon's *Certain Considerations Touching the Plantation in Ireland* has no corresponding caveat against extirpating and removing the Irish from Ireland or from their homes and property there.[252] Indeed, Bacon's depiction of the Irish in his *Certain Considerations* is perhaps in certain respects much harsher than his portrayal of Native Americans. Comparing the "Harp of Ireland" to the Harp of Orpheus in a passage of the *Considerations* which will recur in Bacon's 1609 *De Sapientia Veterum*,[253] Bacon notes that the Orpheus fable "was anciently interpreted of the reducing and plantation of kingdoms; when people of barbarous manners are brought to give over and discontinue their customs of revenge and blood and of dissolute life and of theft and rapine, and to give ear to the wisdom of laws and governments".[254] Of America, Bacon warns against extirpating native populations; of Ireland, Bacon speaks of "reducing" the native populations of "people of barbarous manners".[255]

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[249] *LL* IV, "Certain Considerations touching the Plantation in Ireland," p. 117.
[250] See further Andrew Fitzmaurice, *Sovereignty, Property, and Empire, 1500-2000* (Cambridge: Cambridge University Press, 2014), pp. 256-270; Ken MacMillan, *Sovereignty and Possession in the English New World, The Legal Foundations of Empire 1576-1640* (Cambridge: Cambridge University Press, 2009 [2006]), pp. 9-12; pp. 61-65.
[251] *OFB* XV, "Of Plantations," p. 106, lines 7-9: "I like a *Plantation* in a Pure Soile; that is, where People are not *Displanted*, to the end, to *Plant* in Others. For else, it is rather an Extirpation, then a *Plantation*."
[252] *LL* IV, pp. 116-126. Summarizing Andrew Fitzmaurice's argument in *Humanism and America*, Sarah Irving writes: "They [the early English colonists] were often anxious about dispossessing the indigenous in habitants of the land, and about the potential for moral corruption on the colonial periphery. Francis Bacon, for example, displayed a civic humanist anxiety about 'displanting' native peoples. This is an acute observation." Bacon's term, when writing in his own person is 'extirpating' rather than 'displanting', for which Irving offers no source. Irving, *Natural Science*, p. 9. However, see *OFB* VIII, p. 205; *SEH* VII, p. 34.
[253] This textual repetition is noted in Tom van Malssen, *The Political Philosophy of Francis Bacon: On the Unity of Knowledge* (Albany, NY: SUNY Press, 2015), p. 269n102.
[254] *LL* IV, pp. 117-118.
[255] *LL* IV, pp. 117-118. See also *LL* III, "A Proclamation drawn for his Majesty's First Coming in, prepared but not used," pp. 67-71, at p. 69: "Another great cause of our just rejoicing is the assured hope that we conceive, that whereas our kingdom of Ireland hath been so long time torn and afflicted with the miseries of wars, the making and prosecuting of which wars hath cost such an infinite deal of blood and treasure of our realm of

European engagement with Native Americans, in Bacon's understanding, is a matter of the *ius gentium*, the law of nations or the law of peoples, and requires treating Native Americans with the dignity and honour appropriate to a people that is a subject with respect to the law of nations. By contrast, in Bacon's view, English policy in Ireland is *not* a matter of the *ius gentium*, it is a matter of internal administration and the suppression of rebellion, "a recovery of subjects"[256] and a restitution of order in a territory which Bacon understood to be properly the property of the holder of the English crown, who holds the Irish crown as well. While Bacon does mention the *ius gentium* in his *Considerations touching the Queen's service in Ireland* addressed to Sir Robert Cecil, he does so only to say that "proscriptions" or trial-less executions of "two or three of the principal rebels" would be "no doubt *jure gentium* lawful",[257] Bacon raises this point only to recommend against the course of action which the *ius gentium* would sanction and proceeds swiftly to recommending the administration of Ireland under martial law, without regard to the law of nations one way or the other.[258]

These two notions, namely, that both Virginia and Ireland are "Pure Soile" ripe for colonial planting and that Native Americans in the proximity of the Virginia Colony are to be respected when they do not make war upon the English settlers, might be thought to stand in some tension to one another. One might suggest that Bacon thought it fit for colonies to be established in those places where Native Americans did not have direct dwellings, "For else, it is rather an Extirpating, then a *Plantation*."[259] In the case of America, Bacon would seem to foreground a title of occupation to the Virginia colony, the notion that, as one scholar puts it, "something which belongs to nobody becomes the property of the first person to take it."[260] In the case of Ireland, as he states explicitly in his argument in *Calvin's Case*,[261] Bacon

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England to be spilt and consumed thereupon; we shall be able through God's favour and assistance to put a speedy and an honourable end to those wars. And it is our princely design and full purpose and resolution not only to reduce that nation from their rebellion and revolt, but also to reclaim them from their barbarous manners to justice and the fear of God; and to populate, plant, and make civil all the provinces in that kingdom: which also being an action that not any of our noble progenitors kings of England hath ever had the happiness thoroughly to prosecute and accomplish". See further *SEH* III, *Commentarius Solutus,* p. 525, *SEH* VII, p. 42: "Cyvilyzing Ireland, furder coloniz. ye wild of Scotl. Annexing ye Lowe Countries."

[256] *LL* II, p. 130.

[257] *LL* III, *Considerations touching the Queen's service in Ireland*, p. 46.

[258] *LL* III, *Considerations touching the Queen's service in Ireland*, p. 50.

[259] *OFB* XV, "Of Plantations. XXXIII." p. 106, lines 8-9.

[260] Andrew Fitzmaurice, *Sovereignty, Property, and Empire 1500-2000,* pp. 1-32, at p. 1.

[261] *SEH* VII, p. 663.

foregrounds the title of conquest, thus shifting the legal title foregrounded as may be most appropriate to the situation and rhetorical context. But in both cases, imitating the policy he ascribes to his Henry VII in *The History of the Reign*, Bacon advises his addressees to govern like conquerors, instituting martial law and ruling monarchically in their colonies newly established.

In his *Declaration Touching the Treasons of the Late Earl of Essex and His Complices*, Bacon refers repeatedly to participants in Tyrone's Rebellion as "the rebels in Ireland" [262] or simply "the rebels".[263] In enumerating Essex's treasonous acts, Bacon claims, in effect, that Essex sought absolute power of life and death and final judgment on matters of war and peace "over the rebels in Ireland" during the latter's 1599 expedition to put down the rising of the Earl of Tyrone, Hugh O'Neill.[264] In a 1620/1 speech in Parliament, Bacon would again class both the Desmond Rebellion and the Nine Years' War as "rebellions in Ireland."[265]

In keeping with this perspective on Ireland as a matter of internal administration, in his posthumously published eulogy for Queen Elizabeth's reign, *In Felicem Memoriae Elizabethae Angliae Reginae,* Bacon classed Irish uprisings in the late Tudor period as the defection or rebellion in Ireland (*de defectione in Hibernia*) and those partaking in them as rebels (*rebelles in Hibernia*).[266] The holder of the English crown in English law, in Bacon's

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[262] *LL* II, "A Declaration Touching the Treasons of the late Earl of Essex and his Complices," p. 249.
[263] *LL* II, "A Declaration Touching the Treasons of the late Earl of Essex and his Complices," p. 250; p. 251.
[264] *LL* II, "A Declaration Touching the Treasons of the late Earl of Essex and his Complices," p. 249: "and if he might have also absolutely into his hands *potestatem vitae et necis* and *arbitrium belli et pacis* over the rebels of Ireland, whereby he might entice and make them his own, first by pardons and conditions, and after by hopes of better booties than cows, he should be able to make that place of Lieutenancy of Ireland as a rise or step to ascend to his desired greatness in England."
[265] *LL* VII, p. 176: "Fifthly, It is most certain, that since the Conquest ye cannot assign twenty years (which is the time that his Majesty's reign now draws fast upon) of inward and outward peace. Insomuch as the time of Queen Elizabeth, of happy memory, and always magnified for a peaceable reign, was nevertheless interrupted the first twenty years with a rebellion in England; and both first and last twenty years with rebellions in Ireland." On this theme, Jane Ohlmeyer writes that "in 1601 King Philip III of Spain sent another Spanish expeditionary force to Kinsale in County Cork to aid the rebels led by Hugh O'Neill during the Nine Years War. Determined not 'to have the Pope keeper of the keys of [our] back door', the English administration in the early seventeenth century set about securing the country both from external attack and internal rebellion by constructing new artillery fortresses, which were surrounded by ramparts and bastions and could only be taken by prolonged blockade, in strategic locations throughout the country." Jane H. Ohlmeyer, "The wars of religion, 1603-1660," in Thomas Bartlett and Keith Jeffery eds., *A Military History of Ireland* (Cambridge: Cambridge University Press, 1996), p. 160.
[266] *SEH* VI, "In Felicem Memoriae Elizabethae Angliae Reginae," p. 293: "Contra, Elizabethae fortuna tam constans et valida fuit, ut nec ulla rerum declinatio vergentem certe, sed tamen adhuc vigentem, aetatem

assessment and that of his contemporaries, held the crown of Ireland as well, and Bacon thus regarded the same stratagems and procedures, including martial law, to be as validly applicable to a rising in Ulster as to a rising in Lincolnshire. That Tyrone was considered to be a rebel allowed for the Crown to expropriate his lands upon his defeat under an attainder when he fled to Rome with the famed Flight of the Earls, creating the precondition for the planting of County Tyrone.

Bacon is thus in deadly earnest when he writes in his *Certain Considerations* that the plantation of Ulster and the plantation of Virginia are sharply to be distinguished. Writing in his *Considerations* in passing of the "plantation for Virginia", Bacon is keen to emphasize that he regards this as "an enterprise in my opinion differing as much from this, as Amadis de Gaul differs from Caesar's Commentaries."[267]

Toleration as a Stratagem of Empire

In his 2000 monograph, *The Ideological Origins of the British Empire,* David Armitage depicted the British empire as constitutively Protestant such that "The frontiers of that extensive monarchy were guarded by a common religion and by the Royal Navy."[268] While Bacon's view of a colonial empire was one in which the Kingdom of Britain held "*the*

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sequeretur: atque insuper, in signum felicitatis suae certissimum, non prius diem obiret quam de defectione in Hibernia prospero praelii eventu decretum esset; ne gloria ejus aliqua ex parte deformata et imperfecta videretur." *SEH* VI, "In Felicem Memoriae Elizabethae Angliae Reginae," p. 294: "Nam et auxilia in Belgium, Galliam, et Scotiam praebita, et navales expeditiones susceptae in Indias, atque ex illis nonullae per universi globi terrarum ambitum factae, et classes in Lusitaniam et ad oras Hispaniae infestandas missae, et rebelles in Hibernia saepius concise et domiti, nihil aut de virtute bellica gentis nostrae remitti, aut de ejusdem fama et honore deperire, sinebant."

[267] *LL* IV, p. 123. Compare *LL* II, p. 127, where Bacon offers his comparison of English colonial warfare in Ireland with the Gallic wars of the ancient Romans in his 1604 *Apology* for his actions in trying Essex in February 1600/1. Here, Bacon writes that he had admonished Essex with the fearsome character of the opponents against whom the Earl set out to wage war in 1599 noting that "because I would admit no argument, I remember I stood also upon the difficulty of the action: setting before him out of histories that the Irish were such an enemy as the ancient Gauls or Germans or Britons were; and we saw how the Romans, who had such discipline to govern their soldiers and such donations to encourage them and the whole world in a manner to levy them, yet when they came to deal with enemies which placed their felicity only in liberty and the sharpness of their sword, and had the natural elemental advantages of bogs and woods and hardness of bodies, they ever found they had their hands full of them: and therefore concluded that going over with such expectation as he did, and through the churlishness of the enterprise not like to answer it, would mightily diminish his reputation: and many other reasons I used, so as I am sure I never in anything in my lifetime dealt with him in like earnestness, by speech, by writing, and by all the means I could describe."

[268] David Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), p. 1. See further Armitage, *Ideological Origins*, p. 8; p. 62; p. 65; pp. 69-70.

commandment of the sea",[269] the policing of colonial and imperial borders by "a common religion" is less clear in Bacon's thought. Indeed, in Bacon's essay "Of Plantations" there is no mention of religion at all, rather plantations and colonies are associated with pre-Christian antiquity "amongst Ancient, Primitive, and Heroicall Workes",[270] and yet are nonetheless to be pursued for their stability, longevity, and profit. While Bacon does make reference to "God" and "his Service,"[271] in "Of Plantations," Bacon does not dictate the form of this service nor does he recommend the building of churches in Virginia nor further that a plantation must have a fixed number of clergymen or, indeed, any clergy at all for that matter.[272] When enumerating the kinds of person with whom to plant a colony, clergy are conspicuously absent from an otherwise quite extensive list.[273] Above all, Bacon makes no mention of proselytizing to or in any way attempting to convert native peoples to Christianity, and, rather, seems to caution against such engagement.[274] The most that the colonial power may responsibly do is sponsor travel by native peoples to the cities of the colonizing power "that they may see a better Condition then their owne, and commend it when they returne."[275]

In his *Considerations touching the Queen's service in Ireland* addressed to Secretary Robert Cecil, following the defeat of Tyrone's forces in Ireland on Christmas Eve of 1601, Bacon argues strongly against the forcing of Catholic consciences to Protestantism in Ireland, proposing rather toleration for Catholicism there, even to the point of allowing English Catholics to leave England for Ireland, should they so desire.[276] The toleration that Bacon

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[269] *SEH* VII, "Of the true Greatness of the Kingdom of Britain," p. 49: "*That it consisteth in the commandment of the sea.*"
[270] *OFB* XV, "Of Plantations. XXXIII." p. 106, line 3.
[271] *OFB* XV, "Of Plantations. XXXIII." p. 107, lines 69-70.
[272] *OFB* XV, "Of Plantations. XXXIII." pp. 106-108.
[273] *OFB* XV, "Of Plantations. XXXIII." p. 106, lines 23-26.
[274] *OFB* XV, "Of Plantations. XXXIII." p. 108, lines 91-98.
[275] *OFB* XV, "Of Plantations. XXXIII." p. 108, lines 97-98. See also Ken MacMillan, *Sovereignty and Possession in the English New World: The Legal Foundations of Empire 1576-1640* (Cambridge: CUP, 2006), p. 9: "The English were always more interested in the possession and exploitation of land than the subjugation and conversion of native peoples. Subjugation, extending back to the Norman Conquest of 1066, had historically doubtful legitimacy to the English." *ibid,* p. 10n27: "the crown entered into 'treaties,' often of protection, with native rulers, but these were not always honoured and the two parties were not seen as equal partners. Since the English were usually interested in land and not subjugation, these methods were preferred to outright hostility, but should not necessarily be confused with recognition of native land rights or a sound legal basis for taking possession."[275]
[276] *LL* III, *Considerations touching the Queen's service in Ireland*, pp. 46-51, at p. 49: "Neither if any English papist or recusant shall, for liberty of his conscience, transfer his person family and fortunes thither, do I hold it a matter of danger, but expedient to draw on undertaking and to further population."

favors is both explicitly unlimited in its temporal scope and to be modeled on the contemporaneous policies of Henri IV in France, writing that "a toleration of religion (for a time not definite) except it be in some principal towns and precincts, after the manner of some French edicts, seemeth to me to be a matter warrantable by religion, and in policy of absolute necessity."[277] Amongst the "French edicts" which Bacon seems to endorse as appropriate models of toleration may be the famous Edict of Nantes of April 1598, which granted toleration to Huguenot Protestants in France.[278] Bacon here may be seen to advocate the mirror image of Henri IV's pacific policy of Huguenot toleration to Irish Catholics under the English crown. While Bacon does balance his policy of toleration with the promotion of Protestantism in Ireland, the modes he counsels for are non-coercive such as "the sending over of some good preachers" as well as the sponsorship of Protestant educational institutions through "the recontinuing and replenishing the college begun at Dublin"[279] alongside the sponsorship of Gallic vernacular Bibles paid for by the English crown.[280] Bacon notes that he advocates "the sending over of some good preachers" as much as a politic compromise to make toleration politically palatable in England "for the avoiding of scandal and insatisfaction here by the show of a toleration of religion in some parts there."[281]

Bacon's recommendation for toleration of Catholicism in Ireland connects his reflections in the essay "Of Empire" to his specific proposals and white papers on plantations and colonies. In "Of Empire", Bacon cautiously counselled monarchs or would-be monarchs with respect to "their *Commons*", writing that "There is little danger from them, except it be, where they have Great and Potent Heads; Or where you meddle, with the Point of Religion".[282] To force conversion in Ireland, to imitate the Spanish Inquisition, or to plant Protestantism by means

[277] *LL* III, *Considerations touching the Queen's service in Ireland*, pp. 46-51, at p. 49.
[278] Mark Greengrass, *Christendom Destroyed*: *Europe 1517-1648* (London: Penguin, 2015 [2014]), p. 564; p. 578.
[279] On the Bacon family's support for Trinity College, Dublin, see Lady Anne Bacon's letter dated 22 May 1595 to William Cecil, Lord Burghley. *The Letters of Lady Anne Bacon*, ed. Gemma Allen (Cambridge: Cambridge University Press for the Royal Historical Society, 2014), p. 218.
[280] *LL* III, *Considerations touching the Queen's service in Ireland*, pp. 46-51, at p. 49: "and the taking care of the versions of bibles, catechisms, and other books of instruction, into the Irish language; and the like religious courses; both for the honour of God, and for the avoiding of scandal and insatisfaction here by the show of a toleration of religion in some parts there."
[281] *LL* III, *Considerations touching the Queen's service in Ireland*, pp. 46-51, at p. 49
[282] *OFB* XV, "Of Empire. XIX." p. 62, lines 148-150.

other than persuasive, would seem, at least initially, to amount to meddling in the point of religion, one of the few, though potent, factors which may make "the *Commons*" a danger to a monarch and stir them to rebellion and revolt. In his *Considerations touching the Queen's service in Ireland*, Bacon would make a similar point, claiming that "one of the principal pretences whereby the heads of the rebellion have prevailed both with the people and with the foreigner, hath been the defence of the Catholic religion."[283] To hinder the rebellion, Bacon counsels the removal of the pretence for rebellion through the toleration of Catholicism in Ireland. As one especially concerned to restore Ireland, as he saw it, to its obedience to the holder of the English crown,[284] Bacon's advocacy of toleration of Catholicism there, may be seen to be consistent with his broader counsels on how best to keep the common people and those who might stir them up in obedience to the holders of imperial and monarchic power.

Conclusion

Bacon's thought on colonial and imperial warfare hinges importantly on the title of conquest, which Bacon thought to be natural and to ground future legality in places acquired by conquest. Conquest, as we have seen, however, carried ideological baggage in late Tudor and early Stuart political discourse. Bacon distinguished the public act of *claiming* a title to conquest from the politic posture of *ruling* as a conqueror (instituting martial law and ruling monarchically) under various titles, and he exhorted his addressees in colonial and imperial matters to do the latter. In this regard, Bacon's concern with imperial and colonial warfare is intimately linked to his concern with warfare closer to home, with the maintenance of internal order and the prevention of civil war.

In part, this chapter has confirmed an older conception of Bacon's political thought: "Bacon prefers a monarchical government of cautious imperialistic disposition to stimulate science, civic peace, commerce and religious toleration."[285] But only in part: there was very little caution in Bacon's imperialism and his enthusiasm for colonial and imperial expansion meant

[283] *LL* III, *Considerations touching the Queen's service in Ireland*, pp. 46-51, at p. 49.
[284] *LL* IV, "Certain Considerations Touching the Plantation in Ireland," p. 116.
[285] R.A. Melvin, review of H.B. White, *Peace Among the Willows*, *The American Political Science Review*, 64:1 (Mar., 1970), pp. 200-201, at p. 200.

expanding not cautiously, but at a rate aimed specifically at overtaking (or at the very least matching) the expansion of the Spanish Empire: to expand at a slower rate would risk upending the balance of power in Europe permanently in Spain's favour to the detriment of both England and France. Modifying this view further, as we have seen, Bacon's preference for religious toleration was not only an end or aim of his policy of colonial plantations; it was a means for their stable government and retention as well.

Most clearly in *Of the true greatness of the Kingdom of Britain*, Bacon argues that in the Britain of his time, the conditions obtain either for civil war or for external imperial expansion: a warlike populace, an excessively large nobility, and a great disparity of wealth between the two, such that, as Bacon quotes Lucan, war is profitable to many: these many can either be sent to colonize other places, such as Ireland, America, or perhaps the Spanish Netherlands[286] or Spain itself for that matter, or they can stay put, in which case civil war is possible, perhaps even likely. Bacon thinks that imperial expansion is preferable to civil war, and that Britain is faced with something of a binary choice between the two. This assessment shapes his thought on empire, colonies, and an external policy of expansion as a whole. However, faced with the choice between civil war and empire in the seventeenth century, Britain, tragically, chose both.

[286] See Bacon's diary from the final days of July, 1608, the *Commentarius Solutus*. *LL* IV, pp. 50-94, in which Bacon contemplates "annexing the Low Countries", a position which he also articulates in his *Certain Observations upon a Libel* from almost two decades prior.

CHAPTER 3:

BACON ON JUST WAR

Treating his writings as oratorical performances, Francis Bacon was careful in his presentation of his addressees and dedicatees, professing to George Herbert in the dedicatory epistle affixed to his *Translation of Certaine Psalmes* that he dedicated the work to Herbert on the ground that "it being my manner for Dedications, to choose those that I hold most fit for the Argument".[287] Bacon recurred to this theme the same year in his dedication of the 1625 edition of *Essayes or Counsels, Civill and Morall* to the Earl of Buckingham, where he sorted his late works of the 1620s by dedicatee: "My *Instauration,* I dedicated to the *King*: My *Historie* of HENRY *the Seventh*, (which I have now also translated into Latine) and my *Portions* of *Naturall History*, to the *Prince*: And these I dedicate to your *Grace*".[288] The Baconian dedicatee is the model addressee of an oratorical performance to whom and for whom the argument is most fit.

Given Bacon's professed practice of dedicating his works to those for whom the argument is most fit, in the 1620s he began to shift his arguments, and with them, his addressees. In the aftermath of the failure of the Spanish Match in late 1623, Bacon penned his 1624 *Considerations Touching a War With Spain* as dedicated specifically to Prince Charles, newly enamoured of arming for war against Spain. In swift succession, the following year, Bacon rededicated his *Essayes* from his brother-in-law Sir John Constable, the dedicatee of the 1612 edition, to England's Lord High Admiral and regal favorite, as he thought fit to dedicate the "New Worke" of the 1625 edition to Buckingham, the Lord Admiral, and leading advocate of a war posture toward Spain.[289]

This alteration of addressee was accompanied by a no less significant alteration of address. In his *Considerations*, addressed to Prince Charles, Bacon stressed that "howsoever some

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[287] *OFB* VIII, *The Translation of Certaine Psalmes*, p. 281, ll. 6-7.
[288] *OFB* XV, *Essayes or Counsels, Civill and Morall*, "To the Right Honorable My Very Good Lo. The Duke of Buckingham his Grace, Lo. High Admiral of England", p. [5], ll. 20-24.
[289] *LL* VII, *Considerations Touching a War with Spain*, p. 469: "To the Prince. Your Highness hath an imperial name. It was a Charles that brought the empire first into France; a Charles that brought it first into Spain; why should not Great Britain have his turn?" *OFB* XV, *Essayes or Counsels, Civill and Morall*, "To the Right Honorable My Very Good Lo. The Duke of Buckingham his Grace, Lo. High Admiral of England", p. [5], l. 16.

schoolmen (otherwise reverend men, yet fitter to guide penknives than swords) seem precisely to stand upon it, that every offensive war must be *ultio*"—an act of revenge for a wrong suffered previously—Bacon did not require just offensive wars to be waged upon the ground of vengeance. Bacon, by contrast, contended that this schoolmen's mentality was misguided for "as long as men are men…and as long as reason is reason, a just fear will ever be a just cause of a preventive war".[290] In his enlarged 1625 *Essayes*, Bacon inserted this very language into his essay "Of Empire" so that his discussion was pointedly tailored to incorporate the notion of the just fear and the corresponding dismissal of the "schoolmen"—thus bringing the composite work on which he had labored since the 1590s to bear as a polemical intervention on behalf of the war party in the 1624/5 debate over English war with Spain.[291]

These observations upon Bacon's rhetorical strategies of dedication raise a number of questions: what was Bacon's conception of just warfare and the just fear which he thought was suited to motivate a preemptive war upon Spain and its colonies? From whom and against whom did Bacon derive or contrive these notions?

This chapter situates Bacon's criteria for necessary and just wars—his notion that a just fear of a neighbour power makes preventive war upon that power licit, permissible, or even needful—in the context of the theories of three of his notable predecessors, Justus Lipsius, Alberico Gentili, and Matthew Sutcliffe, an Anglican divine and member of the Essex circle. If something is needful or necessary in warfare, Bacon contends, it is thereby just. Wars, for Bacon, are justified if and only if they are considered necessary. This chapter will also look at Bacon's more general treatments of the theme of external (as opposed to internal) war, with the aim of elucidating Bacon's notions of necessity and justification as they pertain to war. One such treatment is the seventh section of Bacon's 1609 work, *On the Wisdom of the* Ancients, *De Sapientia Veterum*, "Perseus, or War," in which Bacon aims to interpret and elucidate what he takes to be the politic and philosophic significance underlying chosen Greek myths.

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[290] *LL* VII, *Considerations Touching a War with Spain*, p. 477.
[291] *OFB* XV, Kiernan, "Commentary," p. 212. On the contours of this debate see Thomas Cogswell, *The Blessed Revolution: English politics and the coming of war, 1621-1624* (Cambridge: Cambridge University Press, 1989).

Justus Lipsius

Given the prominence accorded by early modern political thinkers to the work of Justus Lipsius, not least by Thomas Hobbes in his prefatory material to his great edition of Thucydides in 1629, and in light of the import which Lipsius accorded to war in his major political work, the *Politica* of 1589, which devoted almost a third of the treatise to military discipline and war (much of the final two books of a six-book treatise), it is worth considering Bacon's thought on war in relation to Lipsius.

In an early letter of advice to Fulke Greville, written in the name of the Earl of Essex, but which both Spedding and Stewart attribute to Bacon,[292] Bacon proffers his counsel on reading material. "Hee that shall owt of his own reading gather for the vse of another, must (as I thinke) do it by Epitome or abridgement," Bacon writes to Greville, proceeding to divide epitomes into those that treat a subject or part of knowledge drawing from many books and into those that summarize a single book. For epitomes which treat "one Art or part of knowledge," Bacon instructs, "we haue manie patternes; as for Civill lawe; Justinian; Littleton, for o*u*r own; Ramus lodgick; Valerius phisicks: Lipsius politick*es,* and Machiavell*es* art of Warr."[293] Bacon is skeptical that reading such epitomes can wholly supplant experience, much as looking at a map has its limitations in learning to know the lie of a land one has never seen. However, Bacon writes of Lipsius and other epitomizers that, as far as epitomes are concerned, "these be the best we haue",[294] thus marking Lipsius's *Politica* as the best available compendium of readings on politics in Bacon's estimation, at the time he wrote the letter, that is, shortly after the first publication of Lipsius' book.

Lipsius on Unjust War

[292] *OFB* I, "Letter of Advice to Fulke Greville," Alan Stewart, "Introduction," pp. 200-203. Spedding dates the letter to around 1595/6, while Stewart dates the letter to circa 1589. The dating of the letter to 1589 might be questioned on the grounds that the *Politica* was published in July 1589 in Leiden in the United Provinces. The publication date and location might suggest a slightly later date for the letter, offering the author of the letter, however precocious, some time to first acquire and then digest Lipsius's rather vast epitome of political prudence and civic life in order then to class it amongst "the best we haue." Cf. Jan Waszink, "Introduction" in *Politica*, p. 114; Stewart, "Introduction," pp. 203-205.
[293] *OFB* I, "Letter of Advice to Fulke Greville," p. 207.
[294] *OFB* I, "Letter of Advice to Fulke Greville," p. 207.

Lipsius contends that war bears the face of Janus: war is double or dual because it is conceptually to be divided into wars within and wars without, into internal and external war.[295] Thematically, Lipsius treats external war prior to his treatment of internal war. By the time Lipsius gets around to treating internal war, he has begun to term it "civil war."[296] External war, however, is defined as the deployment of "force and arms against a foreign prince or people."[297]

For Lipsius, the laws of war are to be followed in external war, and, quoting Cicero, Lipsius claims that it would be bestial to violate them.[298] While Lipsius notes that some have claimed that justice is borne away by arms, that everything redounds to the strong, and that what matters in war is not the justice of the cause but the outcome of the battle, Lipsius avows that he does not share these sentiments and classes them, in his piquant marginalia, as "improper sayings" (*Improba dicta*).[299] The justice of a war, from Lipsius's perspective, is not merely the victors' justice but is to be determined by the justness of the cause.[300] On this view, it is not sufficient proof of the justice of one side in war that it prevails. Lipsius thus rejects the strong claim that if a side wins in war its cause was necessarily just.

Nonetheless, Lipsius argues that a just cause in war is likely to generate the better martial outcome. In this regard, Lipsius draws a kind of correlation regarding the outcome of a war and the goodness or justice of the cause which initiated the war: other things being equal, Lipsius claims, a good cause for going to war will generate a good outcome in war, while a bad or unjust cause will generate a correspondingly bad outcome.[301] Similar to Lipsius's view that just causes may engender success in warfare, the Anglican divine and jurist Matthew Sutcliffe quotes in his 1593 tract, *The practice, proceeding, and the lawes of armes,* from Book XXI of Livy's *Ab urbe condita* to the effect that in war "the euent oftentimes is

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[295] Lipsius, *Politica* (Waszink ed.) (Assen: Van Gorcum, 2004), V.iii., p. 540, left margin: "*Duplex bellum*."; V.iii, p. 540: "Bellum autem duplex, Externum et Internum."
[296] Lipsius, *Politica,* V.iii, p. 540 with VI.i, p. 666: *"Ad Civile bellum ventum. et eius miseriae breviter oculis subiectae.*/Finem Externo bello imposui: utinam Civilibus malis!"
[297] Lipsius, *Politica*, V.iii, p. 540: "Illud definio, VIM ET ARMA IN PRINCIPEM AUT POPULUM ALIENUM."
[298] Lipsius, *Politica*, V.iii, p. 540, left margin: "*Iura belli servanda*."; Lipsius, *Politica*, V.iii, p. 540, lines 20-21: "Nam *temere in acie versari*, *et manu cum hoste confligere, immane quiddam et belluarum simile est.*"
[299] Lipsius, *Politica*, V.iii, p. 540, line 25.
[300] Lipsius, *Politica*, V.iii, p. 542, lines 6-8, left margin: "*Iustitia non ab Exitu, sed a Caussa asserenda*."
[301] Lipsius, *Politica*, V.iii, p. 542, lines 6-10, left margin: "*Iustitia non ab Exitu, sed a Caussa asserenda: Etsi ab hac bona, ille plerumque bonus*."

according to the iustice, and qualitie of the cause".[302] By connecting the outcome of war to the justice of the cause for waging war, Lipsius is appealing to the interest of those who would wage war for gain—the truly gainful war, Lipsius implies, is only to be had when the cause for war is just.

Above all, for Lipsius, one avoids an unjust war (and thus a bad outcome in war) by avoiding ambition and avarice as motivations for war. "Indeed," Lipsius claims, "all those wars are unjust which have ambition or avarice as their causes."[303] In his 1593 tract, *The practice, proceedings and lawes of armes,* Matthew Sutcliffe confirms Lipsius's judgment on "warres vndertaken through ambition, and anger, and such like affections" declaring that "they are vniust, and the causes vnlawfull."[304] For Lipsius, unjust wars waged for ambition, desire for empire or desire for expansive martial command (*cupido Imperii*), are not only against the law, they also lead to bad outcomes. In Lipsius's estimation, war for expansion or profit is generally unprofitable.

For a war to be positively just, in Lipsius's sense, three things must be just: the actor, the cause of the war, and the end or aim of the war.[305] On Lipsius's view, one cannot wage a war justly unless one is the legitimate holder of sovereign power.[306] He thereby rules out popularly initiated warfare, violent rebellion by the people, and legitimate revolution. The people, on this account, is never a just actor in war: no rebellion, uprising, or revolution can be "just" war in Lipsius's terms.

Lipsius proffers two "just" causes for warfare: defence, and invasion for the recovery of one's own property or people in accordance with the *ius gentium*. Lipsius argues that defence in warfare appears unambiguously just.[307] On this theme, Lipsius quotes from Cicero's oration

[302] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 2.
[303] Lipsius, *Politica*, V.iii, p. 542, lines 19-20: "Sunt autem iniqua illa omnia bella, quibus Ambitio aut Avaritia caussae."
[304] Matthew Sutcliffe, *The practice, proceedings and lawes of armes* (London: Christopher Barker, 1593), E recto, p. 9.
[305] Lipsius, *Politica,* V.iv, p. 544, lines 18-19: "quod tria haec habet iusta: Auctorem, Caussam, Finem."
[306] Lipsius, *Politica*, V.iv, p. 544, lines 19-24, marginal note: "*Principi soli ius armorum:/Aut supremo magistratui*."
[307] Lipsius, *Politica*, V.iv, p. 544, lines 27-28: "In Defensione quis ambiget?"

Pro Milone: defensive war "is not only just, but also necessary."[308] Just defence can be either self-defence or the defence of others. Quoting from and adapting Sallust's *Catiline War*, Lipsius presents self-defensive war as the defence of liberty, *patria*, or parents.[309] In this regard, Lipsius presents self-defence both as an act in the service of freedom and liberty as well as an act undertaken in piety and loyalty—it would be shameful not to defend one's parents if they were under attack. The defence of others may be either the defence of allies or the defence of the oppressed. Those who defend allies demonstrate their good faith,[310] Lipsius contends, whereas those who fail to alleviate those oppressed by violence and tyranny are as culpable as those who fail to defend their parents when under attack.[311]

Lipsius is particularly concerned to rule out pretences[312] offered on behalf of territorial aggrandizement from the just causes of war.[313] Distinguishing his view from Roman imperial practice, Lipsius claims that it is not just to conquer territory under the guise of aiding allies. Lipsius describes this as a nefarious practice, and as one that should not be imitated.[314] The defence of others, although a licit and just cause of war in Lipsius's presentation, is not to serve as a pretext or pretence (*praetextus*) for expansion, conquest, or the furtherance of empire.[315] Wars for glory or revenge or empire are neither just causes of war nor just ends for warfare, in Lipsius's estimation: those who wage war for these ends commit sin in doing

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[308] Lipsius, *Politica*, V.iv, p. 544, line 28, in Waszink ed: "*Illud est non modo iustum, sed etiam necessarium, cum vi vis illata defenditur.*"
[309] Lipsius, *Politica*, V.iv, p. 546, lines 4-5: "Tuam, cum vim a te tuisque arces, et *libertatem*, *patriam*, *parentesque armis tegis.*"
[310] Lipsius, *Politica*, V.iv, p. 546, lines 6-8: "De Sociis intellexit Tullius: *Nullum bellum*, inquit, *civitate optima suscipitur, nisi aut pro Fide, aut pro salute.*" Cf. V.iv, p. 546, lines 9-10: "Fides sane agitur, et ea te impellit, ut opitulere iis, quibuscum societas tibi et auxilii pacta."
[311] Lipsius, *Politica*, V.iv, p. 546, lines 15-18: "Nec dissimilis ratio in Oppressis. quos si gravior aliqua vis aut extrema Tyrannis urget, videtur cogere te commune Societatis vinclum ut adiutes. *Qui* enim *non defendit nec obsistit, si potest, iniuriae, tam est in vitio, quam si parentes, aut patriam, aut socios deserat.*"
[312] "pretence" is here meant in the sixteenth and seventeenth century sense of open claims or reasons given to justify a previously chosen policy or course of action. As we shall see below, Bacon will use, and affirm, this notion of deploying pretences to justify state expansion and aggrandizement.
[313] Here Lipsius may be offering counsel of restraint to the monarchy of Philip II of Spain, in the context of both the latter's involvement in the Armada Wars with England and in the context of Spain's imbrication on behalf of the Catholic League in the French Wars of Religion.
[314] Lipsius, *Politica*, V.iv, p. 546, line 27: "Male: nec tu imitare."
[315] Lipsius, *Politica*, V.iv, p. 546, lines 22-26: "Atque haec licita et legitima Defensio est. maneas in ea tantum, nec hoc praetextu pedem manumque promoveas, et aliena apprehendas. Quod Romanos fecisse, ingenue fatetur Romani eloquii flos: *Noster*, inquit, *populus*, *sociis defendendis, terrarum iam omnium potitus est*."

so.[316] Importantly, for Lipsius, a *praetextus* for war should not be put forward falsely or in bad faith. In early modern political thought, *praetextus* was ambiguous between meaning explicit justification and, quite differently, a specious ground for a contention, an ambiguity which extended to the early modern senses of "pretext" and "pretence."[317] While Bacon's usage of "pretext" and "pretence" at times may seem to share in some of the ambiguity of these terms in the period, Bacon associates "pretext" with falsehood and false interpretation: the authority of the Roman Catholic Church was, in Bacon's estimation, derived "under pretext of Exposition of Scripture" but notably lacking from Scripture itself.[318] While Bacon thus associated "pretext" with specious grounds, he nonetheless insisted that pretences and pretexts should be held ready for the justification of war. Important for Bacon's perspective is that one can see from all parties wanting to adduce pretexts for their actions in warfare how justice is imprinted in human affairs: human agents feel that they cannot simply invade on the ground of their own interests and passions, but sense that some justification is required and thus all parties, in Bacon's view, offer at least an attempt at justification with their pretexts.[319] For Bacon, pretexts are crucially central to human practices of justification in warfare. In this respect, Bacon departs markedly from Lipsius's *Politica*: in Bacon's view, as we shall see

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[316] Lipsius, *Politica*, V.iv, p. 550, lines 2-3: "Quid si enim Ultio tibi proposita? quid si Gloria, aut Imperium? peccas."

[317] *OED*, "pretext, n.": "1. A reason put forward to conceal one's real purpose or object; a pretended motivation for a selfish or criminal act; an excuse or pretence. *a*1535 T. More *Hist. Richard III* in *Wks.* (1557) 58/1 The deuise of some conuenient pretext, for which the peple should be content, to depose the prince. 1591 Spenser *Prosopopoia* in *Complaints* 988 We may coulor it with some pretext. 1651 T. Hobbes *Leviathan* iii. xl. 255 A pretext..to discharge themselves of their obedience…†2. An asserted claim or pretension (to a title, etc.). *Obs. rare*. 1591 in A. I. Cameron *Warrender Papers* (1932) II. 161 [He has neither] a titill to grace his pretex [nor command of the resources of the realm to prosecute his claim]. 1633 T. Stafford *Pacata Hibernia* ii. iii. 139 Humbly praying that his life might bee spared, in policie of State; for whilest hee lived, his brother Iohn could not make any pretext to the Earledome." Cf. *OED*, "pretence/pretense, n. and adj.": "1.a. An assertion of a right, title, etc.; the putting forth of a claim; a claim. Now *rare*.1. b. *Heraldry*. in pretence: (of a coat of arms) borne on an inescutcheon to indicate a pretension or claim, e.g. that of a husband to represent his wife when she is herself an heiress or coheir of her father. Cf. *escutcheon of pretence* n. at escutcheon n. 1c.†2. An alleged reason; an excuse or pretext. In later use chiefly: a trivial, groundless, or fallacious excuse or reason. *Obs.*"

[318] *OFB* XV, "Of Judicature," p. 165, lines 3-9: "*Judges* ought to remember that their Office is *Jus dicere*, and not *Jus dare*; *To Interpret Law,* and not to *Make Law*, or *Give Law*. Else it will be like the Authority, claimed by the *Church* of *Rome*; which under pretext of Exposition of Scripture, doth not sticke to Adde and Alter; And to Pronounce that, which they doe not Finde; And by *Shew* of *Antiquitie*, to introduce *Noveltie*."

[319] *OFB* XV, "Of the true Greatnesse of Kingdomes and Estates. XXIX.", p. 96: "Incident to this Point is; for a State, to have those Lawes or Customes, which may reach forth unto them, just Occasions (as may be pretended) of Warre. For there is that Justice imprinted, in the Nature of Men, that they enter not upon Wars (whereof so many Casualties doe ensue) but upon some, at least Specious, Grounds or Quarrels."

later, pretexts and pretences for warfare should not be lacking to the well-counselled magistrate or prince.[320]

For Lipsius, despite his warnings against pretences for expansion and empire, there nonetheless exists a class of "just" invasions[321] if a power invades to recapture possessions which have been taken away unjustly and if one acts in accord with the law of nations (*ius gentium*).[322] These "just" invasions are wars for the recovery of unjustly lost possessions or lost rights which lead Lipsius to propound the maxim that if someone rapaciously seizes your things or rights, then you are to take up arms against them.[323] However, Lipsius immediately qualifies this maxim, claiming that one may only take up arms if one has first sent an ultimatum to the opponent seeking redress for the lost rights or lost possessions.[324] To this requirement of seeking formal redress in advance, Lipsius further insists that it is unjust to initiate war immediately, even if one has been harmed.[325] Rashness in war, for Lipsius, confers injustice upon the cause.

Lipsius concludes his discussion of just invasion with a discussion of invading those who are "unbelievers" (*impios*) and "Barbarians" (*Barbaros*).[326] Such invasions, Lipsius contends, seem to be legitimate, indeed, they appear to Lipsius to be permissible even in the absence of injustice or injury,[327] a position which Bacon will modify in his discussions of preventive warfare. Against "Barbarians" and against those whose "customs or religion are wholly aberrant to our own", it is just to invade them even if they have done no injustice themselves, but it is especially just to invade them if they are powerful and if they have invaded or are invading third parties. [328]

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[320] *OFB* XV, "Of the true Greatnesse of Kingdomes and Estates. XXIX.", p. 96.
[321] Lipsius, *Politica*, V.iv, p. 546, lines 27-28, marginal note: "*Invadere fas, ob Iniurias*".
[322] Lipsius, *Politica*, V.iv, p. 546, lines 27-28, p. 548, line 1: "Iam Invasio quoque licita et iusta est, sed non omnis. Illa palam, cum iniuriam vindicas, et iure gentium res tuas repetis."
[323] Lipsius, *Politica*, V.iv, p. 548, lines 3-4: "Itaque siquis res tuas aut ius rapuit: cape arma."
[324] Lipsius, *Politica*, V.iv, p. 548, lines 4-5: "cum ea conditione tamen, ut ex formula veteri, prius mittas *clarigatum*, *id est*, *res raptas clare repetitum*."
[325] Lipsius, *Politica*, V.iv, p. 548, line 6: "Nec enim, etiam laesus, iuste statim bellum inferes".
[326] Lipsius, *Politica*, V.iv, p. 548, lines 17-19, marginal note: "*Invadere etiam fas Barbaros et impios sed violentos*."
[327] Lipsius, *Politica*, V.iv, p. 548, line 17: "Iam et Invasio quaedam legitima videtur, etiam sine iniuria."
[328] Lipsius, *Politica*, V.iv, p. 548, lines 17-19: "Iam et Invasio quaedam legitima videtur, etiam sine iniuria. ut in Barbaros, et moribus aut religion prorsum a nobis abhorrentes: maxime si potentes ii, et aliena ipsi invaserunt aut invadunt."

In these cases of legitimate (*legitima*) invasions, the cause is to check or correct the invaded party and to reduce the ill it can cause.[329] Quoting Augustine's letters and further attributing part of the body of canon law to Augustine, Lipsius indirectly asserts that such invasive wars against the impious and against the "barbarians" may rightly be justified in order to deprive the invaded party of a claim to commit iniquities (*licentia iniquitatis*) and may thereby be plausibly said to be waged out of "zeal for peace" (*pacis studio geruntur*).[330] Indeed, following Aristotle, Lipsius concludes his discussion of the just agent, causes, and ends of war by claiming that as the wise sustain toil and work for the sake of *otium*, so, too, do the wise wage war for the cause of peace.[331]

Lipsius sums up all these divergent threads of his assessment of just war by firmly quoting Livy's remark that the just war is the one which is necessary (*Iustum bellum, quibus necessarium*) and that pious are the arms of those whose hope may only be found in arms alone (*et pia arma, quibus nulla nisi in armis relinquitur spes*).[332] Lipsius affirms this Livian position in asserting "Thus, this holds."[333] For Lipsius, therefore, necessity confers justice in war.[334]

Lipsius' work, especially his editions of Tacitus and Seneca and no less his *Politica* which we have been examining on the theme of just war, was widely read in myriad editions both immediately within his own lifetime and throughout the two centuries that followed his death in 1606.[335] Not only was Lipsius' work of significance for state theory and the philosophic

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[329] Lipsius, *Politica*, V.iv, p. 548, lines 19-20: "Caussa enim hic est, Coerctio, et in malo repressio."
[330] Lipsius, *Politica*, V.iv, p. 548, line 21: "*Cui licentia iniquitatis eripitur, utiliter vincitur*." [lit. "Who, in order to rip from their hands the licence to ill, are to be vanquished for the sake of utility."] Cf. lines 22-23: "Idemque iterum: *Apud verso dei cultores*, *etiam illa bella peccata non sunt, quae non cupiditate aut crudelitate, sed pacis studio geruntur*".
[331] Lipsius, *Politica*, V.iv, p. 550, line 6: "*Sapientes Pacis caussa bellum gerunt, et laborem spe otii sustenant*." See Aristotle, *Politics*, VII.xiv, 1333a34-6.
[332] Lipsius, *Politica*, V.iv, p. 548, lines 15-16: "Hic illud valeat: *Iustum bellum, quibus necessarium, et pia arma, quibus nulla nisi in armis relinquitur spes*."
[333] Lipsius, *Politica*, V.iv, p. 548, lines 15-16: "Hic illud valeat:
[334] Lipsius, *Politica*, V.iv, p. 548, lines 15-16: "Hic illud valeat: *Iustum bellum, quibus necessarium, et pia arma, quibus nulla nisi in armis relinquitur spes*." "Necessity", for Lipsius, thus seems to be a sufficient but not a necessary condition for justice in warfare.
[335] On the scope of Lipsius's readership and impact in the late sixteenth and early seventeenth centuries, see Gerhard Oestreich, *Neostoicism and the Early Modern State* (Cambridge: Cambridge University Press, 1982), pp. 5-56, at p. 8: "The fact that the seventeenth century became essentially a 'Roman' period, that Seneca and Tacitus were the chief witnesses on philosophy and history in the age of the Baroque, and that Machiavelli's conception of the state based on power eventually came to fruition in an entirely changed world—all this seems

revival of Stoicism, his work is credited by scholars with stimulating reforms in military practice, not least in the organization and discipline of the Dutch Army in the United Provinces in the 1590s.[336] As we have seen, Bacon and Essex regarded Lipsius as a lively and relevant source for the understanding of the entirety of the domain of politics and praised his *Politica* as offering the best epitome on the subject. [337] Lipsius held firmly that there was a category of positively just wars—those waged by the holders of sovereign power, engaged in causes of defence or recovery (for either lost persons or territory), and waged for the sake of peace. Invasive wars, too, for Lipsius, could be just, particularly if they are not entered into rashly and are waged against the "impious" or "barbarians." On all these matters, as we shall see, Bacon would come to follow Lipsius's lead. For Lipsius, as well as for Bacon, wars are just if they are necessary and there can be a class of "legitimate" or "just" wars which may be both invasive and waged for the sake of an ostensible peace.[338] Yet, Lipsius eschewed wars for expansion justified by pretences, which he took to be grounded on avarice, and here, Bacon would come to differ with one he regarded as the master epitomist of politics, as we shall soon see, following an examination of another author whose significance for Bacon's thinking on just warfare is not to be underestimated.

Alberico Gentili

[give an account of why Gentili is socially important—dates of Gentili's major works which Bacon may have read--*De Legationibus—works that Bacon may have come across*—go into Gentili from a social and political perspective—Gentili was under the patronage of Dudley, then Essex, to whom his major works on war, *De armis romanis* and *De iure belli* were dedicated]

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to me to go back to Lipsius." See also Jan Waszink, "Introduction," pp. 1-203, in Justus Lipsius, *Politica* (Assen, The Netherlands: Koninklijke Van Gorcum, 2004), at p. 6: "Lipsius' works were reprinted and summarized far into the eighteenth century. As long as Latin was the main medium of international intellectual exchange (until approximately the middle of the eighteenth century), Lipsius' fame as a scholar and philosopher endured."

[336] Oestreich, *Neostoicism and the Early Modern State*, p. 5: "One of the most important agents in the transmission of Roman stoicism was the Dutch professor Justus Lipsius, whose treatment of military affairs in the fifth book of his *Politicorum libri sex* (1589) had first stimulated the Dutch army reforms."

[337] *OFB* I, "Letter of Advice to Fulke Greville," p. 207.

[338] Lipsius, *Politica*, V.iv, p. 548, lines 22-23: "Idemque iterum: *Apud verso dei cultores*, *etiam illa bella peccata non sunt, quae non cupiditate aut crudelitate, sed pacis studio geruntur*".

Alberico Gentili was a highly prominent civilian lawyer and Regius Professor of Civil Law at the University of Oxford. No less, Gentili was a member of Gray's Inn (Bacon's Inn and his sometime place of residence) as Bacon's contemporary from 1599 onwards. Gentili's major work on the law of war, *De Jure Belli*, is thus striking as an important context for Bacon's thinking on the subject.[339]

In the first instance, it is worthwhile to examine how Alberico Gentili understood and defined the concept of war. War, in Gentili's understanding, is the just contention of public arms.[340] Importantly, on this view, that which fails to be *just* armed conflict fails to qualify as war.[341] Armed conflict that lacks a justification may be quarrel or assault or fighting or aggression, but it falls out of the legal category of war.

To the extent that Gentili's view had social purchase, it would thus be important for any writer or speaker who advocated armed conflict to claim that her or his cause was just or at least susceptible to being justified in Gentili's terms or to contest those terms: contention by arms without justification would be not war but brigandage, marauding invasion, aggression, or even piracy. The brigand, the marauder, the aggressor and the pirate are, in the terms of civil law, *hostes omnium* or even *hostes humani generis*—the enemies of all or even the enemies of humankind—the enemies of humankind fall afoul of the law of nations and any protections or rights which they might claim under it. Wishing to avoid such a status, the advocate of armed conflict must tread carefully, insisting that her or his call to arms bears the imprint of justice. Within a Gentilian framework, the advocate of arms must have just claims

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[339] In his monumental study of Grotius, Peter Haggenmacher explicitly related Grotius' work to that of Gentili, as an eminently comparable close predecessor within a tradition of works on the *ius belli* noting that "A notre avis, la lecture de l'ouvrage révèle que Grotius n'en a voulu faire, au premier chef, ni une somme de droit naturel, ni, moins encore, un livre de droit international, mais essentiellement un traité sur le droit de guerre, comparable à celui de Gentili par son envergure, bien qu'assez différent par l'esprit et la construction." [tr. In our opinion, the reading of the work reveals that Grotius did not intend, primarily, either a summary of natural law, or, even less, a book of international law, but essentially a treatise on the law of war, comparable to that of Gentili by its span, although different indeed in its spirit and construction.] Peter Haggenmacher, *Grotius et la doctrine de la guerre juste* (Paris: Presses Universitaires de France, 1983), p. 8.

[340] Gentili, De iure belli, I.ii; vol. I, p. 17; vol. II, p. 12: "Bellum est publicorum armorum iusta contentio." In the 1588 edition, the corresponding sentence read: "Bellum est contentio armata, publica, iusta." [War is armed, public, just contention.] Alberico Gentili, *De ivre belli, Commentatio prima* (London: Iohannes Wolfius, 1588), sig. B recto.

[341] Gentili, De iure belli, I.ii; vol. I, p. 21; vol. II, p. 14: "De quo & dicendum est libro tertio, quemadmodum contra pacem, aut foedus non fiat, si iusta haec vis non intercedat armorum".

at the ready, a position which Bacon will substantially adopt in a passage added specially for the 1625 edition of his essay "Of the true Greatnesse of Kingdomes and Estates."[342]

For Gentili, as for Lipsius, only sovereigns or legitimately established princes can lawfully wage war.[343] Relatedly, it is the possession of plenary or supreme power and not nominal title which confers sovereignty, in Gentili's view. "Those who have the title of prince, but do not exercise jurisdiction in their realms," Gentili writes, "are neither properly princes nor are they rightly so termed."[344] With this image of sovereign power, Gentili answers a rhetorical question from St. Bernard's *Sermon on the Advent of the Lord*, "Who does not know that the sons of princes are princes; the sons of kings, kings?" with the refusal that he, Gentili, does not know this to be the case. For Gentili, titles, even when hereditary, are meaningless without the power to enforce commands—it is the actuality of jurisdiction and the effectiveness of command that is the guarantor of sovereignty and legitimate princedom.[345]

For Gentili, the subordinate dukedoms of the Holy Roman Empire have the status of sovereign powers for the purposes of the laws of war: duchies, like Saxony and Brunswick, may declare and wage war as sovereign powers, with the exception that they not wage war directly against their feudal superiors, i.e.—they may not wage war against the Holy Roman Emperor himself.[346] As we shall see, Bacon drops Gentili's exception on this question—it is perfectly legitimate for the Palatine Elector to wage war against the Holy Roman Emperor, in Bacon's view.

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[342] *OFB* XV, "Of the true Greatnesse of Kingdomes and Estates. XXIX.", p. 96, lines 223-228: "Incident to this Point is; For a State, to have those Lawes or Customes, which may reach forth unto them, just Occasions (as may be pretended) of Warre. For there is that Justice imprinted, in the Nature of Men, that they enter not upon Wars (whereof so many Calamities doe ensue) but upon some, at the least Specious, Grounds and Quarells."
[343] Gentili, *De iure belli*, I.iii; vol. I, pp. 22-34; vol. II, pp. 15-21: "Publica ergo esse arma vtrinq[ue]; oportet & vtrinq[ue]; esse Principes, qui bellum gerant."
[344] Gentili, *De iure belli*, I.iii; vol. I, p. [34]; vol. II, p. 21: "Qui Principes dicuntur, nec exercent in principatu iurisdictionem, hi neq[ue] ; sunt, neq[ue] ; dicuntur propriè Principes."
[345] Gentili, *De iure belli*, I.iii; vol. I, p. [34]; vol. II, p. 21: "*Filios principum principes* ; *filios regnum reges esse, quis nesciat ?* Esse, ego, Bernarde, nescio ; dici, scio, vacuo nomine."
[346] Gentili, *De iure belli*, I.iii; vol. I, pp. [32-34]; vol. II, pp. 20-21, at vol I, p. [34]: "Non exercent feudatarii iura regalia cum suo superiore: sed foedusque; possunt cum aliis inire tamen."

The justification of war, for Gentili, is ultimately and importantly a legal question: the justice of war is properly the province of jurisconsults rather than theologians.[347] Within a Gentilian framework, as we have seen, the advocate of arms and the prudent jurisconsult must have just claims at the ready. Gentili argues that wars should have grounds, but the grounds for war should be just as, in his opinion, "an unjust cause is no cause at all."[348] In a line similar to Gentili's *De iure belli*, the lawyer and Anglican divine Matthew Sutcliffe, Bacon's contemporary at Trinity College, Cambridge, proclaimed in a 1593 tract dedicated to the Earl of Essex that "warres without cause are nothing, but robbery and violence contrary to humanity, and reason."[349] Thus, before drawing an army into the field of battle, Sutcliffe remarked that "First, wee are to consider, that our cause be good, and iust." [350]

In his account of the laws of war, Gentili wrote of the desirability of anticipatory self-defence based on fear. In the fourteenth chapter of the first book of the *De iure belli*, Gentili places fear-based self-defence amongst the class of defensive wars based not on necessity or honour, but expediency. "I call it a defence dictated by expediency, when we make war through fear that we may ourselves be attacked," [351] Gentili writes before going on to approvingly quote Nicephorus Xanthopoulos's *Ecclesiastical History* to the effect that "those who desire to live without danger ought to meet impending evils and anticipate them."[352] On Gentili's account, anticipatory attacks on those who are preparing future conflicts against one's state or power are most expedient indeed.

Drawing on Justinian's *Digest*, Gentili raises the issue of the *metus iustus* or just fear precisely in his discussion of wars for expediency. "Now a just fear is defined as the fear of a

[347] Gentili, *De iure belli libri tres*, I.xii; vol. I, p. 92; vol. II, p. 57: "Silete theologi in munere alieno." Gentili would here seem to be arguing against the scholastic tradition from Aquinas to Vitoria.
[348] Gentili, *De iure belli*, I.vii; vol. I, p. 55, vol. II, p. 35: "Iustae sint causae: nam causa iniusta nec est causa."
[349] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), "To the Reader", C3 recto.
[350] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), "To the Reader", C2 verso-C3 recto.
[351] Gentili, *De iure belli*, I.xiv; vol. I, pp. 96; vol. II, p. 61: "Vtilem dico defensionem, quum mouemus nos bellum, verentes, ne ipsi bello petamur."
[352] Gentili, *De iure belli*, I.xiv; vol. I, pp. 96-97; vol. II, p. 61: "oportet igitur, (quod Nicephorus non contemnendae auctoritatis historicus) qui citra periculum velint viuere, eos occurrere impendentibus malis, & anteuertere."

greater evil, a fear which may properly be felt even by a man of great courage" Gentili writes.[353] But Gentili raises the issue of the just fear in Roman law as inapplicable to conduct between sovereign states and empires, continuing that "in the case of great empires I cannot readily accept that definition, which applies to private affairs."[354] Gentili here explicitly confines the just fear to private conduct and separates justice from his favoured wars of expediency; a confinement and separation which Bacon will collapse.

Significantly, Gentili's treatment of anticipatory self-defence is one which Bacon will both partially adopt and meaningfully redescribe. In his later treatment in the *Considerations* and in the 1625 edition of the *Essayes*, Bacon will insist that anticipatory self-defence for the holders of sovereign power is not only expedient but just—Gentili's expedient fear becomes Bacon's just fear and with it the Roman Law of private self-defence is expanded to cover the behaviour and practices of sovereign states. Bacon classes anticipatory self-defence based on fear as just, which Gentili had only classed as expedient. What for Gentili is expediency is redescribed by Bacon as a matter of justice.

A tradition which includes Lipsius had held that for a just war there was the requirement not only of a just authority and a just cause but also a just aim or intention for waging the war—which Lipsius had described as the justice of the end of war.[355] For Lipsius, as we saw above, for a war to be just it must aim at some just end—those entering into a just war must have some just aim, like peace, as their goal—this in addition to having a just cause (like suffering injury). Gentili for his part assigns the question of the just aim or just intention to the theologians and then tells the theologians to be quiet.[356] Bacon seems to follow Gentili in this regard—when he speaks of justice in warfare Bacon emphasizes causes and agents and is nearly silent on questions of motivation or intention. This links up with Bacon's stress on pretences for initiating a war—it would seem that a theory of just war in which just *aims* may not matter is more amenable to offering pretences to begin a war, a notion which Lipsius,

[353] Gentili, *De iure belli*, I.xiv; vol. I, pp. 99; vol. II, p. 62: "Iust[us] autem metus definitur timor maioris malitatis: quiq[ue]; meritò in homine constantissimo cadat."
[354] Gentili, *De iure belli*, I.xiv; vol. I, pp. 99; vol. II, p. 62: "Ego tamen in magna hac causa imperiorum non facilè definitionibus istis nunc adquiesco priuatorum negotiorum."
[355] Lipsius, *Politica,* V.iv, p. 544, lines 18-19: "quod tria haec habet iusta: Auctorem, Caussam, Finem."
[356] Gentili, *De iure belli*, I.vii; vol. I, p. 56, vol. II, p. 35: "Tractant aliqui, si bona intentio principis adesse debeat ad iustitiam belli. quod est theologorum."; *De iure belli*, I.xii, vol. I, p. 92: "Silete theologi in munere alieno."

above, had excluded as unjust. Bacon, like Gentili before him, departs from a Thomist tradition of insisting upon a just motivation or intention for waging war. Yet, importantly, Bacon goes further than Gentili in departing from the Thomistic and Lipsian positions on just war. Bacon admits as just causes or apt pretences causes which even Gentili avowed to be unjust—monetary enrichment and imperial expansion as sensible aims in warfare.[357] Moreover, Gentili holds that it is bestial to proceed to war when no injury has yet been suffered—a view which, as we shall see, Bacon himself was keen to modify.[358]

Matthew Sutcliffe and the Just Causes of War

In *The practice, proceedings and lawes of armes* of 1593, dedicated to the Earl of Essex, the civilian lawyer and Anglican divine Matthew Sutcliffe, Bacon's contemporary at Trinity College, Cambridge, lays out both his concern for England's strategic position and the need to enumerate just causes for wars.[359] Sutcliffe opens his dedicatory epistle to Essex by dwelling on the nearness and proximity of the wars which await England, be she sleeping or awake. Conceding ground to a potential objection, Sutcliffe acknowledges that "the warres are not at our doors, yet wee may easily perceiue, that they are very neere vs: and howe neere we knowe not. why then do we not awake?"[360] Waking up, in Sutcliffe's idiom, would mean military provision and armament, with war preparations directed at Spain in particular. Looking to the Iberian peninsula, Sutcliffe poses the rhetorical question of "why do we not prouide and arme,

[357] Gentili, *De iure belli*, I.vii.
[358] Gentili, *De iure belli*, I.vii; vol. I, p. 54, vol. II, p. 34: "Ferinum id, nulla accepta iniuria ad caedes, & vastationes venire."
[359] In her 2012 study of Essex, Alexandra Gajda writes that "Essex appears to have commissioned *The practice, proceedings and lawes of armes*(1593), a work dedicated to him on the necessity of military reform by Matthew Sutcliffe, a Cambridge civil lawyer and anti-Puritan theologian." Gajda further clarifies that "The dedication implies that it was commissioned by Essex. It was printed by Christopher Barker, the queen's printer, possibly to strengthen enthusiasm for the triple subsidy bill levied in the 1593 parliament. Sutcliffe had been a fellow of Trinity College, Cambridge, when Essex was a student. Also dedicated to Essex was *Matthaei Sutclivii De Catholica, orthodoxa, et vera Christi ecclesia* (1592)." Alexandra Gajda, *The Earl of Essex and Late Elizabethan Political Culture* (Oxford: Oxford University Press, 2012), p. 75; p. 76n45.
[360] Matthew Sutcliffe, *The Practice, Proceedings and Lawes of armes* (London: Christopher Barker, 1593), A 2 recto.

seeing the Spaniard by sending ouer such swarmes of trayterous and seditious priests and Iesuites among vs, hath giuen vs such cause of an alarme?"[361]

In a vividly anti-Erasmian exordium, Sutcliffe's treatise proper opens with the forceful declaration that it is not even necessary to dispute that it is lawful for Christians to make wars. The lawfulness of Christian war-making is, for Sutcliffe, most manifest.[362] Those who maintain the contrary, Sutcliffe asserts, are "both heretical, and phrenetical persons."[363] Following invocations of the authority of Paul and Augustine, Sutcliffe follows with an appeal to the *ius naturae et gentium* as grounding the naturalness and universality of arming for war in one's own self-defense as "it is the law of nature, and nations that putteth weapons in our hands for our defence".[364] The suppression of rebellion is, for Sutcliffe, a kind of war and such war is necessary for the execution of the civil laws banning rebellion.[365]

Yet, Sutcliffe proclaimed that "warres without cause are nothing, but robbery and violence contrary to humanity, and reason."[366] To avoid such robbery and violence, Sutcliffe offers in the opening of his treatise, "let us proceede to examine, what those things are that giue us iust cause of warres" as just causes of war are "a matter much to be regarded, unlesse we will be accompted among those tyrants that rage and vexe men without cause."[367]

"First", Sutcliffe states, "it is lawfull to use force, and take armes in defence of our country, true religion, our goodes or liberty".[368] The application of this lawful use of force is, in Sutcliffe's estimation, one of England's very recent history, for "seeing of late time the

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[361] Matthew Sutcliffe, *The Practice, Proceedings and Lawes of armes* (London: Christopher Barker, 1593), A 2 recto – A 2 verso.
[362] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), ch. I, p. 1: "The lawfulnes thereof is apparent." Cf. Erasmus, *Institutio principis christiani*, sections 1-3.
[363] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), ch. I, p. 1.
[364] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), ch. I, p. 2.
[365] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), ch. I, p. 2: "without warres civill lawes against rebellious subiects cannot be executed; and so should remaine without edge."
[366] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), "To the Reader", C3 recto.
[367] Matthew Sutcliffe, *The practice, proceedings, and lawes of armes* (London: Christopher Barker, 1593), D recto, p. 2.
[368] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 3.

Spaniard came vpon our coast with fire and sword, menacing the English nation with all the calamities that follow such inuasions, I thinke no man will deny, but we haue iust cause to put on armes in defense of our country, religion, liues, liberties, and lawes."[369] In such defense, Sutcliffe attests, "not onely our cause is iust, but the warre is of necessity to be undertaken"—self-defense against those who come upon England with fire and sword is necessary as well as just.[370] Sutcliffe here echoes Lipsius's claim granting justice to claims of necessity, a theme which Bacon will take up and adapt.

Second to self-defense, in Sutcliffe's presentation, "It is likewise lawfull to represse pirats, and publique robbers by force of armes". Such pirates "are enemies of peace, & ciuil gouernment" aptly "proclaimed as publike enemies of states". The cause of piracy bears particularly, Sutcliffe surmises, on England's relations with Spain as "Just cause therefore haue we also in this respect to make warres vpon the Spaniard, that without defiance of warre, stayed our shippes, and our marchants, and spoiled their goodes."[371]

Beyond piracy and defense, Sutcliffe enumerates the injustices suffered by subjects and the abuse of ambassadors by foreign states and princes alongside the rebellion of subjects against their lawful princes as just causes for waging war.[372] Moreover, Sutcliffe emphasizes that "it is a lawfull, and iust cause for a prince or nation to arme their people in defence of their associates, or such as flie vnto them for succour being vnjustly oppressed."[373] Here, too, the just defence of associates bears upon English war with Spain "wherefore we haue not onely iust cause to warrant our proceedings against the Spaniard in defence of our confederates of France, and the lowe Countries; but also necessarie reasons to moue vs to prosecute matters more forcibly, vnlesse we meane to engage our honour, and neglect our owne estate."[374]

For Sutcliffe, the principal just causes of war all conjoin in justifying a war with Spain.

Wars as Trials of Right

[369] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 3.
[370] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 3.
[371] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 4.
[372] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), pp. 5-6.
[373] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 6.
[374] Matthew Sutcliffe, *The practice, proceeding, and lawes of armes* (London: Christopher Barker, 1593), p. 7.

Bacon drew upon each of these contemporaries in formulating his thoughts on just war. To begin with, Bacon shifted the definition of war itself. Recall that Alberico Gentili had defined war as the just contention of public arms.[375] Shifting the terms of the discussion, across his political career, from the 1590s to the 1620s, Bacon persistently conceived of war on the model of a trial. In his 1592/3 *Certaine Obseruations vppon a Libell*, Bacon posited that "warres are no massacres and confusions, but they are the highest trialles of right, when princes and States that acknowledge no superior vppon earth shall putt themselves vpon the iustice of God for deciding of their controversies by such successe as it shall please them to give on either side."[376] Reiterating this definition in 1594, Bacon described "Warrs, which are the highest Trialls of Right, betweene *Princes*, (that acknowledge no superiour Jurisdiction;)".[377] In 1624, Bacon defined wars as "suits of appeal to the tribunal of God's justice, where there are no superiors on earth to determine the cause".[378] At trial, as in war, both sides seek to win; yet in war, unlike at the bar, there is no higher judge (or none active in the courtroom) to arbitrate the disputes of right or justice. For Bacon, wars are judgeless trials of right and justice between "princes and States" where none but the parties may decide the case.

Bacon's conception of war as a trial shaped his views of adherence to the law of nations and adherence to honorable conduct in warfare. For conduct in war, Bacon emphasized in 1592/3 that "in *th*e proceedings of the warre nothinge ought to be done against the law of Nacions or the law of hono*u*r".[379] In his 1594 *True Report of the Detestable Treason Intended by Doctor Roderigo Lopez*, Bacon stressed that "Warrs," instead of via poisoning and attempted assassinations of princes, "ought to be prosecuted, with all Honour".[380] While in his 1601/2 *Considerations touching the Queen's service in Ireland*, Bacon expresses his concern for that

[375] Gentili, De iure belli, I.ii; vol. I, p. 17; vol. II, p. 12: "Bellum est publicorum armorum iusta contentio." In the 1588 edition, the corresponding sentence read: "Bellum est contentio armata, publica, iusta." [War is armed, public, just contention.] Alberico Gentili, *De ivre belli, Commentatio prima* (London: Iohannes Wolfius, 1588), sig. B recto.
[376] *OFB* I, *Certaine Obseruations vppon a libell*, p. 343, ll. 13-17.
[377] *OFB* I, *A True Report of the Detestable Treason Intended by Doctor Rogerigo Lopez,* p. 449, ll. 443-445.
[378] *LL* VII, "Considerations Touching a War with Spain," p. 470.
[379] *OFB* I, *Certaine Obseruations vppon a libell*, p. 343, ll. 19-21.
[380] *OFB* I, *A True Report of the Detestable Treason Intended by Doctor Rogerigo Lopez,* p. 449, ll. 443-445.

which is "*jure gentium* lawful"[381]—even in colonial wars, Bacon is agitated that England's actions avoid the appearance of violating the law of nations. Both the *ius gentium* and the "law of honor" seem to govern war conduct, in Bacon's view, much as rules of procedure and evidence are to govern conduct in a courtroom.

Just Pretences

As we saw above, in his *Politica*, Justus Lipsius had ruled pretences offered in favor of expansion as exceeding the scope of justice in warfare—such pretences, Lipsius argued, are grounded in avarice rather than justice.[382] Bacon would depart markedly from this view. In both his 1624 *Considerations touching a war with Spain* and in the 1625 version of his essay "Of the true Greatnesse of Kingdomes and Estates," Bacon emphasized the importance "For a State, to have those Lawes or Customes, which may reach forth unto them, just Occasions (as may be pretended) of Warre."[383] The idea of having ready "pretences" for war is one which may be found across Bacon's literary and political career. In Bacon's set device "*Tribuit, or giuinge that which is due*," which Spedding dates to 1592 and Stewart to 1591,[384] and therefore composed early in his literary and political career, Bacon loses no time in praising Queen Elizabeth for her "contempt of profit". This contempt consists, in part, in the neglect of wars for which pretences were not wanting. "She wanted not the example of the power of her armies, in the memorable voyages and invasions prosperously made and achieved by sundry her noble progenitors," Bacon writes. "Shee hath not wantted pr*e*tenc*e*s, aswell of Clayme and right, as of quarrell and revenge."[385] These claims and pretences, Bacon avers, extend not only to the defence of England from external threats but to expansive conquest on

[381] *LL* III, *Considerations touching the Queen's service in Ireland*, p. 46.
[382] Lipsius, *Politica*, V.iv, p. 546, lines 22-26: "Atque haec licita et legitima Defensio est. maneas in ea tantum, nec hoc praetextu pedem manumque promoveas, et aliena apprehendas. Quod Romanos fecisse, ingenue fatetur Romani eloquii flos: *Noster*, inquit, *populus*, *sociis defendendis, terrarum iam omnium potitus est*."
[383] OFB XV, "Of the true Greatnesse of Kingdomes and *Estates*. XXIX." p. 96, ll. 223-225.
[384] *LL* I, p. 120: "That these pieces were both composed for some occasion of compliment, more or less fanciful, I feel very confident; and if it should ever appear that about the autumn of 1592 (the date to which the historical allusions in the discourse in praise of Elizabeth point most nearly), a 'device' was exhibited at Court in which three speakers came forward in turn, each extolling his own favourite virtue (a form which Bacon affected on these occasions, as will appear hereafter in two notable examples),—the first delivering an oration in praise of magnanimity, the second of love, the third of knowledge,—and then a fourth came in with an oration in praise of the Queen, as combining in herself the perfection of all three; I should feel little doubt that the pieces before us were composed by Bacon for that exhibition." Cf. *OFB* I, pp. 237-240, at p. 238: "If indeed this piece was written for an Accession Day device, then a more likely date would be 17 November 1591, in Whitehall."
[385] *OFB* I, p. 269; *LL* I, p. 128.

both the British Isles and on the European continent. "*Scotland* that doth in a maner Eclipse her land; the vnited p*ro*vinces of the lowe Cunteries, w*hi*ch for scite, wealth, Comoditie of traffique, affecc*i*on to o*u*r nation, were most meet to be annexed to the Crowne". In place of appropriating Scotland and the United Provinces, which were superlatively ripe ("most meet") for annexation, "shee lefte the possession of the one & refused the Sou*e*raignetie of the other. Soe that notw*i*thstanding the greatnes of her meanes, the iustice of her pr*e*tenc*e*s, and the rarenes of her opportunities, shee hath Contynued her first minde; she hath made the possessions w*hi*ch she received the lymit*e*s of her dominions, & the world the limitt*e*s of her name by a peace that hath stayned all victories."[386] In Bacon's praise of Elizabeth for her "Contempt of profit" he focuses primarily on her contempt of warfare for which pretences were ample. The implicit premise of this praise, comingled with dispraise, is that, in Bacon's view, war, particularly war of conquest, is eminently profitable. In place of profit foregone, in Bacon's praise of his sovereign, Elizabeth has bequeathed "a peace that hath stayned all victories."[387] Bacon's praise of a stained peace is tinted with more than hint of criticism: pretences of just war were unduly neglected under the reign of Queen Elizabeth, not yet concluded at the time of his writing and composition, during which kingdoms and states that might have been seized were left outside her dominions.

In his *Certain Observations made upon a Libel Published this present year, 1592*, Bacon distinguishes war from "massacre"—the St. Bartholomew's Day "Massacre" does not count as war, much less as "just" war.[388] St. Bartholomew's Day, in Bacon's view, is slaughter and beyond the pale, even of war itself. "ffor the warres are no massacres and confusions", Bacon claims, "but they are the highest trialles of right, when princes and States that acknowledge no

[386] *OFB* I, p. 269; *LL* I, p. 128. The theme of annexing the United Provinces recurs under James's reign in Bacon's diary entry dated 28 July, 1608, in his *Commentarius Solutus*: "so cyvylizing Ireland, furder coloniz. the wild of Scotl. Annexing ye Lowe Countries." See *LL* IV, p. 74.
[387] *OFB* I, p. 269; *LL* I, p. 128.
[388] *OFB* I, p. 343, lines 13-17; *LL* I, p. 146; Cf. *OFB* XV, "Of Unity in Religion," p. 14, lines 128-129: "What would he have said, if he had knowne the Massacre in France or the Powder Treason in England? He would have beene, Seven times more Epicure and Atheist, then he was."

superio*u*r vppon earth shall putt themselves vpon the iustice of God for deciding of their controversies by such successe as it shall please him to give on either side."[389]

For Bacon, in 1592, wars were "the highest trialles of right" and ought to be conducted in accordance with the *ius gentium* or the law of nations or peoples as well as "the law of hono*u*r."[390] Bacon repeats this view in his tract of 1594, *A true report of the detestable treason intended by Doctor Roderigo Lopez*, wherein he avows that the attempted poisoning of Queen Elizabeth I by her physician in the service of "the *King of Spain*, and the *Bishop of Rome*" has "stained, and infamed" the practice of wars with foul treachery, when wars should rather be "the highest Trialls of Right, between *Princes*".[391] Drawing an analogy between the workings of civil law between individuals and the works of the *ius gentium* in wartime, Bacon stressed that "as in the processe of particulare pleas betwene private men all thinges ought to be ordered by the rules of the civill lawes, So in *th*e proceedinges of the warre nothinge ought to be done against the law of Nacions or the law of hono*u*r".[392] With regard to the *ius gentium* and the law of honour, Bacon is emphatic about what he considers it to entail for those who would violate the "lif and good name"[393] of opponent princes in war, claiming that these "lawes have ever pronounced those two sortes of men (the one conspirato*u*rs against the persons of Princes, The other libello*u*rs against their good fame) to be such enemies of comon societie as are not to be cherrished no not by enemies."[394] Those who slander and those who plot the deaths of princes and sovereigns, even in warfare, become, in Bacon's terms, *hostes omnium*—the "enemies of common society."

In his much later *Considerations Touching a War with Spain* (1624), addressing the future King Charles I, then Prince of Wales and heir-apparent to the British crowns, Bacon claims

[389] *OFB,* p. 343, lines 13-17; *LL* I, p. 146.
[390] *OFB* I, p. 343, lines 14 and 21; *LL* I, p. 146; *OFB* I, p. 449, lines 443-444; *LL* I, p. 287: "But the corruptions of these times are wonderful, when that wars, which are the highest trials of right between princes (that acknowledge no superior jurisdiction), and ought to be prosecuted with all honour, shall be stained and infamed with such foul and inhuman practices."
[391] *OFB* I, p. 449, lines 443-446.
[392] *OFB* I, p. 343, lines 17-21; *LL* I, p. 146.
[393] *OFB* I, p. 343, line 12; *LL* I, p. 146.
[394] *OFB* I, p. 343, lines 21-24; *LL* I, p. 146.

there are three requisites of war. "To a war are required;" Bacon writes, "a just quarrel; sufficient forces and provisions; and a prudent choice of designs."[395] War requires a just cause or "a just quarrel" (a *casus iustus*), adequate material preparations and martial forces, and a set of strategies and tactics guided by prudence or practical judgment. Bacon claims that his tract advocating a war with Spain aims to demonstrate the three requisites of war. Bacon claims that he shall "first justify the quarrel; secondly, balance the forces; and lastly, propound the variety of designs for choice."[396]

As we have seen, Bacon here follows Gentili in departing from Lipsius and the prior Scholastic tradition in omitting discussion of just aim or intention in warfare. Bacon maintains a concern for justification but, like Gentili, this concern need not extend to justification at the level of motivation or intention or justice in the end-state aimed at by the war. Within the justification of the quarrel, prudence in design, for Bacon, replaces justice in motivation, an idea that resonates with Bacon's conceptual treatment of warfare in his mythographic allegory, the *De Sapientia Veterum*.

Perseus, sive Bellum (1609)

In the seventh section of his *Wisdom of the Ancients*, Bacon offers a general, if fabulous, figuration of his notion of war, albeit one not without its polemical point. The fable of Perseus severing the head of Medusa, Bacon claims, "seems to have been fabricated as an account of the conduct of war by reason and prudence."[397] This prudent and rational conduct of war (depicted in the fable as Bacon relates it) "propounds three sound and grave precepts."[398] First, Bacon claims, propinquity of the population to be subjugated or the nation to be tamed, is not a proper requirement of a prudent war. Bacon praises his Perseus for undertaking a martial expedition without regard for distance.[399] Second, Bacon claims, for the rational and prudent conduct of war, care must be taken to find a just and honorable

[395] *LL* VII, "Considerations Touching a War with Spain," p. 470.
[396] *LL* VII, "Considerations Touching a War with Spain," p. 470.
[397] *SEH* VI, p. 641: "Fabula de belligerendi ratione et prudentia conficta videtur." (my translation above)
[398] *SEH* VI, p. 641: "Atque in ipsa de bello suscipiendo et de genere belli eligendo deliberatione, tria proponit praecepta sana et gravia, tamquam ex consilio Palladis."
[399] *SEH* VI, p. 642.

cause.[400] A just and honourable cause of war is advocated on grounds of the goods or benefits which such a cause may yield: zeal (*alacritas*) in both soldiers and tax payers in support of the war, while both opening relations with and reconciling allies to the cause.[401] Bacon proceeds to claim that there is no cause of war "more pious" than waging war against a tyranny, under which the people prostrate themselves and are ruined without spirits or vigor, as if under the gaze of Medusa.[402]

Thirdly, Bacon offers as a sound and grave precept of prudent management of a war that it be winnable—the conditions of a prudent war must be such that the war may be brought to completion and not be of long duration. The Perseus fable depicts this precept by Perseus' choice to wage war on Medusa as the lone mortal Gorgon (all the others being immortal).[403]

Bacon's Perseus fable contains several interesting facets which alter inherited tales of Perseus and Medusa: on Bacon's account, Medusa is not said to dwell on the isle of Cisthene, mythically located in the Red Sea, but seems to conduct her activities elsewhere. Medusa, in Bacon's narration of the Perseus fable, inflicts maximal calamities on many peoples in the Iberian Peninsula.[404] The paradigmatic war in Bacon's 1609 fable, reprinted and expanded in the 1610s and 1620s, and incorporated in Bacon's 1623 *De Augmentis Scientiarum,* is a war conducted against a tyrant active in Spain.

In 1609, in his *De Sapientia Veterum*, providing a just and honorable cause for war is given a grounding in the usefulness, prudence, or efficaciousness of providing such a cause. A cause grounded in honor or justice or piety stirs up one's own soldiers and one's tax-paying populace while opening or conciliating alliances. A cause for war is particularly efficacious

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[400] *SEH* VI, p. 642: "Secundo, curae esse debet, ut justa et honorifica subsit belli causa; id enim et alacritatem tum militibus tum populis impensas conferentibus addit; et societates aperit et conciliat, et plurimas denique commoditates habet."
[401] *SEH* VI, p. 642.
[402] *SEH* VI, p. 642: "Nulla autem belli causa magis pia sit, quam debellatio tyrannidis sub qua populus succumbit et prosternitur sine animis et vigore, tanquam sub aspectu Medusae."
[403] *SEH* VI, p. 641-642; p. 642: "Tertio, prudenter additur, quod cum tres Gorgones fuerint (per quas bella repraesentantur), Perseus tres Gorgones fuerint (per quas bella representantur), Perseus illam delegerit quae fuerit mortalis; hoc est, bellum ejus conditionis quod confici et ad exitum perduci posset; nec vastas aut infinitas spes persecutus est."
[404] *SEH* VI, p. 641: "Perseus traditur fuisse a Pallade missus ad obtruncandam Medusam, quae populis plurimis ad occidentem in extremis Hiberiae partibus maximae calamitati fuit."

to these ends, Bacon claims, if it is grounded in overthrowing an oppressive tyrant, not least a tyrant who is active in Spain.

While in 1609, in his *De Sapientia Veterum*, Bacon articulates the need for the justification of any war as a matter of prudence, efficaciousness, or calculation, Bacon's 1624 *Considerations* articulate the case of war with Spain in terms of justice, just quarrel, and just cause (*causa iusta*). Is this a surface contradiction, a deep tension, a change of view, or a matter of only apparent inconsistency? In both cases, Bacon has an eye to the import of justification in warfare, and as we have seen above, Bacon is sensitive to the human need for justification for engaging in warfare. Yet, in the 1609 *De Sapientia Veterum*, a more general and conceptual treatment of warfare, Bacon glosses a just cause in terms of efficacy and prudence, whilst in 1624, advancing the practical case for a particular war, Bacon foregrounds the case of right in the terms of justice as he construes them. In this regard, it is not always most prudent to advance a prudential case in the terms of prudence.

Metus iustus and the Ottoman Empire

One of Bacon's sufficient criteria for a just war is a just fear, a *metus iustus*. What, for Bacon, makes a fear just and why is such a fear sufficient to justify a war? In Bacon's *Considerations Touching a War with Spain* (1624), he is emphatic that his criterion of a *metus iustus* is "at all times" satisfied for some states with respect to other states on account of the practices and customs of the latter states. Where one state or people stands in "perpetual fear" of invasion on the basis of the custom or established practice of a neighbor state, then the state in "perpetual fear" may, Bacon claims, wage discretionary war against the power which terrifies it perpetually. "At all times," Bacon maintains in his *Considerations*, "there lieth upon the Christians a perpetual fear of war" arising from "a fundamental law in the Turkish Empire, that they may, without any other provocation, make war upon Christendom for the propagation of their law."[405] This Ottoman custom, according to Bacon, gives just fear (and with just fear, just cause) to Christian princes and Christian states to wage war on the Ottoman

[405] *LL* VII, "Considerations Touching a War with Spain," p. 475; *OFB* XV, "Of the true Greatnesse of Kingdomes and Estates. XXIX.", p. 96, lines 228-230: "The *Turke*, hath at hand, for Cause of Warre, the Propagation of his Law or Sect; A Quarrel that he may alwaies Command."

Empire at their discretion—Christian princes may therefore wage war against the Ottomans "as they think good."[406]

In the *Considerations*, Bacon distinguishes preventive war from invasive war. It seems that Bacon is keen to shield his proposals from the charge of sanctioning invasive warfare. Bacon deploys the criterion of the *metus iustus* in such a way as to redescribe what he sanctions as non-invasive warfare: on Bacon's redescription, invasive war fails Bacon's criterion of *metus iustus* while preventive war satisfies this criterion. Marching an army or sending a fleet into the territory of another state need not, on this view, constitute an invasion but might rather be described as something preventative or precautionary. In formulating his criterion of the *metus iustus* as providing a full and ample justification for preventive war, Bacon relies on both ancient sources and modern examples. To this end, Bacon explicitly draws upon Thucydides, Demosthenes, Plato's *Laws*, Thomas Aquinas, and Augustine.[407]

In a speech in support of the Subsidy Bill in the Parliament of 1597, Bacon avowed the "vulgar" character of both his remarks and his understanding.[408] In this speech, Bacon plead openly for the subsidy, in contradistinction to his ill-fated opposition to the treble subsidy bill in the 1593 Parliament,[409] on the grounds that the subsidy in 1597 was more timely due to the greater danger confronting the realm and on the grounds that the bill was apt to furnish the means necessary to satisfy an earnest parliamentary desire. "I doubt not," Bacon avowed at the close of his speech, "but every man will consent that our gift must bear these two marks and badges, the one of the danger of the realm by so great a proportion since the last

[406] *LL* VII, "Considerations Touching a War with Spain," pp. 475-476.
[407] *LL* VII, "Considerations Touching a War with Spain," p. 474 (Thucydides); p. 476 (Demosthenes); p. 476 (Plato's *Nomoi*); p. 478 (Thomas Aquinas); p. 478 (Augustine).
[408] *LL* II, "A Speech in the Parliament, Elizabeth 39, upon the Motion of Subsidy," pp. 85-89, at p. 85: "I will say somewhat and not much: wherein it shall not be fit for me to enter into or to insist upon secrets either of her Majesty's coffers or of her counsel; but my speech must be of a more vulgar nature." *Ibid*, p. 87: "There hath fallen out since the last parliament four accidents or occurrents of state, things published and known to you all, by every one whereof it seemeth to me in my vulgar understanding that the danger of this realm is increased; which I speak not by way of apprehending fear, for I know I speak to English courages, but by way of pressing provision."
[409] For Bacon's fateful speech in opposition to the 1593 Treble Subsidy Bill, see Francis Bacon, "Speech on Motion for a Grant of Three Subsidies, Payable in Four Years," p. 223 in *LL* I.

parliament increased, the other of the satisfaction we receive in having obtained our so earnest and ardent desire of an invasive war."[410]

The "invasive war" in question was Essex's 1597 expedition against Terceira, which left Queen Elizabeth, in Spedding's estimation, "ill-satisfied",[411] but which Bacon sought to acclaim in the highest terms of praise which might greet a mixed return, claiming that the 1597 expedition gave relief to Protestant forces and anti-Spanish fighters in France and the United Provinces, arguing that in the expedition, the Queen's forces under Essex had put the Spanish King on the defensive. Commending Essex's campaign against Terceira as being "with notable resolution borne up," Bacon claimed that "besides the success in amusing him [the King of Spain] and putting him in infinite charge, sure I am it was like a Tartar's or Parthian's bow, which shooteth backward, and had a most strong and violent effect and operation both in France and Flanders, so that our neighbours and confederates have reaped the harvest of it, while the life-blood of Spain went inward to the heart, the outward limbs and members trembled and could not resist."[412] Here, in Parliament in 1597, Bacon was not hesitant to praise the war he favoured as "our so earnest and ardent desire of an invasive war", juxtaposed with a defensive war, which Bacon compared to "eating and consuming interest". Yet, this early laudatory speech on behalf of "invasive war" was one delivered wholly before an English audience and a speech which Bacon himself professed to be "of a vulgar nature."[413]

Invasion, War, and the Tactics of Battle: "Achelous, sive Praelium" (1609)

Thus far we have seen that Bacon was concerned to redescribe offensive and invasive wars as preventive and truly defensive wars, particularly as time progressed from the 1590s to the 1620s, Bacon became more pronounced in this view. In this matter, Bacon shifted the emphases of Lipsius and, following Gentili, expanded the scope of wars that could be legitimately justified. These moves within the just war tradition themselves had a strategic

[410] *LL* II, p. 89.
[411] *LL* II, p. 89.
[412] *LL* II, p. 89.
[413] *LL* II, p. 85.

aim, advocating increased English (and then British) military preparations and assaults upon Spanish shipping, Spanish colonies, Spanish ports and the Spanish mainland, highlighted by Bacon's speeches in Parliament during the Armada Wars and his advocacy for British intervention in the Thirty Years' War on the side of the Protestant powers. Given the practical thrust of Bacon's interventions within the just war tradition, the relation of fit between his views on just war and his views on battle tactics merits consideration. How do Bacon's accounts of just warfare, favoring "preventive" or preemptive war, if such a war may be argued to be motivated by a "just fear," fit with Bacon's assessments of the tactics of battle and war?

Bacon discusses battle and tactical advantage in his fable "Achelous, or Battle" (*Achelous sive Praelium*) in his *De Sapientia Veterum*.[414] This fable, Bacon claims, is pertinent to expeditions of war.[415] The part of the invader, Bacon claims in this fable, is quite simple and unified—consisting solely in the equipment of an army or a fleet.[416] While the preparation of the invader is simple (*simplex*), the apparatus of the defender is various and multiform (*multiformis est*):[417] populations must be relocated, bridges dismantled and repositioned, rivers and harbors secured.[418] By contrast, on Bacon's presentation, the invading power must only aim at victory in battle, fearing scarcity and lack of provision in the territory they have invaded.[419] A successful battle by an invading force diminishes the reputation and raises the alarm of the power invaded.[420] This loss of reputation and alarm causes the invaded power to make tactical miscalculations—abandoning its cities and fertile regions to the pillage and seizure of the invader, leaving the invading power with a copious abundance of resources and

[414] *SEH* VI, pp. 663-664.
[415] *SEH* VI, p. 664: "Fabula ad belli expeditiones pertinet."
[416] *SEH* VI, p. 664: "Nam invadentis species unica est et simplex, cum ex exercitu solo aut classe fortasse constet."
[417] *SEH* VI, p. 664.
[418] *SEH* VI, p. 664.
[419] *SEH* VI, p. 664: "Ille autem qui invadit, praelium captat, et in hoc maxime incumbit, inopiam in terra hostile metuens."
[420] *SEH* VI, p. 664: "ut hostis trepidus et existimatione diminutus, ut se explicet et vires suas reparet, in munitiora se recipiat; atque urbes et regiones victori ad populandum et diripiendum relinquat; quod vere instar cornu illius Amaltheae censeri possit."

provisions.[421] Hence, it seems that Bacon presents the tactical advantages of martial combat as favoring the party in the position of the invasive power. According to Bacon's *De Sapientia Veterum*, the military power who invades has a strong tactical advantage over the power that is invaded.[422]

This presentation in fable form fits precisely with Bacon's Parliamentary speeches and governmental white papers on war: Bacon's justification of preventive war is linked directly to a tactical or advantage-oriented assessment that the invader is more likely to thrive in war than the invaded. On the question of the attacker having the upper hand, Bacon again diverges from Gentili's account in the *De iure belli*. There Gentili writes that it is most inequitable (*iniquissima*) when one party always is the agent or attacker and the other party in war is always attacked or always suffers.[423] For Bacon, by contrast, it is not always inequitable if one party is consistently the attacker or agent, particularly if they have a just fear of their opponent to justify a preventative assault. Bacon's account is thus a situated one: he seeks to deploy (and modify) the resources of the just war tradition to advocate those policies (expansion and the invasion of opponent states) that he considers most useful and advantageous.[424]

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[421] *SEH* VI, p. 664: "ut hostis trepidus et existimatione diminutus, ut se explicet et vires suas reparet, in munitiora se recipiat; atque urbes et regiones victori ad populandum et diripiendum relinquat; quod vere instar cornu illius Amaltheae censeri possit."

[422] For a potential correlate to this position in Bacon's physics see Peter Pesic, "Francis Bacon, Violence, and the Motion of Liberty: The Aristotelian Background," in *Journal of the History of Ideas* 75:1 (January 2014), pp. 69-90.

[423] Gentili, *De iure belli*, vol. I, p. 93; vol. II, p. 58: "Scilicet iniquissima est conflictatio, vbi parte altera agente patitur tantum altera." Rolfe translates this line as follows: "In fact, it is a most unfair [*iniquissima*] struggle, when one party attacks and the other merely suffers."

[424] For the argument that Bacon is offering not a general theory of empire and of just war, but a situated justification of peculiarly British or English expansion see Howard B. White, *Peace Among the Willows: The Political Philosophy of Francis Bacon* (The Hague: Martinus Nijhoff, 1968), p. 88: "How does one reconcile the prosperity that comes of empire with the adversity necessary to preserve it, or with the spirit that accepts and is faithful to , the grim goddess, Necessity? I can think only of Britain, which is urged to reconcile the necessity of the continent, where expansion is virtually impossible, with the expansive imperialism of naval power. Britain seems to represent, to Bacon, the reconciliation of prosperous and expansive naval power with hungry vigilance that peers into the windows of Europe." *ibid*, p. 90: "It is another step, however, to say that there must always be incentives to just wars, which is substantially what Bacon says. The just nation may, presumably, provide such incentives. We are drawn to the doubtful conclusion that, while it is unjust for a nation unjustly to provoke war, it is quite just for a nation to provoke another nation unjustly to provoke a war, especially if the first provocateur can win the war. If such a doctrine does not end the doctrine of the just war, it strikes, at least, a body blow. For, how can we trouble ourselves about unjust wars, if just wars are so easily had? If the qualities of national greatness related in an almost peculiar way to his own Britain, Britain too was ripe for the just war." White

The criterion of *metus iustus* links Bacon's geopolitics in his *Considerations Touching a War with Spain* (1624) to his geopolitics in his *Advertisement Touching an Holy War* (1622/3 composition and manuscript circulation) as well as to the revisions prepared for Bacon's *Essayes* between the 1612 and 1625 editions. Amending his 1612 essay "Of Empire" to incorporate his doctrine of *metus iustus*, Bacon emphatically added to his 1625 text that "there is no Question, but a just Feare, of an Imminent danger, though there be no Blow given, is a lawfull Cause of a Warre."[425]

What Baconian characters utter in Bacon's dialogic *Advertisement* Bacon utters in his own name in his *Considerations*: with respect to the Ottoman Empire, Bacon declares that "it hath been often, with great judgment, maintained, that Christian princes and states have always a just cause of war against the Turk."[426] In all three works, Bacon and his characters offer grounds that the "perpetual fear" of war from the Ottoman Empire gives a correlative ground or just cause to Christian princes and states for waging discretionary preventive war against the Ottoman Empire at any time.[427]

Following Gentili, as we have seen, Bacon proceeds from his claim that a just fear sanctions war by "Christian princes and states" against the Ottoman Empire "at all times (as they think good)"[428] to the claim that the *metus iustus* of Britain against Spain is even greater than the just fear that Christians have of the Ottoman sultanate. Britain's justification for war with Spain is, on Bacon's account, even greater than a justification for war which he considers valid "at all times." Posing a rhetorical question which anticipates a negative answer, Bacon

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offers an illuminating account of the peculiar situatedness of Bacon's thought on just war, albeit one divorced from reading Bacon in light of contemporary theorists and alongside his interlocutors in the Essex circle.

[425] *OFB* XV, "Of Empire. XIX." p. 61, lines 83-85 (with Kiernan's note on p. 60: lines "58-157 *Kings*…Danger.] *not in 12b (H51)-24*"). Cf. Coleman Phillipson, "Introduction" in Alberico Gentili, *De iure belli libri tres*, 2 vols. (Oxford: Clarendon Press, 1933), p. 37a note 2: "To the same effect and almost in the same words he writes in his essay 'Of Empire' (1612, enlarged 1625), where he adds: 'neither is the opinion of some of the schoolmen to be received that war cannot justly be made but upon a precedent inquiry [injury] or provocation; for there is no question but a just fear of an imminent danger though there be no blow given, is a lawful cause of a war.'" The doctrine of a "just fear" is absent from Bacon's political writings at least until 1595. Cf. *LL* I.

[426] *LL* VII, "Considerations Touching a War with Spain," p. 475.

[427] *LL* VII, "Considerations Touching a War with Spain," pp. 475-476. See also White, *Peace Among the Willows*, p. 90: "In 'The Holy War,' he discusses the arguments for legitimating a holy war against the Turks. It is clear from other Baconian passages that what is true of the Turks is true, *mutatis mutandis*, of the Spaniards. As long as Spain is what it is, England has a permanent quarrel."

[428] *LL* VII, "Considerations Touching a War with Spain," p. 476.

asks, "Is it nothing, that the crown of Spain hath enlarged the bounds thereof within these last sixscore years, much more than the Ottomans?"[429] In addition to the enlargement of Spain through overseas conquests in the Americas since the 1490s, Bacon has in view the territorial expansion of Spain within Europe to occupy Naples, Sicily, the Spanish Low Countries, as well as more recently in the 1620s much of Bohemia and parts of Lombardy near the Bergamasque Alps. Expressing his concern for Spanish territorial expansion as juxtaposed to Ottoman progress in the same period, Bacon here deploys the Ottoman case to amplify his case for a war with Spain: Bacon's earlier claim that a just fear for the preservation of a particular church and religion justifies war with the Ottoman Empire at all times serves to augment his claim for war with Spain.

Keeping an eye on Spain, Bacon introduces a class of just martial reprisals or revenges.[430] Such a "just cause of jealousy", in Bacon's estimation expressed in his *Observations*, was occasioned by the Second Desmond Rebellion of 1579, which Bacon held to be "fomented" by Spanish intervention and occasioned by King Philip II who "procured a rebellion in Ireland; arming and sending thither in the year [1579] an archrebel of that country, James Fitz Morris".[431] Spain's subsequent support for the Rebellion in 1580, Bacon writes, was "an acte of apparant hostilitie"[432] and in response to these and other provocations by Spain England received a just cause to spoil Spanish colonial holdings in the Caribbean and in South America as well as just claim to intervene in the United Provinces. The Spanish support of the Desmond Rebellion "did sufficientlie iustifie and warrant that pursuite of Revenge"—which took the form of Francis Drake's "spoile of *Cathagena* & *Sant Domingo*" and Robert Dudley's "vndertakinge of *the* protectio*n*e of *th*e Low Contreys."[433] These "justified"

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[429] *LL* VII, "Considerations Touching a War with Spain," p. 479.
[430] *OFB* I, *Tribuit, or giuinge that which is due,* p. 269: "Shee hath not wantted pr*e*tenc*e*s, aswell of Clayme and right, as of quarrell and revenge." *OFB* I, *Certaine Observations vppon a libell,* p. 398, lines 1641ff: "W*h*ich acte beinge an acte of apparent hostilitie added vnto all the iniuries aforesaid, and accompanied w*i*th the continuall receipt, conforte and countenaunce, by audiences, pensions & imploiementes w*hi*ch he gave to Traito*u*rs and fugitiues both Englishe and Irish as westmerland, Padgett, Englefeild, Baltinglasse and numbers of others did sufficientlie iustifie and warrant that pursuite of Revenge w*h*ich (either in the spoile of *Carthagena* & *Sant Domingo* in the *Indies* by m*aste*r Drake or in the vndertakinge of the protectio*n*e of *the* Low Contreys when the Erle of *Leicester* was sent over) afterwardes followed." Cf. *LL* I, p. 128; p. 195.
[431] *OFB* I, pp. 397-398, line 1622 ff; *LL* I, "Certain Observations Made Upon a Libel Published this Present Year, 1592," pp. 194-195. Spedding gives the date of 1579 is in square brackets as the addition of a later hand
[432] *OFB* I, p. 398, lines 1641-1642; *LL* I, p. 195.
[433] *OFB* I, p. 398, lines 1647-1650; *LL* I, p. 195.

revenges, on Bacon's presentation, appear to exemplify parity in their choice of target: Spanish support for rebellion in what were regarded since at least the 1540s as English crown possessions is, in Bacon's view, justly answered with English assaults upon Spanish plantations and colonies. Yet, significantly, for Bacon, neither the "spoile" of Spanish colonial holdings nor the English intervention in the United Provinces constituted an act of aggression as indeed with respect to Philip II, Queen Elizabeth "yett had entred into no offensive action against him."[434] To the extent, in Bacon's assessment, that a martial reprisal or revenge is "just" or justified, it seems to constitute neither an act of offense nor an act of aggression but appears rather to be a merely defensive measure.

Bacon and Gentili appear to differ markedly on the question of the justice of reprisals and "revenges" in warfare, with Bacon asserting the justice of Francis Drake's raids on Spanish colonial holdings in his *Observations* of 1592, [435] conducted under patent sovereign authorization by letters of marque and reprisal, and Gentili holding that letters of marque and reprisal are little more than licit thievery and authorized predation.[436] In this regard, Gentili appears to hold the more innovative or original position as other contemporary jurists and political thinkers, not least Grotius and Ayala, held a position closer to Bacon's than to that of Gentili. In the period, it appears that to sanction martial reprisals was more common than their juridical prohibition.[437]

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[434] *OFB* I, p. 398, line 1653; *LL* I, p. 195.
[435] *OFB* I, p. 398, lines 1647-1648; *LL* I, p. 195. Bacon further discusses letters of marque as licit under "the statute of Henry the fifth" in a report to the House of Commons delivered on 17 June 1608. See "A Report Made by Sir Francis Bacon, Knight, in the House of Commons, in Parliament, of a Speech delivered the Earl of Salisbury and another Speech delivered by the Earl of Northhampton, at a Conference concerning the Petition of the Merchants upon the Spanish Grievances," in *LL* III, pp. 347-361, at pp. 354-355.
[436] Phillipson reports that Gentili gave consultation against the legality of letters of marque in a manuscript preserved in volume CXXXIX of the Landsdowne Manuscripts. Coleman Phillipson, "Introduction," p. 46a in Alberico Gentili, *De iure belli libri tres*, vol. II.
[437] Coleman Phillipson, "Introduction," p. 46a in Alberico Gentili, *De iure belli libri tres*, vol. II: ""Apart from the rights and duties of belligerents in warfare generally, a few questions are raised by Gentili in regard to naval war. The granting of letters of marque, whether by way of reprisals as a forcible means of redress in time of peace, or by way of privateering in time of war, the recognized and usual practice of the age, is emphatically condemned by him as amounting to a deliberate sanction of robbery of unarmed and harmless merchants and others far removed from the theatre of war. Jurists such as Covarruvias and Ayala had admitted the legitimacy of reprisals of this character; and even Grotius held that the goods of subjects may be seized in respect of any debt or unfulfilled obligation of their sovereign or State. Letters of marque for purposes of reprisals fell into disuse from about the beginning of the eighteenth century, whilst privateering was not formally abolished by various states till 1856 (the Declaration of Paris, in connexion with the Crimean war)."
[Give the original Gentili source for this]

In his late essay, "Of Revenge," added to the augmented 1625 edition of his *Essayes*, Bacon classes revenge as a kind of "Wilde Justice" but nonetheless leaves open a class of "most Tolerable" revenges for "those wrongs which there is no Law to remedy" and those retributions for which "there is no law to punish"[438]—such as occur not between private persons under civil magistrates but such as occur between sovereign princes or estates in times of war. Here Bacon endorses a particular class of licit revenges and martial reprisals which he had sanctioned at the beginning, as now at the end, of his literary and philosophic career.[439]

Having augmented his case for war with Spain with the analogue of the Ottoman Empire, Bacon proceeds to rhetorically redescribe his enemies as animals, as beasts, as birds of prey. Speaking of Spanish territorial aggrandizement, Bacon writes that "they have let fall their bit. They have, at this day, such a hovering possession of the Valtoline, as a hobby hath over a lark: and the Palatinate is in their talons."[440] Bacon here figures Spain as a voracious bird of prey—it holds the Palatinate in its talons with hovering possession of the Valtoline—it could take the Valtoline at leisure, at any time. Bacon portrays Spain as a swift, short-winged falcon—a hobby—with one morsel in its grasp and another, a morning songbird, to be seized whenever appetite wills it. Bacon hereby figures his opponent power as an animal, as a beast of prey—the object of his *Considerations* is theriomorphized, transformed into a wild beast, the readier to be warred upon.

Bacon's *Considerations* are therefore a polemic advocating British intervention into the epicenter of the Thirty Years' War on the Protestant side of the conflict. Bacon claims that there are three grounds for a just war with Spain: aside from the just fears of the subversion of the "civil estate" of Britain as well as a just fear "of the subversion of our Church and

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[438] *OFB* XV, "Of Revenge. IV." pp. 16-17, line 1; lines 20-22.
[439] *OFB* XV, "Of Revenge. IV." pp. 16-17, lines 20-22: "The most Tolerable Sort of *Revenge*, is for those wrongs which there is no Law to remedy: But then, let a man take heed, the *Revenge* be such, as there is no law to punish".
[440] *LL* VII, "Considerations Touching a War with Spain," p. 479. The "Valtoline" is an area of contemporary Lombardy, bordering Switzerland connecting the passes through the Swiss Alps to the watershed of the Danube—a site of intensive military and diplomatic struggle as a transport route in the Thirty Years' War.

religion," Bacon lists "the recovery of the Palatinate" for the Protestant cause in the Thirty Years' War as paramount amongst the reasons for taking up arms against Spain.[441] The "recovery of the Palatinate" from Catholic rule, Bacon claims, may be defended as just if the precedent invasion of Bohemia was just. However, Bacon claims that the quarrel may be defended as just even if the precedent invasion of Bohemia was unjust. Bacon claims that the justness of the recovery of the Palatinate is independent of the justness of the war for Bohemia and he will thus assume the unjust character of the prior war and nonetheless argue for the justness of the recovery of the Palatinate. Bacon claims that he could, on the contrary, argue for the just character of English intervention into the war in the Palatinate, which would establish his point, an argument from which he refrains:

> But the chief cause why I do not search into this point is, because I need it not. And in handling the right of a war, I am not willing to intermix matter doubtful with that which is out of doubt. For as capital causes, wherein but one man's life is in question, *in favorem vitae* the evidence ought to be clear; so much more in a judgment upon a war, which is capital to thousands.[442]

Deploying a simile between counsels of war and courts of law,[443] Bacon here draws a comparison of a case for war with the presentation of evidence in a trial for a capital crime, augmented many times over. Evidence in a case for war must be both clear and certain or "out of doubt," in accord with the evidentiary standards of a trial for a capital crime.[444] Wars, like capital cases, are cases of life and death. War, Bacon recognizes, is a mass capital sentence passed upon an indefinite, but large, set of persons and such a sentence requires that the case put on its behalf be "clear" with respect to evidence and "out of doubt" with respect to argument and justification.

Bacon's evidentiary standards for justifying claims made "handling the right of a war" potentially offer substantive inhibitions for proceeding to war. On Bacon's account, in order

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[441] *LL* VII, "Considerations Touching a War with Spain," p. 470.
[442] *LL* VII, "Considerations Touching a War with Spain," p. 471.
[443] See also Barbara Shapiro, *A Culture of Fact* (Ithaca: Cornell University Press, 2000). Shapiro does not discuss Bacon's *Considerations Touching a War with Spain* (1624), but this instance from Bacon's *Considerations* is consonant with Shapiro's broader argument that Bacon draws upon legal standards of evidence in formulating his arguments and claims in natural philosophy, history, and political thought.
[444] *LL* VII, "Considerations Touching a War with Spain," p. 471.

to proceed to war, a power's claim to war must be both clear and "out of doubt." How might Bacon's evidentiary standard for justifications of war fit with his claim that a *metus iustus*—a just fear—may serve as sufficient reason to justify war? Can fear, or any Baconian passion, ever be sufficiently "out of doubt"? Bacon's account seems to raise these questions as he is adamant that "fears are ever seen in dimmer lights than facts" and that fears "rather dazzle men's eyes than open them."[445] If fears are always ("ever") observed to be less certain than facts, and if facts themselves may prove uncertain, might Bacon's evidentiary standards for justifying war rule out Bacon's own criterion of a *metus iustus*?

Conclusion

On just war, Bacon was the able reader and student of his contemporaries, above all, of Justus Lipsius and Alberico Gentili. But as an apt pupil confronted with changing geopolitical constellations, Bacon thought fit not only to imitate his predecessors but to adapt their doctrines to fit his intentions and geostrategic aims. Bacon retains the terms of the just war tradition while evacuating that tradition of virtually any substantive restriction which might be placed on an English or British invasion or assault upon Spain, its shipping or its colonies—such assaults, invasions, and attacks seem, in Bacon's handling, to bear the imprint of justice "at all times (as they think good)"[446] Where Lipsius had prohibited the use of pretext in the justification of warfare, Gentili and Bacon made pretext central to the justification of the public contest of arms. Both Gentili and Bacon drop the necessity of just *ends* or aims in warfare, which Lipsius had stressed was crucial for a war to be just. Yet where Gentili had insisted that pretexts be just and that enrichment, ambition, and empire failed to qualify as pretexts, Bacon enlarged the class of causes which justify war to include expansion, enrichment, and empire, as we have seen extensively in the treatment of Bacon's thought on imperial warfare in the second chapter of this study.

Bacon's account of just war fits neatly with his view of battle tactics. In battle, Bacon holds, the advantage lies with the party on offence and Bacon's account of just war, particularly his

[445] *LL* VII, "Considerations Touching a War with Spain," p. 478.
[446] *LL* VII, "Considerations Touching a War with Spain," p. 476.

criterion of the *metus iustus*, absent from his predecessors, Lipsius and Gentili, aims to justify wars where no prior damage has been given by the opposing power. The criterion of the just fear gives further advantage to the invading power, which may now, in addition, claim justice for itself.

Bacon departed further from Lipsius and Gentili in holding revenges and reprisals to be just or justifiable, but his view on this question was closer to later contemporary treatments, such as Grotius in the *De iure belli ac pacis* (1625). Yet both Bacon's criterion of the *metus iustus* along with his account of just reprisals held a particular set of aims and powers in view—the aim of furthering war with Spain and seizing those Spanish colonial holdings which Bacon regarded as most generative of all forms of mining revenue.

Finally, where Gentili had prohibited the deployment of religion in the justification of war, Bacon arrived in his "Short View" at the position at which he assessed peace to be dependent on the full defeat and conquest of Spain, a condition that he held to be impossible in the absence of planting the "true" (in Bacon's assessment, Protestant) Church on the Spanish mainland. Peace, in Bacon's late assessment in the "Short View," might at times authorize wars which did not admit of the coloration of justice. As Bacon noted as a saying of "Iason the Thessalian" in one of his late *Apophthegmes, new and old* of 1625: "*some things must be done uniustly, that many things may bee done iustly.*"[447] Bacon may have held, with Gentili, that wars for religion were unjust, but peace (as a precondition for science and its advancement) might demand that some such wars nonetheless be waged.

In light of Bacon's treatment of just war, we turn now to the examination of Bacon on religious warfare in the following chapter of this study.

[447] *OFB* VIII, *Apophthegmes, new and old*, §138, p. 236, ll. 11-12.

CHAPTER 4:

BACON ON WARS FOR RELIGION

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Across the frontispiece of Richard Knolles's 1603 *The Generall Historie of the Turkes* two figures face one another. The figure on the right is full bearded with a plume helmet; he is attired in armor with a buckler and a drawn sword. The personage on the left is moustachioed and turbaned, enveloped in a flowing cloak, and wielding a drawn battle axe. The figure on the right bears a shield broadly painted with a cross against a white field; the figure on the left guards himself with a shield displaying multiple crescent moons: separated by two pillars the figures are counterpoised depictions of an Ottoman and a Christian, highlighted by the subtitle to Knolles's work: "*from the first beginning of that Nation to the rising of the Othoman Familie: with all the notable expeditions of the Christian Princes against them*". Beneath the title and the pillars and warriors which frame it, between two leonine faces staring out at the viewer, in the lower margin of the frontispiece a fierce battle of infantry and cavalry is being waged between forces waving a discernible crescent insignia and an army brandishing a cross-strewn flag. From the poised gladiatorial posture of the two figures, coupled with the pitched battle being waged beneath them, the reader staring at Knolles's frontispiece garners the impression that his *Historie* is not merely presented to chronicle past wars and "notable expeditions" but to sway his readers to undertake new ones.

Knolles opens his history with the presentation of the Ottoman Empire as a threat, indeed, pronouncing the "Empire of the Turkes" to be "the present terrour of the world" in the first sentence of the main text of the *Historie.*[448] Building upon the imagery of threat and terror, Knolles refers to the Ottomans as "this barbarous Empire"[449] and the Turks as "this barbarous

[448] Knolles, *Generall Historie*, B i recto, p. 1. As potential evidence that Bacon was reading Knolles in the mid-1600s, in a speech to the House of Commons on 17 February, 1606/7, Bacon repeats Knolles's claim that the Ottomans constitute "the present terrour of the world" nearly verbatim in discussing "the Othoman family, now the terror of the world." *LL* IV, "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization," pp. 307-325, at p. 324.
[449] Knolles, *Generall Historie*, "To the Reader," [A v recto].

nation."[450] In his opening address "To the Reader", Knolles broaches the question of the causes of "the greatnesse and increase of the Turkes Empire"[451] in a marginal note and while emphasizing "that the causes whereof are many and right lamentable" he has perceived an ordinal hierarchy in the causes of Turkish greatness. Knolles attributes the "first and greatest" cause of the "greatnesse" of the Ottoman Empire to the "iust and secret iudgement of the Almightie". On the reading of Knolles's first cause, divine power deploys the Ottomans as the instrument of divine wrath upon wayward nations and kingdoms, even and, perhaps, especially Christian ones. Here, perhaps drawing upon an earlier humanist tradition in writing on the Ottomans that includes works by Erasmus and Martin Luther,[452] Knolles stresses that Turkish victories over Christian powers may be an indirect divine instrument for the expression of the "dreadfull wrath" with which "sinnes" are punished. Subsequent to divine retribution, Knolles perceives a cause of Turkish greatness in "the uncertainetie of worldly things" whereby all is in flux and the fall of one empire is succeeded by the rise of another, with time triumphing over all. [453] The third cause, and the first, which Knolles professes is not derived "from aboue", is the divided character of European Christendom in the face of an external threat and a corresponding "small care" which Christian princes have had "of the common state of the Christian Commonweale". [454] This lack of care and unity amongst Christians has, in Knolles's view, been particularly disastrous as in place of unity, Christian states "are so diuided amongst themselues with endless quarrels, partly for questions of religion (neuer by the sword to be determined,) partly for matters touching their own proper state and soueraignetie and that with such distrust and implacable hatred".[455] This last being a human cause it is subject to a human remedy: in lieu of such internal divisions and fratricidal strife, Christian princes could "ioyne their common forces against the common

[450] Knolles, *Generall Historie*, "To the Reader," [A v verso].
[451] Knolles, *Generall Historie*, A iv verso.
[452] Erasmus, *De bello turcico*; Luther, *Vom Krieg wider den Türken*.
[453] Knolles, *Generall Historie*, A iv verso: "Then, the uncertainetie of worldly things, which subiect to perpetuall change cannot long stay in one state, but as the sea is with the wind, so are they in the like sort tossed up and down with the continuall surges and waues of alteration and change; so that being once growne to their height, they there stay not long, but fall againe as fast as euer they rise, and so in time come to nothing: As we see the greatest Monarchies that euer yet were upon earth haue done, their course being run; ouer whom, Time now triumpheth, as no doubt at length it shall ouer this so great a Monarchie also, when it shall but then liue by fame, as the others now doe."
[454] Knolles, *Generall Historie*, A iv verso.
[455] Knolles, *Generall Historie*, A iv verso.

enemie", in the absence of which remedy both the fratricide and the divine retribution at Ottoman hands would, in Knolles's view, continue apace.

Knolles's work, and works like it, served as Francis Bacon's source for the question of the Ottoman Empire and, in the course of this chapter, as we consider Bacon's views on religious war, we shall have to keep Knolles's imagery of a divided Christendom facing retribution as well as his proposed remedy of Christian forces "ioyned" against a common external adversary in the back of our minds.[456]

Francis Bacon lived in an age of religious warfare and it is a persistent theme of his political reflections and writings. Bacon witnessed the French Wars of Religion from 1576-1579 while attached to the English embassy of Sir Amyas Paulet in France, served in Parliament throughout the confessionally framed Armada Wars between Britain and Spain, and advocated for British entry into the Thirty Years' War on behalf of the Protestant side at the end of his lifetime. No less than bearing witness to religious strife, Francis Bacon treats questions related to religious warfare in his literary and scientific writings, his *Essayes*, his *History of the Reign of King Henry VII*, his diplomatic correspondence, philosophic dialogues, his aphoristic *Apophthegms*, and in his white papers proposing government policy for the Tudor and Stuart monarchs Elizabeth I and James VI and I. Yet, he centrally treats these themes in two main texts from the last decade of his life, his *Considerations touching a War with Spain* of 1624, in which Bacon advocates British intervention on the Protestant side of the Thirty Years War against the Spanish Habsburgs and in the curious dialogue dated to 1622/3, *An Advertisement Touching an Holy Warre,* a philosophic work which has the premise of a bad joke: a Protestant theologian, a Catholic theologian, a soldier, a courtier, a politique and a moderate divine debate the question of whether Europe and Christendom

[456] Discussing Bacon's sources for Ottoman materials in his commentary on *An Aduertisement Tovching an Holy Warre,* Michael Kiernan stresses that "Bacon's source is the account of 'Sigismund, prince of Transylvania, Valachia, and Moldauia' in Richard Knolles, *The Generall historie of the Turkes*, London, 1603". Michael Kiernan, "Commentary," *OFB* VIII, p. 500. Further commenting Bacon's use of Ottoman examples in the essay "Of Empire," Michael Kiernan writes that "though Bacon quotes Busbecq elsewhere (XIII.22-4), his source for this reference and below, lines 98-102, is Knolles, who places the ultimate responsibility for the murder upon Roxolana and uses the same term as Bacon does". Michael Kiernan, "Commentary," *OFB* XV, p. 212. See also Michael Kiernan, "Commentary," *OFB* IV, p. 286.

might unify amidst the Thirty Years War through an external war upon the Ottoman Empire. Thus, across both these key texts, Bacon treats the question of and proposal for religiously inflected war with Spain under the Habsburgs and with the Ottoman Empire under Ahmed I, Osman II, Mustafa I, and Murad IV. Why does Bacon treat this question primarily through the at first glance disparate cases of Spain and the Ottoman Empire?

Bacon held that both the Spanish Habsburgs and the Ottomans raised similar claims on behalf of a religious injunction to impose their religions, Roman Catholicism and Islam, upon others by force. In his pivotal essay, centrally situated in the 1625 edition of the *Essayes*, "Of the true Greatnesse of Kingdomes and *Estates*", Bacon examines both Spanish and Ottoman power and observes that "The *Turke*, hath at hand, for Cause of Warre, the Propagation of his Law or Sect; a Quarell that he may alwaies Command."[457] In his *Considerations touching a War with Spain* of 1624, Bacon made the comparison explicit, "As if the crown of Spain had a little of this, that they would plant the Pope's law by arms, as the Ottomans do the law of Mahomet."[458] In aligning the purported justifications for aggressive or offensive religious war advanced by Spain and the Ottomans, Bacon structures his pretext for a defensive religious war against either the Ottoman or the Spanish Empires at the same moment that he

[457] *OFB* XV, "Of the true Greatnesse of Kingdomes and *Estates*," p. 96, lines 228-230. This essay is pivotal both in terms of the political thrust of the argument of Bacon's *Essayes* as a whole as well as in its position within the *Essayes* as a literary work. Originally situated as the culminating essay in the 1612 *Essaies*, in which it bore the title "Of the greatnesse of Kingdomes," and offered a kind of conclusion or point to the work as a whole, Bacon resituated the essay at the very center or pivot of the 1625 edition rewriting and reorganizing his *Essayes* "So that they are indeed a New Worke." *OFB* XV, p. 5, lines 15-16.

[458] LL VII, Considerations touching a War with Spain, p. 482. On this passage in Bacon's *Considerations*, Kinch Hoekstra comments "Christian states may thus at any time legitimately attack the Ottomans as a defensive measure. And presumably if the Ottomans had reason to believe that this is what the Christians believed, they would on the same grounds be justified in attacking a Christian state at any time." Bacon holds the former position, but not the latter. Bacon's view of preventive defensive wars is positionally circumscribed—he advocates such wars for his *own* side but not for others. Nonetheless, the fact that other sides may also advance pretexts based upon just fear to engage in preventive wars of defence fits with Bacon's notion of the true peace—the only secure state of affairs in international politics, on Bacon's view, is the "true peace" in which one's enemies are impotent and incapable of harming one even if they desire to do so and are thus incapable of offering a pretext for a preventive defensive war precisely because they are incapable of defending themselves. See Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in *Thucydides and the Modern World; Reception, Reinterpretation and Influence from the Renaissance to the Present,* Katherine Harloe and Neville Morley eds. (Cambridge: Cambridge University Press, 2012), pp. 25-54, at p. 50. See also Howard B. White, *Peace Among the Willows*, p. 90: "In 'The Holy War,' he discusses the arguments for legitimating a holy war against the Turks. It is clear from other Baconian passages that what is true of the Turks is true, *mutatis mutandis*, of the Spaniards. As long as Spain is what it is, England has a permanent quarrel."

estranges Roman Catholicism from Protestant Christianity whilst assimilating the former to Islam.

In this assimilation of the claims of the Spanish and Ottoman powers, it is worth recalling Bacon's interest in Giovanni Botero, whose notion of *ragione di stato* Bacon drew upon explicitly in his 1605 *Advancement of Learning*.[459] For Botero, in his 1589 *Ragione di Stato*, Islam is not properly grasped as a religion but rather redescribed as an infidel sect (*setta*).[460] Botero quickly follows this redescription of Islam with a rhetorical strategy which links Botero's confessional opponents to Islam. In the next sentence Botero redescribes Calvinist Christians (*discepoli di un certo Caluino)* as a sect (*setta)* for the self-same reason (*Per la medesima ragione*) as the adherents of Islam. According to Botero, Calvinists are bearers of war rather than peace and, lacking the defence of reasons, doctrines, and saintly authorities, they "defend their sect with arms in the manner of the Turks".[461] As one contemporary scholar has observed, Botero rhetorically assimilated Muslims and Calvinists in an argument that neither can be trusted in politics and that toleration and faith with either "does not work."[462]

Perhaps drawing upon Botero's rhetorical strategy, Bacon, too, refers to Islam as a "sect" rather than a religion properly so called.[463] Bacon also follows Botero in swiftly associating and assimilating Islam and Catholicism—both further their religious aims by means of war, rather than peace, and may thus be most justly opposed in self-defence. Bacon mirrors

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[459] *OFB* IV, *Aduancement of Learning* I, p. 11: "for although men bred in Learning, are perhaps to seeke in points of conuenience, and accommodating for the present which the Italians call *Ragioni di stato*".
[460] Giovanni Botero, *Della Ragione di Stato, Libri Dieci.* V.[iii], "De gl'Indomiti," p. 139: "Tra gl'Infideli, i più alieni dalla Fede Christiana sono i Mahomettani: perche la carne, alla quale inclina affatto la lor setta, ripugna allo spirito dell'Euangelio." (The spelling of the 1598 edition is retained above, in which perché is without an accent).
[461] Giovanni Botero, *Della Ragione di Stato, Libri Dieci.* V.[iii], "De gl'Indomiti," p. 139: "e perche non hanno ragione di dottrina, non autorità di Santi, difenderanno la lor setta con l'armi, à guisa de' Turchi."
[462] Harro Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c. 1540-1630* (Cambridge: Cambridge University Press, 2004), p. 94: "Botero provides a paradigm example of the political case for religious uniformity and intolerance"; *ibid.,* p. 94: "with Calvinists, whom Botero linked with Muslims under the title of *indomiti* (the unsubmissive), the policy of enticing (*invitar*) people to the faith does not work; left unsupressed they would turn everything both public and private upside down".
[463] *OFB* XV, "Of the true Greatnesse of Kingdomes and *Estates*. XXIX." p. 96, lines 228-230: "The *Turke*, hath it at hand, for Cause of Warre, the Propagation of his Law or Sect; A Quarrell that he may always Command."

Botero's rhetorical strategy, but turns it against Botero himself: he uses the rhetorical weapons of Jesuits against the material defender of Catholicism, the Spanish crown.[464]

In discursive combat against what Bacon regards as the imperialistic claims of Spain and the Ottoman Empire to impose their religion on other powers, not least on Bacon's own Britain, Bacon offers two categories of "wars for religion" in his 1624 *Considerations touching a War with Spain*: "wars defensive for religion" and "offensive wars for religion."[465]

Wars defensive for religion are those which are based upon "A just fear for the subversion of our Church and religion"[466] and are wars for the preservation of existing religious institutions and structures. These wars defensive for religion, Bacon affirms, exclude the promotion of rebellion, and are with this exclusion, in his assessment "most just."[467] Bacon's class of pre-emptive defensive wars may extend to wars defensive for religion, so that Britain may pre-emptively attack Spain for the defence of the Anglican Church. Bacon contends that the war which he propounds against Spain is a defensive war even if England strikes first in the war. Moreover, to the extent that the war is a defensive war and a war for religion, Bacon writes that "if this war be a defensive (as I proved it to be), no man will doubt that a defensive war against a foreigner for religion is lawful."[468] By contrast, "offensive wars for religion", which seem to involve invading the countries of others for the purpose of imposing new religious institutions upon them, are, in Bacon's assessment "seldom to be approved, or never".[469] But Bacon then immediately qualifies this negative assessment of waging offensive wars of religion: they are never to be approved, Bacon avows, "unless they have some mixture of civil titles."[470]

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[464] Harro Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c. 1540-1630* (Cambridge: Cambridge University Press, 2004), p. 90n19: "Giovanni Botero (1543/4-1617) left the Society in 1580; while he remained a member, his superiors were undecided whether to dismiss him or to raise him to the rank of the Professed. His will in 1613 made the Society his testators and beneficiaries, and he was buried in the Jesuit Church in Savona."
[465] *LL* VII, p. 470.
[466] *LL* VII, p. 470.
[467] *LL* VII, p. 470.
[468] LL VII, Considerations Touching a War with Spain, p. 481.
[469] *LL* VII, p. 470.
[470] *LL* VII, p. 470.

In allowing that a mixture of civil titles may justify offensive wars of religion, does Bacon give us any hints as to what these civil titles may be, the status of their mixture with claims for offensive religious war, or a view of the particular religious wars which Bacon himself may have in mind? At first glance, mixture may seem like an unusual way of speaking within the just war tradition. Are mixed titles sufficient for justifying warfare? Is there a threshold of mixture which the title must meet to justify war? In what, then, does this mixture of civil titles consist which tends to upturn Bacon's negative assessment of waging offensive wars of religion? What particular war seems to meet this criterion? In order to answer these questions, as well as to get a better sense of what Bacon is doing, it is worth considering Bacon's view of the categories of "wars for religion" (offensive and defensive) within the context of the thought and views of the most prominent civilian jurist teaching in his age in England, the civilian lawyer and Regius Professor of Civil Law at Oxford, Alberico Gentili.

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In his posthumously published unperfected dialogue on holy war, composed in 1622-3, Bacon includes amongst the dramatis personae in his Parisian salon one "Eusebius" who "beareth the Character of a Moderate Diuine."[471] This moderate divine is silent in matters of whether or when to wage war: in all versions of Bacon's scribally-published though unfinished *Advertisement touching an holy warre*, Eusebius doesn't utter a word.[472]

The character of Eusebius might seem to instantiate the famous injunction of Alberico Gentili's *De iure belli.* The twelfth chapter of its first book concludes by imploring theologians to be quiet in matters that are none of their concern, not least, in the matters of

[471] *OFB* VIII, p. 187; Bacon, *Certain miscellany works of the Right Honourable Francis Lo. Verulam* (London: I. Hauiland for Humphrey Robinson, 1629), p. 93 (right margin); Bacon, *Operum moralium et civilium tomus* (London: 1638), p. 335: "Eusebius, *Theologus Orthodoxus, et Moderatus*."
[472] *OFB* VIII, p. 187-206, at p. 194: "[EVPOLIS:] *Eusebius* hath yet said nothing". See also Bacon, *Operum moralium et civilium tomus* (London: 1638), pp. 335-349. Spedding, "Preface to the *Advertisement touching an Holy War*," *SEH* VII, pp. 3-7, at p. 5: "the 'moderate divine' having said nothing." See further Robert K. Faulkner, *Francis Bacon and the Project of Progress* (Lanham, MD: Rowman & Littlefield, 1993), p. 225: "While in Bacon's dialogue a 'moderate divine' is announced, he never speaks." There is scholarly debate as to whether the *Advertisement* is in fact completed as it stands.

war with which Gentili's treatise is especially concerned.[473] Gentili's great prominence as a civilian lawyer and Regius Professor of Civil Law at the University of Oxford, along with his membership of Gray's Inn (Bacon's Inn and his consistent place of residence)[474] as Bacon's contemporary from 1599 onwards all incline one to take seriously Gentili's major work on the law of war as an important context for Bacon's thinking on the subject.

As we have seen in chapter three of this study, the justification of war, for Gentili, is ultimately and importantly a legal question: the justice of war is properly the province of jurisconsults rather than theologians.[475] Within a Gentilian framework, as we have seen, the advocate of arms and the prudent jurisconsult must have just claims at the ready. Gentili argues that wars should have grounds, but the grounds for war should be just as, in his opinion, "an unjust cause is no cause at all."[476]

Within this framework, how then does it stand with religious warfare? For Gentili, religion is not a just claim or cause for undertaking or waging war. Rather, in his own age, religion is solely a pretext and not a just one at that. "In these latest times religion is merely a pretext", Gentili writes in *De iure belli*.[477] Following a claim advanced by Machiavelli in *Il Principe* and propounded in Guicciardini's *Historia d'Italia*, Gentili describes the late fifteenth and early sixteenth century King Ferdinand of Spain as having "covered almost all his excesses with a respectable mantle of religion",[478] noting further that "it was under a similar pretext that the Emperor Charles, the grandson of Ferdinand, shaded his desire for dominion."[479]

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[473] Alberico Gentili, *De iure belli libri tres*, 2 vols. (Oxford: Clarendon Press, 1933), I.xii; vol. I, p. 92; vol. II, p. 57: "Silete theologi in munere alieno." See also Noel Malcolm, "Alberico Gentili and the Ottomans," pp. 127-145 in *The Roman Foundations of the Law of Nations, Alberico Gentili and the Justice of Empire*, Benedict Kingsbury and Benjamin Straumann eds. (Oxford: Oxford University Press, 2010), at p. 127: "'*Silete theologi in munere alieno*'—or, as we might colloquially translate it, 'Theologians, mind your own business'. This is perhaps the most famous sentence written by the great jurist Alberico Gentili."

[474] Lisa Jardine and Alan Stewart, *Hostage to Fortune, The Troubled Life of Francis Bacon* (New York: Hill and Wang, 1999 [1998]), pp. 116-117. Bacon's friend Tobie Matthew was acquainted with Gentili. See *ibid*, p. 304.

[475] Gentili, *De iure belli libri tres*, I.xii; vol. I, p. 92; vol. II, p. 57.

[476] Gentili, *De iure belli*, I.vii; vol. I, p. 55, vol. II, p. 35: "Iustae sint causae: nam causa iniusta nec est causa."

[477] Gentili, *De iure belli*, I.x; vol. I, p. 77, vol. II, p. 47: "Nam religio his vltimis temporibus tantùm praetextus."

[478] Gentili, *De iure belli*, I.ix; vol. I, p. 63, vol. II, p. 40: "Ferdinandus rex, qui catholicus cluit, omnes fere suas cupiditates sic obtexuit honesto religionis velamento." Cf. Machiavelli, *Il principe*, xxi (Quod principem deceat ut egregius habeatur); Guicciardini, *Historia d'Italia*, xii.

[479] Gentili, *De iure belli*, I.ix; vol. I, p. 63, vol. II, p. 40: "& Carolus imperator, Ferdinandi nepos, non alio colore cupiditates regnandi suas adumbrauit." (Rolfe's translation modified above).

In his *De iure belli*, Gentili distinguishes between wars waged for the *sake* of religion and wars waged for the *maintenance* of religion. Wars waged for the sake of religion, in Gentili's presentation, seem to involve the forcing of consciences—they are wars against "heretics" or "infidels" for the sake of converting them to the true "Faith", whatever local preference on this question happens to be. However, Gentili holds that religion is a matter of free will. Gentili emphasizes that "Religion is a matter of the mind and of the will, which is always accompanied by freedom" and that, therefore, "Religion ought to be free."[480] Gentili emphasizes the freedom of the will and the freedom of the mind in arguing that wars waged for the sake of religion are unjust: "if religion is of such a nature that it ought to be forced upon no one against his will, and if a propaganda which exacts faith by blows is called a strange and unheard of thing, it follows that force in connexion with religion is unjust."[481] Gentili holds that "no man's rights are violated by a difference in religion, nor is it lawful to make war because of religion."[482] Waging war for the sake of religion, in Gentili's assessment, means compulsion when the war is for conversion but also compulsion when the war is for maintenance of religion. Gentili's view of wars for the maintenance of religion, however, particularly by subjects being forced to convert to a different religion, which fall under the ambit of wars for self-defence or protection rather than wars for religion, is less condemnatory than his view of wars waged for the sake of conversion: these latter are unjust and have the status of unwarranted pretexts, as Gentili assessed Ferdinand of Spain's wars for faith to be.[483]

Let us return now to Bacon's categories in his *Considerations*, where it seems Bacon is creatively adapting Gentili's categories: Gentili's wars for the maintenance of religion

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[480] Gentili, *De iure belli*, I.ix; vol. I, p. 61, vol. II, p. 39: "Scis? At audi adhuc vnum. Libertas religioni debetur."
[481] Gentili, *De iure belli*, I.ix; vol. I, p. 59, vol. II, p. 38: "Et quidem si religio eius est naturae vt compelli ad eam inuitus nullus debeat, atq[ue] ; noua illa dicitur, & inaudita predicatio, quae verberibus exigit fidem sequitur, vim istam iustam non esse."
[482] Gentili, *De iure belli*, I.ix; vol. I, p. 64, vol. II, p. 41: "nec ius laeditur hominum ob diuersam religionem: itaq[ue]; nec bellum caussa religionis."
[483] Gentili's position on this question appears somewhat vague—wars for conversion are, on Gentili's account, clearly unjust, but there may be cases where wars waged for the maintenance of religion in the case of subjects forced to convert to a different religion fall under the ambit of wars for self-defense or protection.

become Bacon's wars defensive for religion; Gentili's wars for the sake of religion become Bacon's wars offensive for religion. Importantly, however, Bacon modifies Gentili's categories even as he adopts them: for Bacon, it seems, a space opens up for the latter category in which offensive wars for religion might, if "they have some mixture of civil titles"[484] be classed and advocated as just wars.

The question of the admixture of civil titles as ground for the justification of offensive wars of religion raises interpretative difficulties. Outside his *Considerations*, Bacon is almost completely silent about the notion of a civil title. Nonetheless, he calls his political thought and social philosophy "civil philosophy" and, at various moments, not least in his *New Atlantis*, he propounds peace as the aim of his political thought, with the isle of Bensalem of *New Atlantis* named after the offspring of peace. In his essay "Of Atheisme" Bacon attributes to *"Learned Times*," another explicit aim of his project, especially when coupled with peace and prosperity, the force of causing atheism.[485] In a directly juxtaposed sentence, in the following essay,[486] Bacon ascribes to "Barbarous Times" the force of causing superstition.[487] In Bacon's parallel causal lists, times of learning, coupled with peace and prosperity are directly contrasted with "Barbarous Times". Taken together, the terms "learning", "peace", and "prosperity" are opposed to that which is "Barbarous" in Bacon's discourse—they are near synonyms for what he means by civility or that which is civil. On this view, while defense or necessity may count as civil titles, peace, coupled with the learning which it may foster, would seem to be a civil title as well.

Yet, on Bacon's view, the international situation in 1623/4 could hardly be characterized as peaceful. In his banishment from court and parliament, in February of 1623/4 Bacon drafted a

[484] *LL* VII, Considerations, p. 470.
[485] *OFB* XV, "Of Atheisme. XVI." p. 53, lines 59-69: "The *Causes* of *Atheisme* are; *Divisions* in *Religion*…And lastly, *Learned Times*, specially with Peace, and Prosperity: for Troubles and Adversities doe more bow Mens Mindes to *Religion*."
[486] This is the case for both the 1612 *Essaies* and 1625 *Essayes*, in which these two essays appear side by side. *OFB* XV, pp. 51-56; *SEH* VI, pp 559-561. The latter essay, "Of Superstition" was dropped in the *Saggi morali* along with the references to Machiavelli throughout the *Essaies*, perhaps out of caution for censorship in Catholic countries on the continent.
[487] *OFB* XV, "Of Superstition. XVII." p. 55, lines 33-42: "The *Causes* of *Superstition* are: Pleasing and sensuall Rites and Ceremonies…And lastly, Barbarous Times, Especially joyned with Calamities and Disasters."

parliamentary speech for Sir Edward Sackville, later Earl of Dorset, advocating a cessation of treaty relations with Spain in the aftermath of the failed Spanish match. Much of the draft for this same speech was to recur verbatim, with argumentative expansions, in Bacon's 1624 tract *Considerations Touching a War with Spain* written later that same year.[488]

Bacon's draft for this parliamentary speech opens with a sharp and pointed critique of James VI and I's policy of peace with Spain, codified in the 1604 Treaty of London, which the notes class as a matter of manifest delusion, urging instead a rupture of treaty relations and full preparation for open war. Bacon frames a departure from James's policy heretofore as a rare potential point of parliamentary consensus as "all will advise the King not to entertain further a treaty wherein he hath been so manifestly and so long deluded."[489]

While not openly published and often circulated in manuscript via scribal publication, Bacon's writings from this period bear some seemingly unguarded criticisms of his sovereign and particularly his sovereign's strategy for keeping England at peace. In addition to his ventriloquistic pronouncement here that James had been "deluded"[490] in the matter of peace with Spain, Bacon went further in this question in his "Short View to be taken of Great Britain and Spain." In that work, Bacon claims that British strength under James is in effect such that it could strip Spain of its colonial holdings at will, writing of the Spanish King Philip that "for all the greatness he hath he holds by courtesy of his Majesty, and to that end courts him: he knows he were undone else."[491] In other words, Spain holds its empire at James's courtesy, which to withdraw would mean the end of the Spanish empire.

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[488] Compare *LL* VII, p. 470 with *LL* VII, p. 460: "To a war (such as may promise success) there are three things required: a just Quarrel; sufficient Forces and Provisions; and a prudent and politic choice of the Designs and Actions whereby the war shall be managed." *LL* VII, p. 461 with *LL* VII, p. 469: "Spain is no such giant".
[489] *LL* VII, p. 460.
[490] *LL* VII, p. 460.
[491] *LL* VII, p. 26. Philip's "greatness" which Bacon claims the Spanish monarch holds at the courtesy of the English crown would seem to encompass territorial greatness, wealth, and provision and upkeep for the unit soldier who is criterial of greatness on Bacon's assessment in "Of the true Greatnesse of Kingdoms and Estates. XXIX." *OFB* XV, *Essayes*, pp. 92-93, ll. 102-139.

The "peace" that Britain enjoyed with Spain in 1623 was, in Bacon's estimation, little better than a nominal peace in which Spain strengthened its hand for a future war with the Stuart crown which would come, in any case, sooner or later, while it might fairly and rightly be deprived of its power in the present moment. This nominal peace was, in Bacon's view, a "false" peace or a costly peace at interest. True peace would look quite different indeed.

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As we shall see at greater length in the following chapter, Bacon identified "true peace" with the military capacity of a power not to be harmed by its opponents, even if they had the will to do so. This is a view Bacon recurred to quite regularly across his literary, philosophic and political career. In his 1592/3 *Certaine Obseruations vppon a Libell*, Bacon deployed a citation from Demosthenes' *Against Aristocrates* to assess the security situation of England in the near historical aftermath of the Spanish Armada. Writing out his assessment of England's power position in the face of all its adversaries, Bacon reflected that "I do find it to be a securitie of that nature & kinde w*hi*ch *Iphicrates* the *Athenian* did com*m*ende; who beinge a Comissioner to treate w*i*th the State of *Sparta* vpon Condic*i*ons of peace and hearing the other side make manie propositions touchinge securitie, interrupted them & told them *Ther was but one manner of securitie wherupon the Athenians cold rest, w*hi*ch was, If the Deputies of the Lacedemonians cold make it plaine unto them, that after these and these thinges parted withall*, *the Lacedemonians should not be able to hurte them thoughe they would.*"[492] While some scholars have insisted that Bacon's standard for surety in peace is so unattainable as to yield "hostility with no real prospect of cessation,"[493] Bacon himself explicitly held not only that the standard was attainable but further held it to have been historically attained, especially for England's power vis-à-vis its adversaries in the immediate aftermath of the thwarting of

[492] *OFB* I, p. 368, ll. 739-747.
[493] Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in Katherine Harloe and Neville Morley eds., *Thucydides and the Modern World: Reception, Reinterpretation and Influence from the Renaissance to the Present* (Cambridge: Cambridge University Press, 2012), p. 25-54, at p. 53: "Again we have universal hostility, and what is more, hostility with no prospect of cessation, for the only guarantee is the impotence of the other." To the same author's credit, his references to Bacon's repeated usage of Iphicrates and Demosthenes, *Against Aristocrates*, are more complete than the relevant commentaries in the *Oxford Francis Bacon* by both Alan Stewart and Michael Kiernan. *Ibid,* p. 53n135, where "[*SEH*] XIII:358" should read "*LL* I:167" or "[*SEH*] VIII:167". Cf. Alan Stewart, "Commentary," in *OFB* I, p. 836; Michael Kiernan, "Commentary," in *OFB* VIII, p. 555.

the Spanish Armada in the summer of 1588. As Bacon stressed in his 1592/3 *Certaine Obseruations vppon a Libell*, applying the standard of Iphicrates' true peace to England in the aftermath of the Spanish Armada "as we have not iustlie provoked the hatred or enmitie of anie other State; so howsoeuer that be, I knowe not at this time the enemie that hath the power to offende vs thoughe he had the will."[494]

Bacon recurs to Iphicrates in augmenting by authority his case for a true peace in the 1624 *Considerations touching a War with Spain,* with Bacon again quoting Iphicrates concluding peace with the Spartans, "telling them, there could be no true and secure peace, except the Lacedaemonians yielded to those things, which being granted, it would be no longer in their power to hurt the Athenians, though they would."[495] Bacon concludes this quotation of Iphicrates in 1624 with a note of approval writing that "to say truth, if one mark it well, this was in all memory the main piece of wisdom in strong and prudent counsels"[496]. Here it is worth noting that memory, for Bacon, is the cognitive faculty associated with the discipline of history,[497] and that the expression "in all memory", for Bacon, has a non-diminutive temporal scope. Even after the 1624 *Considerations*, Bacon does not tire of recurring to Iphicrates by repeating his 1624 invocation of Iphicrates' maxim in his drily witty *Apophthegmes new and old* of 1625. There Bacon observes that "Iphicrates the Athenian, in a Treatie that he had with the Lacedemonians for peace, in which question was about securitie for obseruing the same, said; *The Athenians would not accept of any Securitie, except the Lacedemonians did yeeld vp vnto them those things, whereby it mought bee manifest, that they could not hurt them, if they would.*"[498] Here, in the 1625 *Apophthegmes,* as in his earlier treatments of the same quotation, Bacon presents as a prudent maxim of state the notion that the security for a peace

[494] *OFB* I, p. 368, ll. 747-750.
[495] *LL* VII, *Considerations touching a War with Spain*, pp. 476-477.
[496] *LL* VII, *Considerations touching a War with Spain*, p. 477.
[497] *OFB* IV, p. 62: "THE PARTS of humane learning haue reference to the three partes of Mans vnderstanding, which is the seate of Learning: HISTORY to his MEMORY, POESIE to his IMAGINATION, and PHILOSOPHIE to his REASON".
[498] OFB VIII, *Apophthegmes new and old*, §144, p. 237. Jean-Pierre Cavaillé notes the recurrence of Bacon's Iphicrates in the 1625 *Apophthegmes* in his 1997 edition of *De Sapientia Veterum*. See F. Bacon, *La Sagesse des Anciens*, tr. Jean-Pierre Cavaillé (Paris: Vrin, 1997), p. 76n1.

to be observed is the inability of opponents or enemies to do one harm. The incapacity of an opponent power to do one harm is integrally tied, for Bacon, to assured preparations for war.

For Bacon, war and preparation for war were crucial to peace, especially his emphatic notion of "true peace", both foreign and domestic. The civil concern for peace inflects not only Bacon's writings on religious warfare but also his interventions on ecclesiastical questions and questions of the internal government of the Church of England as well. In his *Advertisement touching the controuersyes of the Church of England* dated to 1589, Bacon enters the fray of ecclesiological controversy in the guise of a peace maker, claiming that "the Contraueryes of the Church of England" are "such as onely doe vnswade her of her band*e*s (the band*e*s of peace)".[499] With this *Advertisement* of 1589, Bacon opts, not for the last time, for the audience-tailored targeted persuasion of scribal publication, the circulation of a tract amongst a selected or choice readership in manuscript form.[500] Because replies and repetitions of the grounds of controversy rather multiply than assuage such strife, Bacon avows that "The Controu*er*syes them selues I will not enter into, as iudging that the disease requireth rather rest than any other Cure."[501] Expanding on Gentili's injunction of silence to the theologians (*Silete theologi*), Bacon urges religious controversialists on questions of surplices and other "thinges indifferent"[502] to "know the virtue of scilence and slownes to speake".[503] Bacon thus exhorts divines to be silent not only in the matters which do not concern them but also in familiar (if fruitless) theological controversies as well. Bacon is also concerned throughout his 1589 *Advertisement* with the question of the political consequences of peace, particularly in the aftermath of the defeat of the Spanish Armada the previous summer, worrying that following 1588, "It may be our peace hath made us more wanton."[504]

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[499] *OFB* I, *An advertisement touching the controuersyes of the Church of England*, p. 160, ll. 21-23.
[500] *OFB* I, Alan Stewart, "Introduction", p. 136: "indeed, it could be said to have been 'published' in manuscript form." See further Richard Serjeantson and Thomas Woolford, "The Scribal Publication of a Printed Book: Francis Bacon's *Certaine Considerations Touching…the Church of England* (1604)" in *The Library* 10:2 (June 2009), pp. 119-156.
[501] *OFB* I, *An advertisement touching the controuersyes of the Church of England*, pp. 160, l. 39 – 161, l. 42.
[502] *OFB* I, *An advertisement touching the controuersyes of the Church of England*, p. 161, l. 58.
[503] *OFB* I, *An advertisement touching the controuersyes of the Church of England*, p. 162, l. 68.
[504] *OFB* I, *Advertisement touching the contrauersyes of the Church of England*, p. 178, l. 415.

External ease may loosen checks upon the habits of internal dissension and conversely, it might seem, external threats might hold internal strife at bay.

In this *Advertisement*, Bacon makes the argument that with regard to innovations in Church government, the time for ecclesiastical founding, and with it, fundamental innovations, has passed. "Our church is not now to plant it is settled and established", Bacon stresses.[505] Fourteen years later, Bacon would repeat this very point in his *Certain Considerations touching the better Pacification and Edification of the Church of England*, writing that "the Church is not now to plant or build"[506] and change from episcopal to synod government within the Church of England could effect a similar alteration in the civil state from a monarchy to a republic, as, in Bacon's view, episcopal government has a certain regimental relation of fit with monarchy.[507] Thus the question of synod Church government is best left "in peace and silence."[508] This concern with peace and order in his writings on the government of the Church of England points to Bacon's central preoccupation when writing about religious matters generally. Rather than regarding the Church of England as a sacral body, Bacon instead analyses the Church as a "politic body"[509] and subordinates the

[505] *OFB* I, *Advertisement touching the contrauersyes of the Church of England*, p. 177.
[506] *LL* III, *Certain Considerations touching the better Pacification and Edification of the Church of England*, pp. 103-127, at p. 109.
[507] *LL* III, *Certain Considerations touching the better Pacification and Edification of the Church of England*, pp. 103-127, at pp. 108-109: "First therefore for the government of Bishops, I for my part, not prejudging the precedents of other reformed churches, do hold it warranted by the word of God and by the practice of the ancient Church in the better times, and much more convenient for kingdoms, than parity of ministers and government by synods." Even if Bacon regards episcopal church government as "much more convenient for kingdoms" it does not necessarily follow that Bacon regards the presence of the "prelates" in the Houses of Parliament with respect. See also Richard Serjeantson and Thomas Woolford, "The Scribal Publication of a Printed Book: Francis Bacon's *Certaine Considerations Touching…the Church of England* (1604)" in *The Library* 10:2 (June 2009), pp. 119-156, esp. pp. 122-124.
[508] *LL* III, *Certain Considerations touching the better Pacification and Edification of the Church of England*, pp. 103-127, at p. 109: "*Translatio sacerdotio, necesse est ut et Legis fiat translatio* [tr. For the transferring of priesthood, it is necessary that there be a transferring of laws as well]. It is not possible, in respect of the great and near sympathy between the state civil and the state ecclesiastical, to make so main an alteration in the Church, but it would have a perilous operation upon the kingdom. And therefore it is fit that controversy be in peace and silence."
[509] *LL* III, *Certain Considerations touching the better Pacification and Edification of the Church of England*, pp. 103-127, at p. 106: "And therefore it seemeth to me that as the spring of nature, I mean the spring of the year, is the best time for purging and medicining the natural body, so the spring of kingdoms is the most proper season for the purging and rectifying of politic bodies."

examination of ecclesiastical causes under the heading of civil causes.[510] For Bacon, the Church is above all a political or civil institution and religion is an ingredient, albeit an important ingredient of social order and social union.[511] To this end, in both his *Certain Considerations touching the better Pacification and Edification of the Church of England* of 1603/4 and his earlier *Advertisement touching the Controversies of the Church of England*, Bacon's chief aim in intervening is the maintenance of "the band*e*s of peace"[512] in the Church—the preservation of unity and order and with them, the prevention of civil war along confessional lines.

It is worth once again considering the ways in which peace, both internal and external, may provide the crucial civil title the admixture of which may justify Bacon's favoured offensive wars of religion.[513] It is the criterion of ultimate or true peace—a peace where one is in a position of dominant or preponderant power which drives Bacon's advocacy of religiously-inflected wars with Spain and the Ottoman states.

In this connection with Bacon's estimations of Ottoman power, it is worth considering briefly the ways in which Bacon's assessments of Ottoman greatness more generally are inflected by his source on the Ottomans, Richard Knolles's *Generall Historie*. Knolles offers four reasons external to the Ottomans for their greatness: divine wrath on Christendom, the uncertainty of worldly things and the accompanying cycle of human regimes, the inattention of Christian princes to the state of the Christian Commonwealth, and the relative superiority of the Janissary as a unit soldier (which depends, in part, on the fecklessness of Christian soldiers). Following upon this analysis, Knolles turns to the causes of Ottoman greatness "proper unto themselues, as not depending of the improvident carelessnesse, weaknesse, discord or

[510] *LL* III, *Certain Considerations touching the better Pacification and Edification of the Church of England*, pp. 103-127, at p. 105: "But if it be said to me that there is a difference between civil causes and ecclesiastical, they may as well tell me that churches and chapels need no reparations though houses and castles do: whereas commonly, to speak truth, dilapidations of the inward and spiritual edification of the Church of God are in all times as great as the outward and material."
[511] *OFB* XV, *The Essayes or Counsels*, "Of Unity in Religion. III." p. 11, ll. 4-6: "*Religion* being the chiefe Band of humane Society, it is a happy thing, when it selfe, is well contained, within the true Band of *Unity*."
[512] *OFB* I, *An advertisement touching the controuersyes of the Church of England*, p. 160, l. 23.
[513] *LL* VII, p. 470: "unless they have some mixture of civil titles."

imperfections of others".[514] These causes are, in the first instance, the ardent and infinite desire for sovereignty and the pledge to attain universal monarchy as "a quick motiue unto their so haughtie designes". The Ottomans are further strengthened by the second cause of their unity in matters of both religion and state, which unity confers strength and corresponding fear in others.

These causes, as Knolles discusses them, are not without analogous treatments in Bacon's political writings. Unity in religion as well as unity in state is, for Knolles, one of the internal (rather than external) constituents of Ottoman "greatnesse" as Knolles beholds in the Turks "such a rare unitie and agreement amongst them, as well in the manner of their religion (if it be so to be called) as in matters concerning their state (especially in all their enterprises to be taken in hand for the augmenting of their Empire)".[515] In laying emphasis upon unity in the fundamental bond of human society, religion, Bacon in his "Of Unity in Religion", the third essay of his 1625 *Essayes*, may be seen to follow Knolles in his emphasis, yet for Knolles this unity is a constituent of "greatnesse"—for Bacon unity in religion is something much more urgent: that which is needed to prevent confessional civil war. Beyond divine wrath, the uncertainty of worldly things, the fecklessness of Christian princes in caring for a united Christian commonwealth (united in resistance against an external foe), Knolles lays a fourth cause for Ottoman "greatnesse" in the relative superiority of Ottoman elite soldiers or Janissaries with respect to their equivalents in Christendom, soldiers Knolles regards as "taken up hand over head out of the promiscuous vulgar people".[516] Where the Janissaries are "continually euen from their youth exercised in feats of armes" their Christian counterparts are "for the most part untrained men, serving rather for shew and the filling up of number, than for use, and in no respect to be compared with the Turks".[517] Knolles's concern is paralleled by Bacon's emphasis on the importance of gauging the strength of the unit soldier in assessing the fighting capacity of an army in his central essay "Of the True Greatnesse of Kingdomes and Estates" (1612,[518] 1625) in which Bacon stresses the superiority of the British

[514] Knolles, *Generall Historie*, "To the Reader," [A v recto].
[515] Knolles, *Generall Historie*, "To the Reader," [A v recto].
[516] Knolles, *Generall Historie*, "To the Reader," [A v recto].
[517] Knolles, *Generall Historie*, "To the Reader," [A v recto].
[518] In the 1612 *Essaies of Sir Francis Bacon, Knight*, the essay bore the title "Of the greatnesse of kingdomes."

yeoman to the French (and Spanish) peasant as well as, less famously, stressing the advantages of a veteran army (an army of soldiers exercised in feats of arms like the Janissaries) for building and maintaining an empire. Knolles's (and Bacon's) interest in the unit soldier and military preparedness serve to stress that religious wars are won and lost for practical reasons of military discipline.

While themes from Knolles resonate across Bacon's work, the former Lord Chancellor's treatment of the Ottomans receives its most extensive consideration in a late dialogue whose title announces its concern with religiously inflected war. In his *Advertisement touching an Holy Warre* as well as in his diplomatic correspondence, attacking the Algerian pirates is an optimal initial *casus belli* against the Ottoman Empire. The dialogue advances primarily towards a confrontation between Martius, a soldier who advocates for war with the Ottoman Empire and Zebedaeus, a "zelant" for Catholicism, who pushes the argument in various directions. While some scholars have argued that the movement of Zebedaeus's long speech shifts from the proposal of making war upon the Ottoman Empire to making open war on piracy and pirates,[519] the very structure of Zebedaeus's remarks calls this interpretation into question. Zebedaeus pointedly notes that the "the *Pyrates* now in being, haue a Receptacle, and Mansion, in *Algiers*", an Ottoman port.[520]

Zebedaeus further advances the view that a sovereign power may enter another's territory without warning to remove pirates and may do so without a prior request for such entry "as there needs no Intimation, or Denunciation of the *Warre*; There needs no Request from the *Nation* grieued; But all these Formalities, the Law of Nature supplies, in the case of

[519] Ralph Lerner, *Playing the Fool* (Chicago: University of Chicago Press, 2009), pp. 40-44; Ralph Lerner, "The *Jihad* St. Alban," *Review of Politics* 64:1 (January 2002), pp. 5-26, at pp. 22-26.
[520] *OFB* VIII, p. 202, lines 28-29. As James Spedding notes in his commentary on Bacon's life in the time of the 1614 Parliament, piracy from precisely these Ottoman ports was of great concern to English merchants in the Mediterranean: "Abroad, there was Spain, with the Pope to back her, ready to invade at the first opportunity. What case so inviting to an invader, as that of a nation whose Government can raise no money? Ireland, with both Spain and the Pope at her back, was always ready to rebel: what better opportunity for rebellion? The Dutch would gladly beat the English merchants out of the markets of the world: how were they to be protected against foul play? The pirates of Algiers and Tunis were plundering them as they passed: how were they to be protected against robbery?" See Spedding's commentary, *LL* V, p. 77.

Pyrates."[521] Bacon's Zebedaeus is here in accord with Alberico Gentili's view that piracy contravenes the law of nations and the communion of human society,[522] that pirates are violators of the laws of nature,[523] and that waging war upon piracy is just,[524] even to the point that Gentili creates an exception to his principle that only states may wage war: against pirates, on Gentili's presentation, even individuals may wage war[525] and they may do so in such a manner that the pirates enjoy no rights in the conflict.[526] The state entered for the removal of its pirate population might perceive such action as an invasion with the possibility of commencing what is perceived to be a just war on both sides, with one country claiming a just ground of war on the basis of waging war on piracy and the other nation claiming to defend itself by necessity from invasion. This would place the conflict in the category of wars just on both sides discussed by both Alberico Gentili in the *De iure belli* and Scipioni Gentili in his commentary on Torquato Tasso's *Jerusalem Liberated.* However this may be, Zebedaeus gives a further hint of the martial aims of his proposal for the invasion of *"Algiers*" by noting that all his arguments about entering the territories of others unannounced for the destruction of pirates who may dwell there apply not only to pirates but to "*Rouers* by *Land*" as well, offering the further caveat that "Such as yet are some *Cantons* in *Arabia*"—also an Ottoman territory in the early seventeenth century.[527] Far from marking a discursive deviation from the aim of waging war on the Ottoman states, the case of pursuing piracy in Algiers and "*Rouers*" in Arabia are specifications of the ways in which a war with the Ottoman Empire might be begun under the cloak of justice.

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[521] *OFB* VIII, p. 203, lines 6-8. The related discussion of Ottoman violations of the laws of nature may be borrowed by Bacon for the mouthpieces of his characters in his *Advertisement Touching an Holy Warre* from Knolles's address "To the Reader" prefacing the *Generall Historie of the Turkes*. "As for the kind of law of nature," Knolles writes, "what can be thereunto more contrarie, than for the father most unnaturally to embrue his hands in the bloud of his owne children? and the brother to become the bloudie executioner of his owne brethren? a common matter among the Ottoman Emperours."[521] Knolles, *Generall Historie*, "To the Reader," [A v recto].

[522] Gentili, *De iure belli*, vol. I, p. 202; vol. II, p. 124: "Piratica est contra ius gentium, & contra humanae societatis communionem."
[523] Gentili, *De iure belli*, vol. I, p. 202; vol. II, p. 124: "Et ergo quoniam laedi possumus item singuli ab istis violatoribus naturae, bellum eisdem fiet à singulis."
[524] Gentili, *De iure belli*, vol. I, p. 201; vol. II, pp. 124: "Bellum fit piratis iuste."
[525] Gentili, *De iure belli*, vol. I, p. 202; vol. II, p. 124: "Et ergo quoniam laedi possumus item singuli ab istis violatoribus naturae, bellum eisdem fiet à singulis."
[526] Gentili, *De iure belli*, vol. I, p. 202; vol. II, p. 124: "Nullum neque his debetur ius".
[527] *OFB* VIII, p. 203, lines 9-10.

On a variety of questions, the views expressed by Bacon's Martius, the soldier, bear striking similarities to Bacon's own positions. In his invective against the Ottoman Empire, Martius stresses especially that the Ottomans are a nation "without Letters, Arts, or Sciences". Moreover, as Bacon displays both at the Essex trial and in his writings on colonies and plantations, Martius has a pronounced proclivity for the exercise of "Marshall Iustice", the exercise of which, Martius esteems, is a mark that a nation is "Ciuill".[528] If there is one character in the dialogue who approximates Bacon's views most closely, this is Martius, even if Martius is not simply a figure for Bacon and if Baconian positions are given voice by other interlocutors in the dialogue.

Like Bacon arguing in *Calvin's Case* in 1608 and yet more recently in his *History of the Reign of King Henry VII* in 1622, Martius speaks of conquest as granting titles to both land and dominion.[529] Like Bacon, Martius seems to have an affinity for monarchic government and obedience to royal power and Martius praises the pre-conquest governments of Mexico and Peru for being "Ciuill" in no small part because they are monarchical.[530] As Bacon shows a willingness to admit redistribution to alleviate poverty as a material cause of sedition and civil war, so Martius avows that with a view to property and possession "whatsoeuer is in order, to the greatest, and most generall Good of people, may iustifie the Action"—in short that property may be upheld or overturned on the grounds of "the greatest and most generall Good" if this tends to the preservation of order.

Not least, as Martius argues in Bacon's dialogue, so Bacon had earlier advocated in his diplomatic correspondence: both advocate "a *Warre* vpon the *Turke*" on grounds of both policy and of religion. Bacon's advocacy of this policy is not merely confined to his literary works, but is present in his diplomatic correspondence during the period when he was in

[528] OFB VIII, *An Advertisement Touching an Holy Warre*, p. 192, line 20.
[529] *OFB* VIII, *An Advertisement Touching an Holy Warre*, p. 190, line 30; p. 191, lines 9-10. On conquest as a title to rule see both Bacon's remarks in *Calvin's Case* (when arguing for a client) as well as his *History of the Reign of King Henry VII* (writing in his own person). *SEH* VII, p. 646; p. 659; *OFB* VIII, p. 4, lines 6-16; p. 5, line 31-33; p. 6, lines 24-25;*OFB* VIII, Michael Kiernan, "Commentary," p. 296.
[530] OFB VIII, *An Advertisement Touching an Holy Warre*, p. 192, lines 19-23.

government, with the policy Bacon counselled in government closely paralleling that of Martius in the later *Advertisement*. In a letter to Sir John Digby, docketed 23 March 1616/17, who was then in charge of negotiating a treaty of marriage between the future King Charles I, then Prince of Wales, with the Spanish Infanta, Bacon, as a matter of state business, instructs Digby to raise two claims whilst present at the Spanish Court.

The first issue concerns the extirpation of pirates, a theme which, as we have seen, was also to recur in a conjoined context in Bacon's *Advertisement* half a decade later. A benefit of a marriage treaty with Spain would be, Bacon exhorts Digby, "a means utterly to extinguish and extirpate pirates, which are the common enemies of mankind, and do so much infest Europe at this time."[531] Moreover, such action against pirates is a but a prequel of further acts of kingly cooperation between James I and Philip III of Spain; in particular Bacon hopes that Digby as an ambassador may "intermix discourse" at the Spanish court "that may express ourselves to the effect following" that union in marriage between the Stuarts and the Spanish Habsburgs "may be a beginning and seed (for the like actions before have had less beginnings) of a holy war against the Turk, whereunto it seems the events of time doth invite Christian kings, in respect of the great corruption and relaxation of discipline of war in that empire; and much more in respect of the utter ruin and enervation of the Grand Signor's navy and forces by sea; which openeth a way (without congregating vast armies by land) to suffocate and starve Constantinople, and thereby to put those provinces into mutiny and insurrection."[532] Where Bacon elsewhere laments stirring internal revolt in the countries of others,[533] it seems that there may be politic limits which he imposes upon this general view—for the purposes of diverting Spain eastward and destroying the Ottoman Empire, Bacon is willing to advance both internal and external warfare in the realms of others as part of the "holy war against the Turk" which he advances and advocates in his own person.

[531] *LL* VI, "A remembrance additional to the instructions of Sir John Digby," pp. 158-159, at p. 158.
[532] *LL* VI, "A remembrance additional to the instructions of Sir John Digby," pp. 158-159, at p. 158.
[533] See *The charge of Owen, indicted of High Treason, in the King's Bench, by Sir Francis Bacon, his Majesty's Attorney-General*, *LL* V, pp. 154-159.

Consideration of the evidence of Bacon's diplomatic correspondence offers a view contrary to several scholarly interpretations of Bacon's work which hold the avowedly Catholic characters to be Baconian spokespersons,[534] as well as to those interpreters who hold Bacon's proposals of war on the Ottoman Empire in the *Advertisement* to be solely an esoteric or dramatic ruse.[535] The proposal of "a holy war against the Turk" is not merely a characteristic utterance of Bacon's Martius let slip in a dialogic context: it is also a statement made by Bacon himself in diplomatic correspondence half a decade earlier, articulating what he hopes will be an area of international cooperation, albeit a cooperation of a non-pacific kind, namely a seventeenth-century crusade for the better unification and pacification of Christendom both within its own boundaries and within those of others.

The assault which Bacon hopes for against the Ottoman Empire in 1616/17 is primarily a naval assault and one in which he wishes for Spain to play a leading part, perhaps to the extent that the Spanish navy may share a fate similar to that of its Ottoman rival. Via Digby, Bacon tries to exhort Spain first to engage pirates in Ottoman waters and then, once within the Turkish domain to undertake "the utter ruin and enervation of the Grand Signor's navy and forces by sea" .[536] Bacon's aim in this is not necessarily an alliance between Spain and Britain in 1616/17, but the exhortation of a Spanish venture that may destroy the Ottoman fleet in a manner similar to the Battle of Lepanto in 1571, which Bacon repeatedly acclaims in his own voice and that of his characters,[537] but also that the Spanish navy itself might bear the

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[534] James Spedding, "Preface to the *Advertisement Touching An Holy War*," *SEH* VII, pp. 3-7, at p. 5: "the statesman (who, though a Roman Catholic also, would, I presume, have represented Bacon's own opinion)". Ralph Lerner, *Playing the Fool* (Chicago: University of Chicago Press, 2009), pp. 45-46: "*An Advertisement Touching a Holy War* is Bacon's trumpet inflaming the heart and powers of a man to daring and resolution. Pollio's *jihād* is his own, and, if Bacon's invented speeches succeed in getting at least a few philosophical souls to look at the affairs of Christendom through his eyes, why, then there is hope." Robert Faulkner identifies Bacon's position with that of his Zebedaeus, the "Catholic zelant" writing that "In the *Advertisement*, Bacon revises Christianity toward a universal creed of humanity that will excuse war against Christian kingdoms and especially against Christ's kingdom. His Zebedaeus abstracts from faith in Christ and dwells on charity, and while he promises to speak of 'propagation of the faith' in the 'proper place,' he never speaks of it." Robert K. Faulkner, *Francis Bacon and the Project of Progress* (Lanham, MD: Rowman & Littlefield, 1993), p. 226.
[535] Ralph Lerner, *Playing the Fool* (Chicago: University of Chicago Press, 2009), pp. 40-44; Ralph Lerner, "The *Jihad* St. Alban," *Review of Politics* 64:1 (January 2002), pp. 5-26, at pp. 22-26.
[536] *LL* VI, "A remembrance additional to the instructions of Sir John Digby," pp. 158-159, at p. 158.
[537] *SEH* II, *Sylva Sylvarum*, Century X, §988, pp. 667-668. *OFB* VIII, *An Advertisement tovching an Holy Warre*, p. 189, ll. 18-21: "For where it is, vpon the Defensiue, I reckon it, a *Warre* of Nature, and not of Piety. The First was, that Famous, and Fortunate *Warre* by *Sea,* that ended in the Victory of *Lepanto*; Which hath put a

brunt of the damage when the Ottoman navy returns fire. Thus, while some scholars have claimed that Bacon advocates a British alliance with the Spanish crown in the 1622/3 *Advertisement*,[538] Bacon does not overtly advocate a *British* alliance with Spain for attacking the Ottomans—either in his diplomatic correspondence or in his *Advertisement*. Advocacy in the *Advertisement* for Spain (or Spain and France) attacking the Ottomans is not the same as advocating that Britain join France in attacking the Ottomans. One thrust of setting the dialogue in Paris is to propose the diplomatic course of encouraging France to reverse its alliance with the Ottoman Empire, and to reverse it so substantially that it may join Spain in waging war against the Ottomans in the Mediterranean. British participation in the conflict is nowhere mentioned in the *Advertisement*. Those who claim that an Anglo-Spanish alliance is advocated in the *Advertisement* seem to overlook the Parisian and continental context of the *Advertisement*, which, like Bacon's earlier so-called *Redargutio Philosophiarum*, takes place in a Parisian setting[539] and has no explicitly English characters. It is not an alliance between Britain and Spain that is being advocated in the *Advertisment* but rather an alliance between the continental powers and especially an alliance between representatives of each of the confessions—Catholics (Zebedaeus) and Protestants (Gamaliel)—engaged in the Thirty Years' War—these powers might be better united (and diverted eastward) by waging a war for the control of the Mediterranean with the Ottoman empire.

Further, in his diplomatic dispatch from 1616/17, Bacon wishes for Digby to express to the Spanish court that the aim of "a holy war against the Turk" is not only a further reduction of naval power, but more generally the promotion of internal disorder within the Ottoman states themselves as a result of a naval onslaught "thereby to put those provinces into mutiny and insurrection."[540]

Hooke, into the Nosthrills of the *Ottomans*, to this day: Which was the work (chiefly) of that excellent *Pope, Pius Quintus*; whom I wonder his Successours haue not declared a *Saint*."

[538] Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in *Thucydides and the Modern World; Reception, Reinterpretation and Influence from the Renaissance to the Present,* Katherine Harloe and Neville Morley eds. (Cambridge: Cambridge University Press, 2012), pp. 25-54, at p. 50n129.

[539] The setting of the *Advertisement* is something like a Parisian salon whilst that of the *Redargutio* rather resembles the royal auditorium of the Collège Royal.

[540] *LL* VI, "A remembrance additional to the instructions of Sir John Digby," pp. 158-159, at p. 158. To what extent does this violate Bacon's oft repeated injunctions that it is a high crime to promote insurrections in the countries of others (a complaint which he lodges most frequently against the papal states)? One thrust of

Bacon's diplomatic and dialogic proposal of the holy war on the Ottoman Empire persists beyond the good effects that members of the English court in 1616/17 thought might attend a successful Spanish match. Bacon's proposals for a pan-European war against the Ottoman Empire recall the late-fifteenth century claims of the French King Charles VIII enunciated upon his invasion of Italy in 1494, claims with which Bacon could well have been familiar through his extended sojourn in France as well as from his extensive and meticulous reading of Machiavelli and Guicciardini.

Having seen that the character Martius recapitulates Bacon's own earlier proposals for engaging Spain in war with the Ottoman powers, Bacon's *Advertisement* must be interpreted within the broader context of Bacon's grand strategic proposals and the place of religious war within them, a strategic project which culminates in Bacon's manuscript tract "A Short View to be taken of Great Britain and Spain," to which our study shall now turn.

*

"A Short View"

In "A Short View to be taken of Great Britain and Spain," which both James Spedding and, more recently, Noel Malcolm ascribe to Bacon,[541] the author proposes the "planting" of the Protestant Church in Spain, with potentially capacious implications, given that Bacon understood the Spanish crown as encompassing its territorial holdings across its overseas colonies and territorial holdings on the European continent. There is no discussion of justice in "A Short View"—perhaps consistent with Bacon's distinction between "just pretence" and "pretence of religion" for going to war and for waging war.

Bacon's suggestion that it is not Britain but Spain (and, in the *Advertisement*, other continental powers) who are to engage in war with the Turk is that while such a war, of itself, might promote indirectly or as a foreseen unintended consequence internal disorder and possible insurrection in a neighboring state, Bacon's injunction against these high crimes would not be violated as the violation would be Spanish, rather than British, and might offer a further pretence for Britain to wage war upon Spain.

[541]*LL* VII, p. 22; Noel Malcolm, *Reason of State, Propaganda, and the Thirty Years' War: An Unknown Translation by Thomas Hobbes* (Oxford: Clarendon Press, 2007), p. 83n27: "Among these should surely be counted a text entitled 'A Short View to be taken of Britain and Spain' (ibid., xiv, pp. 22-28), which Spedding incorrectly dated to 1619, even though it clearly refers to the negotiations over the Spanish Match as a thing of the past (p. 27)."

The author of "A Short View" is concerned to outline the relative power positions of Britain and Spain near the outset of the Thirty Years' War and after the failure of the Spanish Match. "His Majesty now of England," the "Short View" professes, "is of more power than any of his predecessors."[542] By contrast, the "View" contends, Spain's fame for grandeur exceeds its real power: "for Spain, his Majesty there, though accounted the greatest monarch in Christendom, yet if his estate be enquired through, his root will be found a great deal too narrow for his tops."[543] Here, in taking stock of Spain's greatness, Bacon may be drawing on Botero's discussion of disunited empire in the latter's *Ragione di Stato*, where empires disunited are either too weak to defend themselves or strong enough to ride their neighbors or at least hold their own.[544] Bacon's assessment of Spain is that should Spain be on the defensive it would fall into the first of Botero's categories—too weak to maintain or defend itself.

Bacon's assessments of Spanish power in the 1620s seem to pivot between cautionary fears of the impending Spanish threat and exhortations to invade Spain in light of its weakness. How is it possible to plausibly offer both seemingly contradictory strains of argument in nearly the same historical moment in "A Short View" and in the *Considerations*, respectively? On the one hand, in the "Short View" Spain is described as weak and overstretched and thus a prime target for a two-armada assault.[545] On the other hand, in Bacon's *Considerations*, Spain is presented as recuperating and regaining its martial prowess, threatening an invasion of a scale not seen since 1588. For Bacon in the 1620s, Spanish strength and Spanish weakness are two faces of the same Janus. Mirroring his claims on battle from the *De Sapientia Veterum*, where attackers are said to hold the decisive advantage in battle, Bacon depicts Spain as strong on the assault and weak on the defensive.[546] In Bacon's view, Spain is thus particularly threatening in its military preparations as well as being simultaneously quite tempting as a

[542] *LL* VII, p. 22.
[543] *LL* VII, p. 25.
[544] Botero, *Della Ragion di Stato* [1598 ed.], I.vii ("Quali stati siano più durabili, gli vniti, ò i disuniti"), p. 11: "Di più i membri dell'Imperio disunito sono, ò tanto deboli, che da se soli non si possono mantenere, né difendere da'vicini; ò cosi grandi e possenti, che stanno, ò à caualieri, ò al pari de'vicini."
[545] *LL* VII, pp. 22-25.
[546] *LL* VII, p. 25: Spain is "more powerful to assault than to defend."

target of a well-executed assault. In both instances, in pressing an attack on Spain, no time is to be lost.

In assessing England's strength, the author of the "Short View" is keen to stress Britain's situation with respect towards the United Provinces—which the "Short View" praises as both well-situated and well-motivated. With respect to its situation or neighbourhood, "A Short View" commends the United Provinces to King James as "By reason his Majesty hath the neighbourhood of the powerfullest nation at the sea that now is in the world, at his devotion". The state of the United Provinces is also to be commended for "it hath the motive in it to make defence with us against an opposite Church in such a nation as hath drawn both of us into one and the same cause in quarrel as well of policy as religion."[547] Here, Bacon sets the United Provinces and Britain together in making a joint defensive war against Spain and his "Short View" has a particular aim in view with regard to what it might portend for the United Provinces and Great Britain to make a successful joint defence against their common opponent. Surveying the relative weakness of Spain in relation to Britain, "A Short View" emphasizes both the poverty of Spain and the vastness of its empire: Spain is both too poor and spread too thin. "His dominions are so far in distance asunder, as they cannot give relief time enough one to another upon an alarum; which is the reason he is more powerful to assault than to defend".[548] Spain's poverty is a martial weakness, particularly in the Spanish Netherlands: "His poverty heretofore hath appeared in the mutinies of the Low Countries' armies for want of pay: which was a great cause of his ill success there."[549] Spain's finances know only one bright spot: income from overseas colonial holdings. "A Short View" holds that "but for the Indies" Spain "were the poorest King of Europe."[550]

"A Short View" poses the question of whether Spain can withstand a joint assault upon its colonial possessions and its mainland simultaneously. The "Short View" thus has a particular

[547] *LL* VII, p. 24.
[548] *LL* VII, p. 25.
[549] *LL* VII, p. 25. The Spanish occupying force in Flanders had a persistent problem with mutinies within their ranks, rendering this a difficult point from which to date the *Short View*. The historian Geoffrey Parker noted 37 major mutinies in the Spanish army in Flanders in the period 1572-1607 alone. See Geoffrey Parker, "Mutiny and Discontent in the Spanish Army in Flanders 1572-1607," in *Past and Present* 58:1 (1973), pp. 38-52.
[550] *LL* VII, p. 25.

joint venture between the United Provinces and Great Britain in view: the raising of joint armadas—one armada "to block up the Indies" and the other "to block up Spain."

The author of the "Short View" concludes with a series of politic reasons recommending his policy of preference. The author ascribes to Spain the very motives of unjust warfare which Lipsius adduces: ambition and a greedy desire for empire,[551] thereby turning Lispius's criteria against the confessional side which Lipsius himself preferred at the end of his scholarly and philosophic career. The Spanish crown, the "Short View" contends, "hath an ambition to the whole empire of Christendom."[552] This injustice forces the author to inquire into the question of whether peace may be assured with Spain. The author feels compelled to the conclusion that it may not be so assured, for although "peace with a true neighbour is a condition to be embraced",[553] the Spanish crown is lacking in true neighbourliness while religious difference, in the estimation of the "Short View," is a barrier to this neighbourly comportment. Most importantly, "we shall never be assured of him (such [is][554] the nature of his religion) so long as we differ in matters of faith." To the compounding of this difference, in the view of the "Short View," "the greatest islander of Christendom,"[555] James I, should direct himself: "the planting of the true Church there [i.e. in Spain and the Spanish Empire] is a sacred work that even by office as it were belongs to him." [556] Such a "planting", coupled with the blocking of the West Indies and of mainland Spain would be, in our author's estimation, self-financing as "the Indies will afford him the means to exercise it."[557] The "Short View" affords the image of an imperial and colonial war of conversion as a "sacred work"[558] to secure the conditions of future peace,[559] which pacification, however necessary its author deemed it to be, is never said to be "just." Bacon's "Short View" thus is to be situated apart from his discussion of just war in the *Considerations* and in aiming at the civil end of reducing Spanish power and

[551] Lipsius, *Politica*, V.iii, p. 542, lines 19-20: "Sunt autem iniqua illa omnia bella, quibus Ambitio aut Avaritia caussae."
[552] *LL* VII, p. 26.
[553] *LL* VII, p. 27.
[554] Emendation of "as", *LL* VII, p. 27.
[555] *LL* VII, p. 28.
[556] *LL* VII, p. 28.
[557] *LL* VII, p. 28.
[558] *LL* VII, p. 28.
[559] Lipsius, Politica, V.iv, p. 550, line 6: "Sapientes Pacis caussa bellum gerunt, et laborem spe otii sustenant."

converting its inhabitants to Protestantism, as the prerequisites for a future, longer lasting peace, Bacon comes to advocate some wars under the cover of the sacred.

The issue of common religion as a source of political unity and stability is one of long standing in Bacon's political thought and a recurrent trope of his rhetoric. In his 12 May 1604 draft of "An Act for the better grounding of a further Union to ensue between the Kingdoms of England and Scotland", Bacon stresses that not merely island locale and linguistic commonality serve to unite the "mighty kingdoms of England and Scotland" but even more their shared participation "in God's true religion", which Bacon proclaims is the superlative band of both unity and peace as "true religion" is "the perfectest bond of all unity and union".[560] That both England and Scotland partake not only of linguistic commonality and spatial contiguity but religious unity helps to serve, in Bacon's profession to make both realms as a united kingdom a "most quiet and peacable possession". It is thus unsurprising, when considering the question of the conditions for a future peace with Spain that Bacon should recur to the question of "God's true religion" and "true Church" when composing his *Short View* more than a decade later.

In the *Short View*, Bacon's discussion of the "planting" of Protestant churches in Spain opens up an image and theme to which Bacon recurs throughout his scientific, literary, and political writings, "the League of Christians",[561] to which we now briefly turn in closing.

In a passage added to the expanded essay "Of Religion" from the 1612 *Essaies*, Bacon presents "the League of Christians" as a *via media* between "certaine *Zelants*" to whom "all Speech of Pacification is odious",[562] and "certaine *Laodiceans,* and Luke-warme Persons" who "thinke they may accommodate Points of *Religion,* by Middle Waies, and taking part of both; And witty Reconcilements".[563] The doctrine that heretical monarchs may be dispatched

[560] *LL* III, p. 204-206, at p. 205. As Stephen Alford has noted, sixteenth and seventeenth century English Protestants referred to their faith as the true religion. Stephen Alford, *The Watchers: A Secret History of the Reign of Elizabeth I* (London: Penguin, 2013 [2012]), p. 40; see also p. 319: "the destruction of queen, country and what Protestants called the 'true religion'".
[561] *OFB* XV, "Of Unity in Religion. III." p. 13, lines 64-65.
[562] *OFB* XV, "Of Unity in Religion. III." pp. 12-13, lines 56-57.
[563] *OFB* XV, "Of Unity in Religion. III." p. 13, lines 59-62.

by assassins under the cover of licit tyrannicide is not, in Bacon's estimation, a view that can be accommodated by any witty reconcilement.[564] "Both these Extremes," Bacon caustically remarks, "are to be avoided; which will be done, if the League of Christians, penned by our Saviour himselfe, were in the two crosse Clauses thereof, soundly and plainly expounded; *He that is not with us, is against us*: And againe; *He that is not against us, is with us*: That is, if the Points Fundamentall and of Substance in *Religion*, were truly discerned and distinguished, from Points not meerely of Faith, but of Opinion, Order, or good Intention."[565] The League of Christians is midway between the extremes of those who will hear no talk of peace and those who wish to paper over disagreements which cannot be papered over. Bacon stresses that his notion of a Christian league may seem trivial to some or, in a sense already completed, however he emphasizes that these appearances deceive and if the emphasis on Christian union and "Points Fundamentall" "were done lesse partially, it would be embraced more generally."[566] If the fundamental points of religion were, perhaps, reduced to a minimal creed and the Church emphasized social and political unity of Christians rather than uniformity of Christian worship, the extremes of both zealotry and luke-warmness might, in Bacon's estimation, both be avoided.

Indeed, discussing the "league amongst Christians" in his 1589 *Advertisement Touching the Controuersies of the Church of England*, Bacon emphasized "that the ancient & true bandes of vnity are one faith, one baptisme and not one Ceremony, one policy".[567] This is followed by the recurrence of Bacon's assertion that such unity would be furthered "if we wold obse*r*ue the league amongst Christians *tha*t is penned by our sauio*u*r. He *tha*t is not against vs is with vs; if we wold but compre*h*end that saying, *Differentia rerum commendat unitatem doctrinae*,

[564] Tom van Malssen, *The Political Philosophy of Francis Bacon: On the Unity of Knowledge* (Albany, NY: SUNY Press, 2015), p. 227: "the same Bacon, moreover, who in what one might call an inner-Christian context only used the notion of a 'holy war' to describe what he considered to be the well-deserved response to the authors of the doctrine of papally and therefore religiously sanctioned regicide"; *ibid*, p. 307n68, citing the *The charge of Owen, indicted of High Treason, in the King's Bench, by Sir Francis Bacon, his Majesty's Attorney-General*, *LL* V, pp. 154-159. See also Ralph Lerner, *Playing the Fool* (Chicago: University of Chicago Press, 2009), p. 45: "More profoundly offensive than the Turks is the papal endorsement of political assassination. Arguing as attorney general in the King's Bench a few years earlier, Bacon had levelled his guns at a more deserving enemy".
[565] *OFB* XV, "Of Unity in Religion. III." p. 13, lines 63-71.
[566] *OFB* XV, "Of Unity in Religion. III." p. 13, lines 71-73.
[567] *OFB* I, *An Advertisement Touching the Controuersyes of the Church of England*, p. 161, lines 59-62.

the diu*er*sitye of Ceremonyes doth set forth the vnity of doctrine."[568] Bacon concluded this homily on unity and the Christian league with the wish that "if we did but know the virtue of silence and slownes to speake com*m*ended by S*ain*t Iames o*u*r controu*er*syes wold of themselues close vp & growe together."[569] The "league amongst Christians" was one which Bacon associated in one of his earliest extant writings with "the virtue of silence and slownes to speake" in matters of religion and Church discipline coupled with a recurrent emphasis on unity, rather than uniformity, in ecclesial matters.[570]

While Bacon discusses his "League of Christians" prominently in his 1589 *Advertisement* and in his 1625 *Essayes*, elsewhere he does not regard it as merely an institution or heuristic for ecclesiology and Church government. Bacon's league amongst Christians recurs in the second book of his 1605 *Aduancement of Learning* with the side note "*De gradibus unitatis in ciuitate Dei*" (*On the gradations of unity in the city of God*),[571] where he introduces the "league" with an example drawn from the second chapter of the book of Exodus.[572] "Wee see," Bacon notes in his *Aduancement*, "*Moses* when he sawe the *Israelite* and the *Egyptian* fight, he did not say, *Why strive you*? but drewe his sworde, and slewe the *Egyptian*: But when he sawe the two *Israelites* fight, hee said, *You are brethren, why striue you?*"[573] Violence between co-religionists, as Bacon's Moses exhorts, is at root violence between brethren, from which it would follow that wars between Christians are, at root, wars between brethren, fratricidal wars and thus instances of civil war.

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[568] *OFB* I, *An Advertisement Touching the Controuersyes of the Church of England*, pp. 161-2, lines 59-63.
[569] *OFB* I, *An Advertisement Touching the Controuersyes of the Church of England*, p. 162, lines 67-70.
[570] *OFB* I, *An Advertisement Touching the Controuersyes of the Church of England*, pp. 161-2, lines 59-68; *OFB* XV, "Of Unity in Religion. III.", p. 13, line 82: "They be two Things, *Unity*, and *Uniformity*."
[571] *OFB* IV, *Aduancement of Learning* II, p. 185, lines 26-27.
[572] Exodus 2:11-14, cited in Michael Kiernan, "Commentary," *OFB* IV, p. 358.
[573] *OFB* IV, *Aduancement of Learning* II, p. 185, lines 31-35. Bacon's discussion of all Christians being brothers in his *Advancement of Learning* finds early expression in the 1589 *Advertisement touching the controuersyes of the Church of England*, where Bacon had earlier cited the same passage of Exodus ("yee are brethren, why striue yee") and further avows that any who are affronted by his interpretation of the doctrine of Christian brotherhood "shall give a great p*re*sumption against himself *tha*t he is the p*ar*ty that doth his brother wrong." See *OFB* I, *An advertisement touching the controuersyes of the Church of England*, p. 161, ll. 36-39: "ffor if any shalbe offended at this voice *Vos estis fratres*, yee are brethren, why striue yee, he shall giue a great p*re*sumption against himself *tha*t he is the p*ar*ty that doth his brother wrong."

Bacon's Moses, selectively cited, is brought forth to counsel peace within a community of faith but also within the political community which is coterminous with that faith. In this regard, Bacon's proposal of a "league of Christians" in which Christians strike down those who are against them but keep peace amongst themselves may recall an earlier philosophic tradition, with which, as Whitgift's purchase accounts for the Bacon brothers at Trinity College, Cambridge indicates,[574] the philosopher himself would have been well acquainted. In Plato's *Republic*, Socrates stresses that he regards wars amongst Greek states not as external wars (*polemoi*) but as internal wars (*staseis*) amongst a common people, who should be united in peace through brotherhood and friendship. On this view, wars between Greek and non-Greek are wars properly so called but wars amongst Greeks are factional civil wars, the occurrence of which is worse than plague.[575] Bacon's league between Christians transposes this ancient view onto the states and peoples of Christian Europe—at root, so long as they persist, violence and wars between Christians have the nastiness and repugnance of civil wars and wars between brothers.

Bacon's proposals and persistent injunctions for a league of Christians is not just a matter of Church government; rather, this view, taken as a backdrop to Bacon's military white papers in *A Short View* and his *Considerations*, has serious strategic and geopolitical implications. Late in the tenth century of Bacon's *Sylva Sylvarum*, in experiment nine hundred eighty-eight, Bacon is engaged in a series of queries on the possibility of shared affections, imaginations, and trepidations in groups. In this natural experiment, Bacon stipulates "If there be any force in imaginations and affections of singular persons, it is probable the force is much more in the joint imaginations and affections of multitudes: as if a joint victory should be won or lost in remote parts, whether is there not some sense thereof in the people whom it concerneth".[576]

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[574] Lisa Jardine and Alan Stewart, *Hostage to Fortune: The Troubled Life of Francis Bacon* (New York: Hill and Wang, 1999 [1998]), p. 35: "he bought them Aristotle and Plato, Cicero's *Complete Works* and a commentary on his *Orations*, Sallust's *Roman History*, Hermogenes and Xenophon in a facing-page Greek and Latin edition." John Whitgift's account books for the Bacon brothers, Anthony and Francis, at Trinity College Cambridge show that dual copies were purchased for only four authors: Aristotle, Cicero, Homer, and Plato, with both brothers each receiving a copy of Plato's *Works*. Philip Gaskell, "Books bought by Whitgift's pupils in the 1570s", *Transactions of the Cambridge Bibliographical Society*, 7 (1979), 284–93, at pp. 289-290.
[575] *Republic,* V, 470a-471b; Thucydides II.47-54 with III.82-84.
[576] *SEH* II, *Sylva Sylvarum*, Century X, §988, pp. 667-668.

Bacon's test case for this experiment is none other than "the naval battle at Lepanto" of 1571 "won by the Christians" in a pan-European "league" "against the Turks". Crucial for our discussion is Bacon's description of the battle of Lepanto in his natural experiment: Bacon does not regard the victory at Lepanto as principally a *Roman Catholic* victory, but rather as a "memorable victory" which was "won by the Christians" in a "league" which Pius V had concluded.[577] Bacon does not attribute the battle of Lepanto to Catholicism or describe it as a Spanish or Italian victory—it is a victory won by Christians in league against an external adversary. As the discussion in Bacon's natural history shows, his league of Christians is not merely a matter of ecclesiology and Church doctrine—it is also a matter of geopolitics and religiously and confessionally inflected warfare.

In his early *Observations upon a Libel*, Bacon had charged Spain with disturbing the "g*e*n*e*rall peace of *Christendom*."[578] The removal of Spain and the destruction of Spanish power, which Bacon counselled whenever the discursive conditions permitted from the 1590s to the 1620s, and the establishment of the league of Christians in its place, would serve, in Bacon's view, to rectify the peace which the Spanish empire had disturbed. In this regard, the "league of Christians" might be seen as Bacon's act of formulating a polemical counter-concept (and counter-ideal) to the Catholic League whose politics writers like Botero favoured and which Bacon regarded as having led to unrivalled slaughter leading him to redescribe the Catholic League as the "League for the Extirpation of the *Protestants*".[579] To this, and to its sponsor, the imperial power of Spain, Bacon's "league of Christians" was opposed—indeed, it took the destruction of Spanish power as its presupposition. Bacon's "league of Christians" founded

[577] *SEH* II, *Sylva Sylvarum*, Century X, §988, pp. 667-668.
[578] *OFB* I, p. 384, line 1246; Cf. p. 399, line 1683; *LL* I, p. 183; Cf. p. 196.
[579] Höpfl, *Jesuit Political Thought*, p. 96: "the prince should aim to spread disunion among the leaders, after the example of Louis XI…If that does not work, the king—not 'prince'; Botero plainly had recent events in France in mind—must make himself the head of the most powerful faction, as Henri III made himself head of the Ligue". Bacon counsels exactly the opposite, noting of Botero's policy brief on behalf of Henri III as head of the Catholic League that this policy led to Henri III's ruin. *OFB* XV, "Of Seditions *And* Troubles. XV." p. 44, lines 44-54: "Also, as *Macciavel* noteth well; when Princes, that ought to be Common Parents, make themselves as a Party, and leane to a side, it is as a Boat that is overthrowen, by uneven weight, on the one Side; As was well seen, in the time of *Henry* the third of *France*: For first, himself entred League for the Extirpation of the Protestants; and presently after, the same League was turned upon Himselfe. For when the Authority of Princes, is made but an Accessary to a Cause; And that there be other Bands, that tie faster, then the Band of Soveraignty, Kings begin to be put almost out of Possession."

on an order in "*Christendom*" established upon the destruction of Spanish power and the "planting" of Protestantism in Spain, would be an order in which Christian states in Europe would not war upon their neighbours but unite against common adversaries, such as the Ottoman Empire, and unite for common enterprises, such as scientific research, oceanic exploration, and global expansion. Something of this vision might be glimpsed in Bacon's *New Atlantis* in which the European sailors are addressed in Spanish[580] yet narrate their tale in English and are addressed by the Bensalemites as neither English nor Spanish, but as "Christians", which they profess themselves to be.[581] The sailors who sail from Peru but write their narratives in English may indicate the end-state at which Bacon's *Considerations* and his sharply pointed *Short View* aim. The Baconian route to Bensalem leads through the conquest of Spain, the conversion of the Spanish to Protestantism, and the seizure of Spanish colonial holdings. It is on this basis that true peace and scientific advancement, in Bacon's estimation, may find a surer footing. Despite the assurances of some scholars to the contrary,[582] however,

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[580] *SEH* III, p. 130; Cf. *New Atlantis* in Francis Bacon, *The Major Works,* ed. Brian Vickers (Oxford: Oxford University Press, 1996, 2002), p. 458: "In which scroll were written in ancient Hebrew, and in ancient Greek, and in good Latin of the School, and in Spanish, these words".

[581] *SEH* III, p. 131; Cf. *New Atlantis* in Bacon, *The Major Works*, p. 459: "And thereupon the man whom I before described stood up, and with a loud voice in Spanish, asked, 'Are ye Christians?' We answered, 'We were;' fearing the less, because of the cross we had seen in the subscription." One scholar had inferred from the fact that the narrator writes in English that the sailors in Bacon's *New Atlantis* are British: "The narrator writes in English, and the voyage to Bensalem represents the future way of Great Britain to the perfection of science as man's destiny. The history of Britain's future is the history of Bensalem, which points to the true end of days. Thus, the history of Bensalem and the history of England converge." Jerry Weinberger, "Introduction," pp. vii-xxix, at p. xviii in Francis Bacon, *The Great Instauration and New Atlantis,* ed. Jerry Weinberger (Arlington Heights, IL: Harlan Davidson, 1980).

[582] Steven Matthews, in the line of commentators like Webster and Lewis, reads Bacon as a millennialist and millenarian. Matthews is not shy in the ambit and scope which he accords theology in the intellectual world of the seventeenth century, writing that "All ideas in the seventeenth century were theological in their implications, if not in their very nature." Going further, Matthews avows that across "early modern Europe there was a widespread belief that a special age had or would soon come upon them in which momentous changes, wrought by the hand of God, would transform the world, and that such an age was foretold in Scriptures." Without adducing textual support for such an interpretation, Matthews attributes such a "belief" to Francis Bacon, as "In Bacon's own writing, as well as that of his followers, there can be found the conviction that Britain, her king, and her people, were set aside by God for a particular glorious destiny." See Steven Matthews, *Theology and Science in the Thought of Francis Bacon* (Aldershot: Ashgate Publishing, 2008), pp. 19-20. Matthews ignores the precarious status which learning, natural philosophy, and the sciences had in the world, in Bacon's estimation. Projects for the advancement of knowledge with an ultimate aim of human betterment and the effecting of all things possible were, as Bacon avowed, far from assured in their success and might easily be diverted, thwarted, or upturned by civil wars, by Spanish power (and with it the power of the Inquisition), or by Ottoman victories over continental powers in Christendom. Moreover, in addition to being unassured and insecure, the progress of knowledge and natural philosophy was in no way "wrought by the hand of God" or "set aside by God" but were matters to be wrought by human hands and directed by human intelligences, albeit, optimally, in Bacon's view, with generous doses of regal subsidy and state support (hence the regal dedication to

this surer footing, from Bacon's perspective, will not be "wrought by the hand of God", but must be wrought by human innovation, human arms, and a navy capable of overpowering its competitors.

For Bacon, paradoxically, toleration is an end-state goal. In his *New Atlantis*, Christians and Jews alike live peaceably together as they did not in the England of his time, from which Jews were banned. Yet, for Bacon, toleration was not always, in the first instance, regarded as the means for its own attainment. In this, Bacon reversed the view of Botero, who, in cases of necessity was willing to countenance some religious toleration for the purpose of temporarily appeasing powerful leaders of religious groups, like the French Huguenots, with an aim of ultimately restoring persecution.[583] Bacon, by contrast, seems to favour some tactical and strategic deviations from his preferred policy of toleration for the sake of securing more lasting toleration and the grounds for future peace which is a "true peace," resting on the complete incapacity of others to conduct war against Britain. For Bacon, the problem of religious warfare is that such warfare must, in his view, however infelicitously, be urged and waged for the very purpose that it may (at some future time) be abated and, finally, ended.

This study now turns to a fuller consideration of Baconian peace in the chapter ahead.

The Advancement of Learning, the *De Augmentis*, the *Novum Organum*, and the majestic *Sylva Sylvarum*). In keeping with his reading of Bacon viewing the success of science as providentially assured, Matthews and McKnight ignore Bacon's discussions of the threats to science posed by civil war, the Spanish Inquisition, and the power of the Ottomans—each a central concern of what Bacon actually wrote on matters of religion. See also Stephen A. McKnight, *The Religious Foundations of Francis Bacon's Thought* (Columbia, MO: University of Missouri Press, 2006).

[583] Botero, *Ragion di Stato,* V.ii-V.viii. Cf. Höpfl, *Jesuit Political Thought*, p. 96: "But Botero himself elsewhere casually allowed that the best course for a prince who lacked power to deal with heretics by force was to temporize and allow the upheavals to blow over, which they would do once the multitudes lost their leaders."

CHAPTER 5:
BACON ON PEACE

Writing in the famous chapter thirteen of his *Leviathan* in 1651, Hobbes defined war as the time within which the will to contend by battle is sufficiently known.[584] That definition has three components: a temporal component, the time; a volitional or voluntary component, the will; and an epistemological component, sufficiently known. Hobbes compares war to the inconstant weather: war is a dispositional property, where there is a disposition to fight without assurance to the contrary there is war. Hobbes's definition of war is followed sharply by its antinomy: "All other time is peace." Peace is defined by Hobbes as not war. If two states (or persons) have a settled disposition to peace, where state X doesn't want to fight with state Y and vice versa, and where we both know that neither wants to fight with the other, there and then, we have peace.

Who, in contemporary international relations theory, *isn't* Hobbesian? Who in contemporary international relations theory doesn't follow Hobbes in defining peace as the absence of conflict? The book that emerged from Kenneth Waltz's doctoral dissertation opens with a joke followed by a pacific prayer couched in the form of a Kantian question—*what can we hope for?* Waltz asks, "Can we have peace more often in the future than in the past?"[585] More than four decades later, omitting the pacific prayer and the joke which preceded it, John Mearsheimer opens his *Tragedy of Great Power Politics* with the same question from Kant, what can we hope for? What are the hopes for peace?[586]

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[584] Hobbes, *Leviathan* XIII.[8]: "a tract of time wherein the will to contend by battle is sufficiently known."
[585] Kenneth N. Waltz, *Man, the State, and War: A Theoretical Analysis* (New York: Columbia University Press, p. 1): "If one asks whether we can now have peace where in the past there has been war, the answers are most often pessimistic. Perhaps this is the wrong question. And indeed, the answers will be somewhat less discouraging if instead the following questions are put: Are there ways of decreasing the incidence of war, of increasing the chances of peace? Can we have peace more often in the future than in the past?"
[586] John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: W.W. Norton, 2001), pp. xi-xii: "Hopes for peace will probably not be realized, because the great powers that shape the international system fear each other and compete for power as a result. Indeed, their ultimate aim is to gain position of dominant power over others, because having dominant power is the best means to ensure one's own survival. Strength ensures safety, and the greatest strength is the greatest insurance of safety. States facing this incentive are fated to clash as each competes for advantage over the others. This is a tragic situation, but there is no escaping it unless the

Jocular or jokeless, the answer of both international relations scholars was, substantively, the same: there will be peace at the end of the system of states, at the advent of the universal and homogenous state, which is to say, no sooner than at the end of days.

Moreover, whilst Waltz and Mearsheimer begin their canonical treatises with the question of the hope for peace—and while neither of them are particularly hopeful—they are aligned in offering no explicit, substantive definition of the term. *Implicitly*, however, their working definition of peace is evident: peace is assumed to be the absence of conflict, or, more specifically, the absence of armed conflict. Peace is assumed to be the antinomy of war, peace is assumed to be *not* war.

Has this always been so? Perhaps more importantly, is this assumption correct? What is the best way to think of peace in the study of politics, both international and domestic? Is peace the mere absence of conflict? Is peace the casualty threshold of the Correlates of War Project minus one? What *is* peace? Or, rather, what was peace *before* it was thought to be the absence of conflict? The question that this chapter hopes to answer is *how* was peace conceived *prior* to being conceived as the absence of conflict, as not war, what were the consequences of conceiving peace otherwise, and what were the purposes of those who so conceived it?

In this chapter, I shall first outline Francis Bacon's view of peace, particularly in relation to the Hobbesian view of peace which arises, in part, in opposition to it. Second, I will lay out Bacon's view of peace in relation to his positions on several of the foreign policy issues of his own time, particularly treaties and empire, and the polemical uses to which Bacon put his view of peace to critique and criticize the 1604 Treaty of London. Lastly, I will offer an interpretation of Bacon's utopian fable, *The New Atlantis* (1626/7), delineating the relation between Bacon's view of utopia and his views on peace. I will conclude with some reflections on how the concept of peace may remain central, consciously or unconsciously, to how theorists of international relations think about foreign policy—drawing both on Bacon as well as positions in more recent literature.

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states that make up the system agree to form a world government. Such a vast transformation is hardly a realistic prospect, however, so conflict and war are bound to continue as large and enduring features of world politics."

As we have seen, in the *Leviathan*, peace is defined by Hobbes as not war. Moreover, Hobbes's view of peace is importantly *dispositional*: If two states (or persons) have a settled disposition to peace, and where we both know that neither wants to fight with the other, there and then, we have peace. For Bacon, by contrast, peace is not "not war" and war is not "not peace".

Across his political career, from the 1590s to the 1620s, Bacon persistently conceived of war on the model of a trial. In his 1592/3 *Certaine Obseruations vppon a Libell*, Bacon posited that "warres are no massacres and confusions, but they are the highest trialles of right, when princes and States that acknowledge no superior vppon earth shall putt themselves vpon the iustice of God for deciding of their controversies by such successe as it shall please them to give on either side."[587] Reiterating this definition in 1594, Bacon described "Warrs, which are the highest Trialls of Right, betweene *Princes*, (that acknowledge no superiour Jurisdiction;)".[588] In 1624, arguing for war with Spain, Bacon defined wars as "suits of appeal to the tribunal of God's justice, where there are no superiors on earth to determine the cause".[589] At trial, as in war, both sides seek to win; yet in war, unlike at the bar, there is no higher judge (or none active in the courtroom) to arbitrate the disputes of right or justice. For Bacon, wars are trials of right and justice between "princes and States" where the role of the judge in the courtroom is ambiguous, and it seems that none but the parties may decide the case. But unlike Hobbes, Bacon does not couple or pair his definitions of war and peace.

If war is a trial of right without temporal arbitration, how then does Bacon conceive of peace? While at times, as in the *Advancement of Learning* (1605), Bacon seems to define peace qua order, qua rule: peace is the opposite of anarchy (which may contain war) rather than the opposite of war,[590] Bacon's dominant definition of peace claims that there can be true peace and false peace. An objector might reasonably ask, what can that possibly mean?

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[587] *OFB* I, *Certaine Obseruations vppon a libell*, p. 343, ll. 13-17.
[588] *OFB* I, *A True Report of the Detestable Treason Intended by Doctor Rogerigo Lopez,* p. 449, ll. 443-445.
[589] *LL* VII, "Considerations Touching a War with Spain," p. 470.
[590] Bacon, *Advancement of Learning*, Book I, in *SEH* III, p. 302: "Neither is certainly that other merit of learning, in repressing the inconveniencies which grow from man to man, much inferior to the former, of relieving the necessities which arise from nature ; which merit was lively set forth by the ancients in that feigned relation of Orpheus theatre ; where all beasts and birds assembled, and forgetting their several appetites, some of prey, some of game, some of quarrel, stood all sociably together listening unto the airs and accords of the harp ;

In his 1625 essay "Of Unity in Religion", expanded from the 1612 essay "Of Religion", Bacon argues that in politics and religion a state of affairs surely to be avoided is the condition of false peace. This notion of a false or an untrue peace was not peculiar to Bacon but was prominent in the Essex circle. In the Earl of Essex's *Apologia* of 1598, Essex had also deployed the notion of "false peace," juxtaposing "true and lasting peace" to the kind of stalemate punctured by raids, battles, and covert war, which Essex thought obtained between Britain and Spain in the late 1590s, during the Armada Wars.[591] In Bacon's 1604 *Apologie in certaine imputations concerning the late Earle of Essex*, Bacon credits himself as an inspiration with pricking Essex on to write the latter's own *Apology*, dedicated to Anthony Bacon, Bacon's elder brother, an Elizabethan intelligencer and spy.[592]

Is there an implicit opposite to false peace? In "Of Unity in Religion," Bacon presents two different kinds of false peace—ignorant peace and contradictory peace. Bacon identifies peace with unity, and opens his essay on "Unity in Religion" with the claim that religion must be reduced to "the true band of unity"—implying that religion must conform to the conditions of true peace. Bacon seems to think that for peace there are grounds, whether states of affairs or material conditions (such an instance might be that one's opponents are not in a position to wage war effectively against one).[593] When talking of false peace, Bacon identifies unity with peace, and then notes that "there be also two false Peaces, or Unities; the one, when the peace is grounded, but upon an implicite ignorance, for all colours will agree in the Darke: the other, when it is peeced up, upon a direct Admission of Contraries, in Fundamentall points."[594]

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the sound whereof no sooner ceased, or was drowned by some louder noise, but every beast returned to his own nature: wherein is aptly described the nature and condition of men ; who are full of savage and unreclaimed desires, of profit, of lust, of revenge, which as long as they give ear to precepts, to laws, to religion, sweetly touched with eloquence and persuasion of books, of sermons, of harangues, so long is society and peace maintained; but if these instruments be silent, or that sedition and tumult make them not audible, all things dissolve into anarchy and confusion."

[591] Essex, *Apologia* [1598], quoted in Du Maurier, *Golden Lads*, pp. 235-236.

[592] *LL* III, "Francis Bacon his Apologie in certaine imputations concerning the late Earle of Essex," p. 145: "and I think this speech of mine, and the like renewed afterward, pricked him to write that Apology which is in many men's hands."

[593] Compare "Styx, sive Foedera," in *De Sapientia Veterum*, SEH VI, p. 634.

[594] *OFB* XV, "Of Unity in Religion. III." p. 14, lines 100-105. Bacon had previously mentioned "Points Fundamentall and of Substance in *Religion*" (p. 13, lines 66-69) when he was expounding his notion of "the

False peace, for both Bacon and for Essex in the latter's 1598 *Apologia*, is juxtaposed to "lasting peace" or peace of greater duration or, in the 1624 *Considerations*, to "true peace."

How then does Bacon understand this "true" peace? In his *Considerations touching a War with Spain*, Bacon makes reference to the views of "Clinias the Candian," the Cretan interlocutor with the stranger from Athens and Megillus the Lacedaemonian, who, on Bacon's recounting of Plato's *Laws*, "speaks desperately and wildly" in maintaining that "there were no such thing as peace between nations".[595] Bacon presents Plato's Clinias, maintaining the position that that which is called peace is a naked and empty name (*Quam rem fere vocant pacem, nudum et inane nomen est*).[596] Bacon classes this position on peace as an "excess of speech" but holds that in it "there is thus much that may have a civil construction; namely, that every state ought to stand upon his guard, and rather prevent than be prevented."[597]

To the view of Clinias, who asserts that there is no such thing as peace between nations, Bacon juxtaposes his view of the attributes of "true peace"—a true peace, on Bacon's account, rightly obtains when a nation or state cannot be harmed militarily by its neighbours, opponents, or enemies, even if they wished to do so.[598] This "true peace" is enjoyed by those powers whose enemies are impotent to do them harm, according to the maxim "that there is no sure league but the impuissance to do hurt."[599] In Bacon's view, rather than enter into league with one's adversaries, it is better to ensure that they are fully endowed with "the

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League of Christians." Is it the case, for Bacon, that all peace between Christian peoples and states amounts to a "false peace" to the extent that "the League of Christians" is abrogated or ignored?

[595] *LL* VII, p. 476. Compare Plato, *Laws*, 626a. This Platonic reference is noted in Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in *Thucydides and the Modern World: Reception, Reinterpretation and Influence from the Renaissance to the Present,* Katherine Harloe and Neville Morley eds. (Cambridge: Cambridge University Press, 2012), pp. 25-54, at pp. 49-51. Candia is an alternate name for Crete.

[596] *LL* VII, p. 476.

[597] *LL* VII, p. 476.

[598] *LL* VII, pp. 476-7: "As for the opinion of Iphicrates the Athenian, it demands not so much towards a war as a just fear, but rather cometh near the opinion of Clinias; as if there were ever amongst nations a brooding of a war, and that there is no sure league but impuissance to do hurt. For he, in the treaty of peace with the Lacedaemonians, speaketh plain language, telling them, there could be no true and secure peace, except the Lacedaemonians yielded to those things, which being granted, it would be no longer in their power to hurt the Athenians, though they would."

[599] *LL* VII, p. 476.

impuissance to do hurt", which is to say, fully disempowered.[600] Bacon's Clinias therefore serves his argument as that of a useful foil deployed to sharpen and contour his own position.

Noting Bacon's disagreement with those who hold that "there were no such thing as peace between nations",[601] as an aside, one might contour and contrast Bacon's views with those of John Mearsheimer. In one respect, Bacon's views on international security dovetail with those of Mearsheimer on questions of security: it is overwhelming strength rather than treaties or well-wishing which confers security upon a state. However, Bacon departs from contemporary realism in his analysis of the international state system (the world of the seventeenth century is not that of the twenty-first)—a multipolar world is not less peaceful when there is a hegemon, on Bacon's view, especially if *your* state is the hegemon. Bacon holds this position in no small part because he conceptualizes peace differently—an expanding hegemon is enhancing *its* security, in part because for Bacon, imperial expansion solves a problem of internal order.

In some contemporary international relations theory, global hegemony is thought to be impossible, but the very ground of the purported impossibility of global hegemony in Mearsheimer (the expansiveness of the world oceans) was not thought to be a hindrance to the potentiality of hegemony in the early modern period, and in Bacon's thought in particular. Again, the seventeenth century is not the twenty-first.

Bacon conceives of peace as the impotence of one's enemies to do one harm. Theoretically, this means that peace can potentially be relative between different states: state A can be at peace with state B, but not vice versa. Similarly, this means that peace can be more or less secure: the less able an adversary is to *potentially* harm one's own state, the greater one's own security and the surer one's own peace. Theoretically, this also means that *peace* can be consistent or co-temporal with declared war. Micronesia could declare war on the United

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[600] Bacon advanced versions of this argument from at least 1609 onwards and as late as in the final year of his life. See "Styx, sive Foedera," in *De Sapientia Veterum*, *SEH* VI, p. 634, and *Apophthegmes, new and old*, §144, in *OFB* VIII, p. 237.

[601] *LL* VII, p. 476. Compare Plato, *Laws*, 626a. This Platonic reference is noted in Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in *Thucydides and the Modern World; Reception, Reinterpretation and Influence from the Renaissance to the Present,* Katherine Harloe and Neville Morley eds. (Cambridge: Cambridge University Press, 2012), pp. 25-54, at pp. 49-51. Candia is an alternate name for Crete.

States and the United States could remain at peace, or, the Vatican could declare a holy war on Elizabethan England, under some conditions, without Baconian peace being violated.

Indeed, Bacon seemed, paradoxically, to hold something like this view from the 1590s onward (that is to say, very early in his political career indeed). Even earlier than his 1624 *Considerations*, in his 1592/3 *Certaine Obseruations vppon a Libell*, Bacon deployed this same citation from Demosthenes' *Against Aristocrates* to assess the security situation of England in the immediate aftermath of the Spanish Armada. Writing out his assessment England's power position in the face of all its adversaries, Bacon reflected that "I do find it to be a securitie of that nature & kinde w*hi*ch *Iphicrates* the *Athenian* did com*m*ende; who beinge a Comissioner to treate w*i*th the State of *Sparta* vpon Condic*i*ons of peace and hearing the other side make manie propositions touchinge securitie, interrupted them & told them *Ther was but one manner of securitie wherupon the Athenians could rest, w*hi*ch was, If the Deputies of the Lacedemonians cold make it plaine unto them, that after these and these thinges parted withall*, *the Lacedemonians should not be able to hurte them thoughe they would.*"[602] While some scholars have insisted that Bacon's standard for surety in peace is so unattainable as to yield "hostility with no real prospect of cessation,"[603] Bacon himself explicitly held not only that the standard was attainable but further held it to have been historically attained, especially for England's power vis-à-vis its adversaries in the immediate aftermath of the thwarting of the Spanish Armada in the summer of 1588. As Bacon stressed in his 1592/3 *Certaine Obseruations vppon a Libell*, applying the standard of Iphicrates' true peace to England in the aftermath of the Spanish Armada "as we have not iustlie provoked the hatred or enmitie of anie other State; so howsoeuer that be, I knowe not at this time the enemie that hath the power to offende vs thoughe he had the will."[604]

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[602] *OFB* I, p. 368, ll. 739-747.
[603] Kinch Hoekstra, "Thucydides and the bellicose beginnings of modern political theory," in Katherine Harloe and Neville Morley eds., *Thucydides and the Modern World: Reception, Reinterpretation and Influence from the Renaissance to the Present* (Cambridge: Cambridge University Press, 2012), p. 25-54, at p. 53: "Again we have universal hostility, and what is more, hostility with no prospect of cessation, for the only guarantee is the impotence of the other." To the same author's credit, his references to Bacon's repeated usage of Iphicrates and Demosthenes, *Against Aristocrates*, are more complete than the relevant commentaries in the *Oxford Francis Bacon* by both Alan Stewart and Michael Kiernan. *Ibid,* p. 53n135, where "[*SEH*] XIII:358" should read "*LL* I:167" or "[*SEH*] VIII:167". Cf. Alan Stewart, "Commentary," in *OFB* I, p. 836; Michael Kiernan, "Commentary," in *OFB* VIII, p. 555.
[604] *OFB* I, p. 368, ll. 747-750.

Importantly, although England and Spain found themselves to be in declared war when he wrote his *Observations*, Bacon maintained in print that Britain's security was such that Spain couldn't really attack their metropole effectively (the Spanish navy having been destroyed four years previously). Nonetheless, this did not lead Bacon to sue for a treaty for the cessation of arms. As peace admits of degrees of surety and future longevity, Bacon urged further raids, attacks and naval expeditions against Spain in the 1590s and lamented the end of the conflict when it came with the Treaty of London in 1604.

Let us illustrate Bacon's view with an example drawn from Roman history, an example Bacon offers himself.

In his *Advancement of Learning* Bacon describes the Emperor Hadrian as spending "his whole reign, which was peaceable, in perambulation or survey of the Roman empire".[605]

Now, not insignificantly, the reign of the Emperor Hadrian (117-138 C.E.) was cotemporal with the Third Roman-Jewish War, the Mered Bar Kokbha, the Bar Kokbha Revolt in which some historians [Dio Cassius] estimate that more than half a million Jews perished in fighting.[606]

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[605] "Trajan erected many famous monuments and buildings; insomuch as Constantine the Great in emulation was wont to call him *Parietaria*, wall flower, because his name was upon so many walls: but his buildings and works were more of glory and triumph than use and necessity. But Adrian spent his whole reign, which was peaceable, in perambulation or survey of the Roman empire; giving order and making assignation where he went for re-edifying cities, towns, and forts decayed, and for cutting of rivers and streams, and for making bridges and passages, and for policing of cities and commonalities with new ordinances and constitutions, and granting new franchises and incorporations; so that his whole time was a very restoration of all the lapses and decays of former times." For a similar judgment of the peaceful character of Hadrian's reign, see Edward Gibbon, *The Decline and Fall of the Roman Empire* (New York: Everyman's Library, 1993 [1776]), vol. I, ch. 1, pp. 11-12: "During a long period of forty-three years their virtuous labours were crowned with success; and if we except a few slight hostilities that served to exercise the legions of the frontier, the reigns of Hadrian and Antoninus Pius offer the fair prospect of universal peace."

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Bacon's point in describing Hadrian's imperial reign as "peaceable" is not his ignorance of Roman history or some belief that the Bar Kokbha Revolt or the Third Roman-Jewish War was not a war. It fits Bacon's definition of war as a trial by arms. Rather, Bacon's point would be that Bar Kokbha never really had the military capacity to challenge the Roman empire with any expectation of success: peace for Rome, understood as the power gradient based upon overwhelming military capacity that secures Rome's rule (above all in its metropole rather than its periphery) was never threatened, in Bacon's estimation, by the revolt. Baconian peace is peace *for someone*. Peace for Rome is compatible with war for Bar Kokbha.

By now it should be clear that in addition to being a substantive and relative view of peace, Bacon's theory of peace is an alibi for empire and for peace through military hegemony as well. It is a definition of peace which is not one understood as the absence of armed conflict. Bacon's view of peace, as the impuissance of enemy states to do one's own state harm, is something Bacon considered desirable and something which was not inconsistent with Bacon's ambitions for the British empire, and for making distinctions within a notion of peace between imperial metropole and imperial periphery.

In addition to the imperial ambitions which the concept has encoded within it, let us look to what else Bacon might be doing with his concept of peace and how a focus on the concept of peace may contribute to the secondary literature on Bacon and on early modern political thought more broadly.

Strategic Obsequiousness: Bacon and the 1604 Treaty of London

A long tradition of commentary, dating at least to the jaunty polemics of Macaulay, presents Bacon as a water boy for Stuart absolutism and as the crown's mouthpiece (and sometime tattle-tale) in the House of Commons.[607] Not least amongst the oversights of this narrative is

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reign of Hadrian: "We must, however, remember, that, in the time of Hadrian, a rebellion of the Jews raged with religious fury, though only in a single province". *ibid*, p. 12n1.

[607] Parts of this portrait of Bacon's obsequiousness persist in G.M. Trevelyan's *England Under the Stuarts* (London: Routledge, 2002 [1904]), pp. 118-119: "He had taken money without scruple, but he had not put justice up for sale. His fault in this, as in all his public career, was not wickedness, but the absence of any lofty ideal of personal conduct. Having conceived a national policy too broad for acceptance either by Parliament or King, he never practiced that which alone can give reality to the scheme of the theorist—the courage and self-

its ignorance of the extent to which Bacon is strategic in his obsequiousness. Bacon does not take up the crown's cause in all matters, nor does he ever defend the Crown's proposals in the terms which James VI and I might have preferred to offer in his own person.

Where Bacon speaks for the Stuart crown on issues such as the union and naturalization of Scottish subjects in England born both before and after James's accession to the crown in 1603, Bacon does not seem especially keen to carry water for or render praise to James's crowning achievement in foreign policy, the 1604 Treaty of London, which ended the Armada Wars and established amicable relations with Philip III of Spain.[608]

In a report of a conference with the House of Lords, delivered to the House of Commons on 22 June 1604, Bacon is recorded as observing that "The nature of the Peace", then being negotiated by Robert Cecil with Spanish delegations from Philip III, is "Not within the knowledge of this House."[609] Yet, the absence of the Commons' competence on the matter of the Treaty did not prevent Bacon from speaking at greater length on what he considered to be the content of the negotiations. The notes in the *Commons Journal* report Bacon's rather distant assessment of the peace negotiations: "Peace only between the persons of the King of England and Spain:—Nothing articulate:—A mere cessation, or abstinence, from hostility."[610] Such a cessation or abstinence from hostility fails quite straightforwardly Bacon's already articulated definition of "true" peace—impuissance to hurt or incapacity to harm, not abstinence from fighting, is the firm Baconian ground of peace. Bacon's assessment of the

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sacrifice of the politician. The advancer of human learning could not read in the book of human life; love, friendship, and virtue were little more than names to him; so he turned the abundant energies of his mind to pursue the obvious ends of gold and pomp and honours."

[608] "By the time of his coronation, in July [1603], he had already agreed to a cessation of hostilities with Spain, with whom England had been at war since the 1580s. Commissioners signed the Treaty of London in 1604." Mark Kishlansky, *A Monarchy Transformed: Britain 1603-1714* (London: Penguin, 1996), p. 70. For a valorization of the treaty by an historian otherwise critical of Stuart policy, see G.M. Trevelyan's *England Under the Stuarts* (London: Routledge, 2002 [1904]), p. 108: "The peace with Spain, negotiated by James and Cecil in 1604, was the first condition of English development in the seventeenth century." Trevelyan augments his superlative praise of the treaty, writing that "This peace was one of Cecil's best strokes of statesmanship, and one of the few cases in which James's practice of king-craft was not worse than his theory. We refused to admit the illegality of our trade with Spanish America and we refused to give over carrying Dutch goods in our capacity as neutrals, or to prevent the Dutch from paying English subjects to fight for them against Spain. Thus, while securing in permanence all the advantages of peace, we gave up nothing of our own interests, or of those of our allies the Dutch, who chose to go on fighting a few years longer until they realized they could not conquer the Spanish Nehterlands." *Ibid*, p. 108n1.

[609] *Commons Journal,* 22 June 1604 quoted in *LL* III, p. 214. See also Pauline Croft, "Cecil, Robert," *ODNB.*

[610] *Commons Journal,* 22 June 1604 quoted in *LL* III, p. 214.

Treaty of London during the time of its negotiation hardly counts as a ringing endorsement of the crown's position. Not only, amidst negotiations for the treaty, does Bacon characterize the negotiating position of his cousin, the Principal Secretary Robert Cecil, as "Nothing articulate"; rather, Bacon's view also amounts to an implicit critique of the Stuart negotiating position—a mere cessation or abstinence from battle fails Bacon's criteria of actual or authentic peace.

While Bacon is at best purse-lipped and perhaps tacitly critical of the Treaty of London while the Treaty is being negotiated, the Learned Counsel does not unleash his praises after the Treaty has been concluded. In his 1604 tract, *Certain Articles or Considerations touching the Union of the Kingdoms of England and Scotland*, Bacon notes the Treaty of London as a point of union in "leagues and confederacies" but his qualifications on the point show that he thinks the Treaty of London to be a weaker point of union than the firmer grounds which he attests of sovereignty, subjection, religion, continent or territorial contiguity,[611] and language.[612]

Moreover, when Bacon comes to justify the crown positions regarding Scottish Union and Scottish naturalization, he often does so in terms which would obviate the Treaty of London, advocating naturalization and union precisely on the grounds that those policies enhance the war posture of the newly minted Great Britain against Spain. In his speech to the Commons of 17 February 1606/7, Bacon stresses that Scottish naturalization improves the strategic posture of England as it tends to render Anglo-Scottish Union permanent which, in turn, checks the Spanish potential to invade Britain, notwithstanding the Treaty of London.[613]

While Bacon concessively notes that "although the state at this time be in a happy peace," he continues that "yet for the time past, the more ancient enemy to this kingdom hath been the French, and the more late the Spaniard, and both these had as it were their several postern

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[611] While some recent interpreters have contended that territory plays a diminutive role in early seventeenth century tracts on sovereignty, Bacon's writings on the Union of the Kingdoms of England and Scotland in the period 1603-1607 do not confirm this thesis: territorial contiguity plays a central role in his argument in each of its many iterations in pamphlets, reports, and speeches in Parliament. Cf. Annabel Brett, *Changes of State* (Princeton: Princeton University Press, 2011). "Certain Articles or Considerations touching the Union of the Kingdoms of England and Scotland."

[612] *LL* III, "Certain Articles or Considerations touching the Union of the Kingdoms of England and Scotland", pp. 222-224.

[613] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization" in *LL* III, pp. 307-325, at pp. 322-323.

gates…France had Scotland and Spain had Ireland".[614] But in addition to blocking French access to England via Scotland, Bacon contends, by Anglo-Scottish Union, Spanish access to Ireland "is likewise cut off by the convenient situation of part of Scotland towards the north of Ireland, where the sore was: which we see, being suddenly closed, hath continued closed by means of this salve".[615] Scottish naturalization is desireable in 1607, from Bacon's perspective, not least because it tends to check Spain's ability to land an invasive force in Ireland, rendering Britain impermeable to Spanish assault. Such impermeability, Bacon suggests, does more than any treaty can or could to keep Britain at peace.

No less does Bacon refrain from justifying Anglo-Scottish Union in terms of waging war against those powers with which the Treaty of London leaves Great Britain in a precarious abstinence from battle. Responding to objections to Scottish naturalization bills that such naturalization would render England overpopulated, Bacon maintains that England, in 1607, does not suffer from overpopulation. Sharply dissenting from these objections, Bacon then turns the argument on its head. What if naturalization were to leave England overpopulated, Bacon wonders, "what is the worst effect that can follow from surcharge of people? Look into all stories, and you shall find it none other than some honourable war for the enlargement of their borders, which find themselves pent, upon foreign parts; which inconvenience, in a valourous or warlike nation, I know not whether I should term an inconvenience or no; for the saying is most true, though in another sense, *Omne solum forti patria.*"[616] Quoting from Ovid's *Fasti*, Bacon implies not only that every land is a homeland for the brave but also that every land may become a homeland for the brave via conquest necessitated by overpopulation. "It was spoken indeed," Bacon tells his fellow members of the Commons, "of the patience of an exiled man: but it is no less true of the valour of a warlike nation." [617] Even in justifying the crown's preferred policies, that is to say, Bacon in 1607 did so in terms

[614] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization" in *LL* III, pp. 307-325, at pp. 322-323.
[615] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization" in *LL* III, pp. 307-325, at p. 323.
[616] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization" in *LL* III, pp. 307-325, at p. 313; Ovid, *Fasti*, I. l. 493.
[617] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization" in *LL* III, pp. 307-325, at p. 313; Ovid, *Fasti*, I. l. 493.

directly contravening the spirit, if not also the letter, of James VI and I's 1604 Treaty of London and his persisting policy of amicable relations with Spain.

At times when discussing the Treaty of London, Bacon descends to the particulars of the Treaty. In a report to the House of Commons on 17 June 1607 reporting the answer of the Earl of Salisbury to a series of merchant requests to be granted letters of marque and reprisal to attack Spanish shipping, Bacon praises "his Majesty's magnanimity" for refusing the proposed Spanish articles in the Treaty of London which would have prohibited the commerce and colonization of English shipping in the newly discovered "Indies."[618] Analogizing "the Indies" to the "golden fleece", Bacon presents James as having "stood firm" in resisting this proposed part of the Treaty of London.[619] Bacon does not present James as having stood firm in those articles of the Treaty to which James assented. One such is "an article in the treaty between Spain and us, that we shall not transport any native commodities of the Low Countries into Spain; nay more, that we shall not transport any *opificia*, manufactures of the same countries."[620] Bacon reports this article of the Treaty of London without praise for those who negotiated or for those who signed it. Bacon praises James's "magnanimity" for refusing to sign certain proposed articles of the Treaty of London and he is silent about James's "magnanimity" with regard to what was signed. In the same report to the Commons of 17 June 1607, looking over the Treaty of London as a whole, Bacon surveys "the conditions of the last peace with Spain" and informs his fellow Members of Parliament that these conditions "were of a strange nature to him that duly considers them".[621] Mentioning that amongst the provisions of the Treaty there is no article demanding the withdrawal of English forces from the United Provinces nor any article prohibiting their reinforcement, Bacon reports to the Commons that the Treaty of London itself gives evidence

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[618] *LL* III, pp. 352-353: "Yet nevertheless such was his Majesty's magnanimity in the debate and conclusion of the last treaty, as he would never condescend to any article, importing the exclusion of his subjects from that trade: as a prince that would not acknowledge that any such right could grow to the crown of Spain by the donative of the Pope, whose authority he disclaimeth; or by the title of a dispersed and punctual occupation of certain territories in the name of the rest; but stood firm to reserve that point in full question to further times and occasions. So as it is left by the treaty in suspense, neither debarred nor permitted. The tenderness and point of honour whereof was such, as they that went thither must run their own peril."

[619] "A Report Made by Sir Francis Bacon, Knight, in the House of Commons," in *LL* III, pp. 347-361, at pp. 352-353.

[620] "A Report Made by Sir Francis Bacon, Knight, in the House of Commons," in *LL* III, pp. 347-361, at p. 352.

[621] "A Report Made by Sir Francis Bacon, Knight, in the House of Commons," in *LL* III, pp. 347-361, at p. 359.

that James "will not lose any ground upon just provocation to enter into an honourable war".[622] Bacon here interprets the Treaty of London as leaving open the possibility for future "honourable" martial engagement with Spain.

Above all, reading the Treaty of London against the presumptive intentions of its signatory, Bacon interprets the Treaty as leaving open the possibility of future war with Spain—a possibility for which he is more enthusiastic than he is for any positive article of the Treaty of London, for which, in all his ostensible obsequiousness, Bacon fails to offer any flattery-laced defence.

Bacon continued his disapprobation of the Treaty of London of 1604 in his *Advancement of Learning*, published the following year in 1605. In that work, addressed to James VI and I, Bacon praised amongst the virtues of his sovereign that of "a virtuous and most Christian desire of peace".[623] Yet James's "most Christian desire of peace" is not peace itself. Neither is the fortunate, rather than virtuous, inclination of neighbor princes to make treaties. Elsewhere in the *Advancement,* in reference to the Treaty of London, Bacon notes "the present disposition of these times at this instant to peace"[624]—yet to those aware of Bacon's definition of peace, dispositions do not suffice.

In Book I of the *Advancement of Learning*, the foreign policy of James's early reign is subtly juxtaposed to the foreign policy of Elizabeth I. Where James is depicted as having a "most Christian desire of peace", Elizabeth I, his immediate predecessor is depicted as having achieved and maintained "constant peace and security".[625] Moreover, Bacon's praise of the

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[622] "A Report Made by Sir Francis Bacon, Knight, in the House of Commons," in *LL* III, pp. 347-361, at p. 359.
[623] Bacon, *Advancement of Learning* (1605), Book I, dedication to King James VI and I, *OFB* IV, p. 4, lines 17-27; *SEH* III, pp. 262-263: "And as in your civil estate there appeareth to be an emulation and contention of your Majesty's virtue with your fortune; a virtuous disposition with a fortunate regiment; a virtuous expectation (when time was) of your greater fortune, with a prosperous possession thereof in the due time; a virtuous observation of the laws of marriage, with most blessed and happy fruit of marriage; a virtuous and most Christian desire of peace, with a fortunate inclination in your neighbour princes thereunto: so likewise in these intellectual matters, there seemeth to be no less contention between the excellency of your Majesty's gifts of nature and the universality and perfection of your learning."
[624] *Advancement of Learning* (1605), Book II, *OFB* IV, p. 181, lines 23-24; *SEH* III, p. 477.
[625] *Advancement of Learning*, Book I, *OFB* IV, pp. 42-43; *SEH* III, pp. 306-307: "But for a tablet or picture of smaller volume, (not presuming to speak of your Majesty that liveth,) in my judgment the most excellent is that of queen Elizabeth, your immediate predecessor in this part of Britain; a prince that, if Plutarch were now alive to write lives by parallels, would trouble him, I think, to find for her a parallel amongst women. This lady was

enduring peace secured across the forty-five year reign of Elizabeth I, from 1558 to 1603, *directly contradicts* the preamble to the Treaty of London, signed in August of the prior year.

The preamble to the Treaty states that James's ascension to the English and Irish crowns gets rid of the causes of dissension between the powers of Britain and Spain which had led to war amongst the predecessors of Philip III and James I.[626] Bacon, by contrast, says that Elizabeth had kept the peace and kept it well—the causes of conflict were not removed by James's ascension because these causes were not in the person of the English monarch. In other words, where the Treaty's preamble places the blame for the Armada Wars upon Elizabeth's reign, Bacon contradicts this directly. The thrust of Bacon's comparison is subtle but openly accessible to any person that knew the Treaty and its language well: Where the Armada Wars of the 1580s and 90s were cotemporal with "constant peace and security", the Treaty of London that ended them is rooted in mere and meagre desire.[627]

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endued with learning in her sex singular, and rare even amongst masculine princes; whether we speak of learning and of language or of science; modern or ancient; divinity or humanity. And unto the very last year of her life she accustomed to appoint set hours for reading, scarcely any young student in an university more daily or more duly. As for her government, I assure myself I shall not exceed if I do affirm that this part of the island never had forty-five years of better times; and yet not through the calmness of the season, but through the wisdom of her regiment. For if there be considered of the one side, the truth of religion established; the constant peace and security; the good administration of justice; the temperate use of the prerogative, not slackened, nor much strained; the flourishing state of learning, sortable to so excellent a patroness; the convenient estate of wealth and means, both of crown and subject; the habit of obedience, and the moderation of discontents; and there be considered on the other side, the differences of religion, the troubles of neighbour countries, the ambition of Spain, and opposition of Rome; and then that she was solitary and of herself: these things I say considered, as I could not have chosen an instance so recent and so proper, so I suppose I could not have chosen one more remarkable or eminent, to the purpose now in hand; which is concerning the conjunction of learning in the prince with felicity in the people."

[626] Preamble of the Treaty of London (1604), in *Coleccion de los tratados de paz*, ed. D. Joseph A. de Abreu y Bertodano (Madrid: 1740), p. 243: "Deuolutis enim per ipsius Dei maximi gratiam, ad extirpanda discordiarum semina, Angliae et Hiberniae Regnis, ad Serenissimum Jacobum Scotiae Regem, sublatisque ideo illis dissensionum causis, quae bella inter antecessores Serenissimorum Principorum Philippi tertii Hispaniarum Regis, & Alberti ac Isabella Clarae Eugeniae Austriae Archiducum Ducum Burgundiae Serrenissimi Jacobi Regis Angliae, Scotiae, Franciae et Hiberniae fidei diffensoris &c. tandiu aluerunt." Contemporary English translation from *A Generall Collection of Treatys* (London: 1732), p. 131: "For by the Grace of the Omnipotent God, the Kingdoms of *England* and *Ireland* devolving, for extirpating the Seeds of Discord, upon the most serene Prince, *James* King of *Scotland*, and consequently those Causes of Dissension remov'd, which so long fomented and nourish'd War, between the Predecessors of the most serene Prince, *James* King of *Scotland*, and consequently those Causes of Dissension remov'd, which so long fomented and nourish'd War between the Predecessors of the most serene Princes *Philip* the III. King of *Spain*, and *Albert* and *Isabella Clara Eugenia* Archduke and Archduchess of *Austria*, Duke and Dutchess of *Burgundy*, &c. and of the said King *James*".

[627] *AL* I in *OFB* IV, pp. 42-43; *SEH* III, pp. 306-307: "But for a tablet or picture of smaller volume, (not presuming to speak of your Majesty that liveth,) in my judgment the most excellent is that of queen Elizabeth,

In matters of peace, Bacon knew how to keep his peace, in no small part by keeping his silence, yet he indicated his opinions on the Treaty of London by his silences and his subtly couched contradictions of the terms of the treaty.[628] As we have seen, Bacon maintained his view of peace from some of his earliest writings (*Certain Observations upon a Libel*) up through his valedictory exhortations to war with Spain at the end of his life. Before reading Bacon's fable, *New Atlantis*, in light of his understanding of peace, let us briefly look at Bacon's view of leagues and treaties (*foedera*) to which his view of peace is conjoined.

In the voice of his masque characters, Bacon made an early dispraise of leagues in *Tribuit, or giuinge that which is due*, when discussing Elizabeth's venture of restoring the Reformed religion in England. "Was shee incouraged thereto by the strenght[629] shee found in leagues & alliances w*i*th great & potent Confederat*e*s? Noe, but shee found her realme in warrs w*i*th her neerest and mightiest neighbo*u*rs."[630] Leagues and alliances, the young Bacon warned in his masque, can easily be abrogated. Indeed, at the entry of her reign, Bacon presents Queen Elizabeth as in league with Spain alone: "Shee stood single and alone in league onely w*i*th

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your immediate predecessor in this part of Britain; a prince that, if Plutarch were now alive to write lives by parallels, would trouble him, I think, to find for her a parallel amongst women. This lady was endued with learning in her sex singular, and rare even amongst masculine princes; whether we speak of learning and of language or of science; modern or ancient; divinity or humanity. And unto the very last year of her life she accustomed to appoint set hours for reading, scarcely any young student in an university more daily or more duly. As for her government, I assure myself I shall not exceed if I do affirm that this part of the island never had forty-five years of better times; and yet not through the calmness of the season, but through the wisdom of her regiment. For if there be considered of the one side, the truth of religion established; the constant peace and security; the good administration of justice; the temperate use of the prerogative, not slackened, nor much strained; the flourishing state of learning, sortable to so excellent a patroness; the convenient estate of wealth and means, both of crown and subject; the habit of obedience, and the moderation of discontents; and there be considered on the other side, the differences of religion, the troubles of neighbour countries, the ambition of Spain, and opposition of Rome; and then that she was solitary and of herself: these things I say considered, as I could not have chosen an instance so recent and so proper, so I suppose I could not have chosen one more remarkable or eminent, to the purpose now in hand; which is concerning the conjunction of learning in the prince with felicity in the people."

[628] *AL* II, *OFB* IV, p. 179, lines 30-36, *SEH* III, pp. 474-475: "Wherefore, considering that I write to a king that is a master of this science, and is so well assisted, I think it decent to pass over this part in silence, as willing to obtain the certificate which one of the ancient philosophers aspired unto; who being silent, when others contended to make demonstration of their abilities by speech, desired it might be certified for his part, *that there was one that knew how to hold his peace*."

[629] "strenght" is the spelling as given in *OFB* I, p. 267, ll. 613-616.

[630] "Of tribuit," in *OFB* I, p. 267, ll. 613-616. *LL* I, pp. 126-127.

one that, after the people of her nac*i*on had made his warrs, lefte her to make her owne peace; one that could never be by anye solicitac*i*on moved to renewe the treaties; and one that hath since p*ro*ceeded from doubtfull terms of amitye to the highest act*e*s of hostilitie."[631] Taking the words of his characters out of their mouths, Bacon repeats this charge against Spain a short time later, *in propria persona,* in his *Certaine obseruations upon a libell.*[632] From the early 1590s onwards, Bacon was insisting that treaties and leagues fail to keep the peace.[633] Indeed, Bacon had the audacity to press his insistence on this matter to Robert Cecil directly, in a text mutually to the University of Cambridge and to the Earl of Salisbury both in his capacity as the University's Chancellor and as Lord Treasurer, the *De Sapientia Veterum*. In that work, after pleading with his dedicatee to give the work the protection of the Cecil and Salisbury name,[634] Bacon would stress in a fable on *foedera* that only those treaties backed by the force of necessity (the force of one party having overwhelming power of forcing the other to comply) could be reliably enforced (to the advantage of the stronger party)—in short, in this fable, Bacon stressed the efficacy of his understanding of peace and the inefficacy of any attempts to make peace with paper signatures.[635] Applied to Bacon's direct addressee, the fable is a direct assault upon the Treaty of London, levelled at its principal negotiator.

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[631] "Of tribuit," *OFB* I, p. 267, ll. 616-620; Compare Alan Stewart's *Commentary*, *OFB* I, p. 808, which identifies Elizabeth's ally in this passage as Philip II's Spain. *LL* I, pp. 126-127.

[632] *Certaine Obseruations vppon a libell*, *OFB* I, p. 392, ll. 1461-1472: "After *Queen Maries* death the k*ing* of *Spaine* thinking himself discharged of *tha*t difficultie though in hono*u*r he was no lesse bound to stand to it then before, renewed the like treatie wherin her Ma*ies*tie concurred….But it was discovered indeed that the kinges meaninge was after som*e* ceremonies and perfunctory insisting thervpon to growe a parte to a peace w*i*th *th*e french excludinge her M*aiestie* and so to leave her to make her owne peace, after her people had made his warres." See also *LL* I, p. 190.

[633] This may mark a departure from the view expressed in the *Notes on the Present State of Christendom*, often attributed to either Anthony or Francis Bacon. The author of the *Notes on the Present State of Christendom* praised the French Duke of Anjou (a candidate for marriage with Queen Elizabeth I) as being "grown to good experience, readiness and judgment, the better thereby able to guide and govern his affairs, both in practice, in treaty, and action." See *LL* I, "Notes on the Present State of Christendom," pp. 18-30, at p. 27.

[634] *De Sapientia Veterum*, *SEH* VI, p. 620: "eique præsidium nominis tui imperties." In his classic study of the *De Sapientia Veterum,* Charles Lemmi makes no mention in the entirety of his study of the work's addressee and dedicatee, Robert Cecil, thus ignoring the immediate Jacobean political context of the work. This is of a piece with Lemmi's cursory treatment of the myths of Styx and Perseus, and his omission of any mention of the Treaty of London. See Charles W. Lemmi, *The Classic Deities in Bacon: A Study in Mythological Symbolism* (Baltimore: The Johns Hopkins Press, 1933), esp. pp. 185-186.

[635] *De Sapientia Veterum*, *SEH* VI, pp. 633-634. For a sharply contrasting interpretation, which makes no mention of Cecil or the Treaty of London, Tom van Malssen reads Bacon's fable of Styx as a philosophic allegory in dialogue with the myth the Fall and salvation: "We call to mind what Bacon must have called to mind when he wrote the fable on treaties, namely that after man's first parents had broken the 'treaty' that had been imposed on them, the Majesty of Heaven in his mercy sent His Son to hold out to the 'penitent' the prospect of

In an early aside in the *Certaine obseruations upon a libell* Bacon had noted that while treaties without a higher arbiter might have no bearing on securing lasting peace (deploying the example of Philip II's cunning departure from treaties he had ratified to press the point), Bacon also noted that treaties can lull at least one of the parties into a false sense of security in thinking that as it honors the terms so its fellow parties will do likewise.[636] Bacon drops this caveat in his later presentations of treaties, perhaps because he altered his view or perhaps precisely because he hadn't: perhaps it would be going too far to say explicitly that he regarded the Treaty of London as lulling James I and his leading ministers into a false feeling of security that as they fulfilled their Treaty obligations, Spain would do so as well.

In closing, let us look at one last example of Bacon on treaties and making nominal peace with one's enemies—in this case, drawn from Bacon's natural histories and biological writings on aging.

Bacon did not omit his politics from his science. His critique of making peace through treaties is visible no less in his biological writings on mortality, his natural history of life and death of 1623. Bacon, in his scientific writings on human aging and the prolongation of life was confident that one could grow old and blind without growing senile and mentally soft. As an example of this, in the *Historia vitae*, Bacon took up the case of Appius Caecus, Appius the Blind, a Roman censor (and literary character in Cicero's *Pro Caelio*), who, on Bacon's telling, lived to an age of innumerable years, most of which he passed after the light of his orbed eyes had gone out. Still, Bacon relates, Appius did not let his blindness make him soft: he governed his family, his many clients, and the Roman republic itself forcefully. As an example of this forceful rule, Bacon presents Appius borne into the Senate upon a litter to speak against the conclusion of a treaty of peace with Pyrrhus, King of Epirus, a sworn enemy to the Roman state. "*With great impatience, Senators*, Bacon reports Appius imploring to his

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his being allowed access to the 'banquet' of the elect one day." Tom van Malssen, *The Political Philosophy of Francis Bacon: On the Unity of Knowledge* (Albany, NY: SUNY Press, 2015), p. 70. That Bacon "must" have thought about the myth of salvation when composing his fable on *foedera* is nowhere evident—much closer to hand are Bacon's direct addressee (Cecil) and the most significant international treaty binding Britain at the time of the work's publication (the Treaty of London of 1604).

[636] *OFB* I, p. 393, ll. 1493-1504; *LL* I, p. 191.

colleagues, *I have borne my blindness for many years now; but now for me it would be better for me to be deaf as well, when I hear you agitating such deformed counsels.*"[637] The thrust of Bacon's Roman storytelling is that those who are old and blind can govern forcefully and well, but such good governors would rather be deaf than hear talk of treaty-making with mortal enemies.

While the ostensible point of Bacon's Roman narration, conveyed in a natural history of mortality, is to show that one can grow old without losing mental sharpness, Bacon's politics are not wholly absent from the account. The former Lord Chancellor and statesman, now banished from court, can perhaps assert with greater safety in a Latinate scientific treatise that the firm of mind don't counsel treaties with enemies than he could do in government or when writing in English. In other words, for Bacon, in his scientific writings, it is a mark of mental strength that one refuses to make leagues or treaties of peace with those who wish one's destruction.

Bensalem as the Offspring of Peace

Having outlined Bacon's theory of peace, and the foreign policy positions against which this view directed itself, let us turn briefly to Bacon's *New Atlantis* to see if this view of peace might illuminate one of Bacon's most famous works as well.

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[637] *OFB* XII, p. 214; *SEH* II, *Historia vitae et mortis* (1623), pp. 144-145: "Appium Caecum annosissimum fuisse constat; annos non numerant ; quorum partem majorem postquam luminibus orbatus esset transegit ; neque propterea mollitus, familiam numerosam, clientelas quamplurimas, quinetiam rempublicam fortissime rexit; extrema vero aetate lectica in senatum delatus, pacem cum Pyrrho vehementissime dissuasit; cujus principium orationis admodum memorabile, et invincibile quoddam robur et impetum animi spirans. *Magna*, inquit, *impatientia (Patres Conscripti) caecitatem meam per plures jam annos tuli; at nunc etiam me surdum quoque optaverim, cum vos tam deformia consilia agitare audiam.*" [tr. Appius Caecus is held to have been most aged; his years are not numbered, the greater part of which he passed after the lights of his eyes had gone out; nor on that account was he soft, a numerous family, numerous clients, and the republic as well he ruled forcefully. At a truly extreme age he was borne into the Senate on a litter, he most vehemently dissuaded concluding peace with Pyrrhus, the opening of which is so memorable, suspiring with both an invincible strength and impetuosity of mind: *With great impatience, Senators*, he said, *I have borne my blindness for many years now; but now for me it would be better for me to be deaf as well, when I hear you agitating such deformed counsels.*"]

Bacon's quasi-utopian fable remains an enigma. Sailing from Peru for China and Japan, a set of Spanish-speaking yet English-narrating sailors, find themselves stranded aboard ship without rations amidst fickle winds in the South Pacific. The sailors are seemingly miraculously saved when a large island appears before them, and the sailors go ashore where, in a series of set speeches and encounters, the island of Bensalem and its scientific, political, and cultural institutions are disclosed to the sailors, the narrator, and the readers of Bacon's fable, a pacific ideal commonwealth not wholly dissimilar to the narrative frame of Thomas More's *Utopia*, to which Bacon specifically alludes.

The island in the fable, Bensalem, is a place where the streets are fair[638] and the poetry is excellent.[639] The island is endowed with feasts at which "music and dance, and other recreations" are supported at public expense.[640] The people of Bensalem ritualistically intone that they are happy.[641] The island is governed monarchically by a king, who has solved all his problems of public finance and who is otherwise never observed in the narrative. [642]

As the sailors approach the island they espy the "port of a fair city", invoking comparison with the kallipolis of Plato's *Republic*. The Bensalemites are aware of Plato, whom they refer to as "a great man with you"[643] while they refer to Thomas More as "one of your men"—the Bensalemites seemingly know the culture and literature of other countries but are unknown themselves.

How might we best interpret this fable?

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[638] Francis Bacon, *The New Atlantis* in *Major Works,* ed. Brian Vickers (Oxford: Oxford University Press, 1996), p. 460: "He led us through three fair streets;"
[639] Francis Bacon, *The New Atlantis* in *Major Works,* ed. Brian Vickers (Oxford: Oxford University Press, 1996), p. 475: "(for they have excellent poesy)."
[640] *Ibid,* p. 475.
[641] *Ibid,* p. 474: "Then the herald mounteth the half-pace, and delivereth the charter into his hand: and with that there is an acclamation by all that are present in their language, which is thus much: 'Happy are the people of Bensalem'."
[642] *Ibid,* p. 474: "This scroll is the King's Charter, containing gift of revenew, and many privileges, exemptions, and points of honour, granted to the Father of the Family; and is ever styled and directed, 'To such an one our well-beloved friend and creditor', which is a title proper only to this case. For they say the king is debtor to no man, but for propagation of his subjects."
[643] *Ibid,* p. 467.

In some sense, parts of the fable are to be read autobiographically: in the descriptions of the institutions of Bensalem there are obvious correctives to late marriage and to public servants taking bribes on account of insufficient salary, both issues which troubled Bacon's own life.

Yet, within Bacon's *New Atlantis* there are also explicit resonances in the text to Bacon's political projects, both domestic and imperial, and to his foreign policy in particular. Bensalem is polyglot in its linguistic knowledge and cosmopolitan in its state composition. In Bensalem, state documents appear in Spanish, ancient Greek, and Latin, and there is the implication for the name of the island, Bensalem, "for so they call it in their language", that the local language is in part derived from Arabic or shares Arabic cognates.[644] As many scholars have noted, Ben Salam in Arabic means son of peace or offspring of peace.

To what extent can Bacon's definition of peace, as a power's incapacity to be harmed, shed light on how we read Bacon's utopic fable? Quite explicitly, the island of Bensalem satisfies Bacon's definition of a power at peace. The state governor of the house for outsiders in Bensalem stresses to the European sailors that the residents of Bensalem "know well most part of the habitable world, and are ourselves unknown."[645] Bensalem is a power which other powers are incapable of harming militarily, in no small part because they don't even know that it's there. If knowledge is power, then it would seem to follow that ignorance is impotence, and the impotence of Bensalem's opponents is guaranteed by their ignorance of its existence.

No less than satisfying Bacon's definition of peace, the narrative of the *New Atlantis* is not inconsistent with the most extravagant of Bacon's imperial proposals: his consistent drumbeat in parliament, in his war pamphlets, letters, and governmental white papers, for the seizure of Spanish colonial holdings in the New World.

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[644] Francis Bacon, *The New Atlantis* in *Major Works,* ed. Brian Vickers (Oxford: Oxford University Press, 1996), p. 463; p. 467: In the foundational myth of Bensalem, the governor of the Strangers' House stresses that many of the original inhabitants came from Chaldea, Persia, and Arabia: "At that time, this land was known and frequented by the ships and vessels of all the nations before named. And (as it cometh to pass)

[645] Francis Bacon, *The New Atlantis* in *Major Works,* ed. Brian Vickers (Oxford: Oxford University Press, 1996), p. 463.

Across his scientific and literary corpus and political career, Francis Bacon was not unconcerned with voyages to and possession of the "Indies". In his *Novum Organum* of 1620, when discussing the earth's magnetism, Bacon was keen to incorporate that which was often observed in navigations across the Atlantic Ocean towards the Indies.[646] What does he include under the heading of the "Indies"? Bacon classes Peru, the sailors' port of departure in the narrative of the *New Atlantis*,[647] amongst the "West Indies" in his *Sylva Sylvarum*[648]—the work to which his *New Atlantis* is appended and importantly conjoined. Indeed, "West Indies", for Bacon, may well encompass the entirety of North and South America, as the Bensalemites in his *New Atlantis* claim they raised "the statua of your Columbus, that discovered the West Indies."[649] Not only speaking through his characters in the *New Atlantis*, but speaking in his own name in both *The Advancement of Learning* and in the *De Augmentis*, Bacon claims that "India Occidentalis" or "the West-Indies" would not have been discovered were it not for the prior invention of the compass or "Mariners Needle" (*acus nauticae*).[650] By "West Indies"—Bacon means that which he regards Columbus as having discovered: both Americas, North and South—the entirety of the "New World" as he sees it.

It is to these "West Indies" no less than to the "Lowe Countries"[651] that Bacon's ultramarine imperial projects are directed. In his *Essayes* as well as in his *De Augmentis Scientiarum*, Bacon informs his readers that the advantage of sea power or naval power (*potentia navalis*) is non-diminutive to the point that a prudent politique would be ill-counselled not to pursue it.[652] As Bacon puts it in the *De Augmentis*, pursuit of such naval power as to yield *imperium*

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[646] *OFB* XI, *Novum Organum* II.xxxv; pp. 316-318: "Proximè videntur accederé Cataractæ Cœli quæ in nauigationibus per Oceanum Atlanticum versùs Indias vtrasque, sæpè conspiciuntur."
[647] "We sailed from Peru…" in *Major Works*, ed. Vickers, p. 457.
[648] See *Sylva Sylvarum*, Century IV, Experiment 398 in *SEH* II, pp. 472-473: "In Peru, and divers parts of the West Indies, though under the line, the heats are not so intolerable as they be in the Barbary, and the skirts of the torrid zone."
[649] *New Atlantis* in *SEH* III, pp. 165-166; in *Major Works*, ed. Vickers, p. 487.
[650] *OFB* IV, p. 107, line 35 and *SEH* III, p. 384; *De Augmentis Scientiarum,* Liber Quintus, Caput II. in *SEH* I, p. 617 : "Atque sicut India Occidentalis nunquam nobis inventa fuisset nisi præcessisset acus nauticae inventio, licet regiones illæ immensæ, versoriæ pusillus sit".
[651] See *Commentarius Solutus* in *LL* IV, p. 74. See R.W. Serjeantson, "Francis Bacon, Colonisation, and the Limits of Atlanticism," cited in Noah Dauber, *State and Commonwealth: The Theory of the State in Early Modern England 1549-1640* (Princeton: Princeton University Press, 2016), p. 11n58; p. 249.
[652] *De Augmentis Scientiarum*, Liber Octavus in *SEH* I, p. 801.

maris (empire of the sea) is at the height of urgent matters.[653] Indeed, Bacon enjoins his British readers, and in particular the addressees of his orations, James, Charles, and Buckingham, to stress and pursue sea power and naval supremacy: those who rule the sea enjoy great liberty—they may have as much or as little war as they will.[654] If Bacon is a theorist of liberty and not being ruled by the will of another, as some writers assert,[655] then Bacon's words about freedom must be attended to: the one most free is the one who rules the seas.[656] And to the rule of the seas, the wealth (*opes*) and treasures of *both* (*utriusque Indiæ*) "Indies" are an accessory.[657] Bacon claims that rule of the sea entails rule of the East and West Indies and he counsels the advantages of ruling the sea. Bacon advocated this position in his *De Augmentis* no less than in his *Essayes* of 1625, as well as in his more pointed writings on war with Spain. Indeed, in the 1625 *Essayes*, Buckingham is addressed explicitly by Bacon in his capacity as Lord High Admiral of England.[658] When Bacon enjoins his addressees, the Lord Admiral and his King (*Ad Regem Suum*[659]), to pursue sea power, outlining both the liberty and advantages of maritime rule, he is counselling the policy that, in his view, leads to control of *both* the East and West Indies.

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[653] *De Augmentis Scientiarum*, Liber Octavus in *SEH* I, p. 801: "At hodie, atque apud nos Europæos, si unquam aut uspiam, potential navalis (quæ quidem huic regno Britanniæ in dotem cessit) summi ad rerum fastigia momenti est".

[654] *De Augmentis Scientiarum*, Liber Octavus in *SEH* I, p. 801: "Illud minime dubium, quod qui maris potitur dominio in magna libertate agit, et tantum quantum velit de bello sumere potest; ubi contra, qui terrestribus copiis est superior, nihilominus plurimis angustiis conflictatur." Compare *OFB* XV, "Of the true Greatnesse of Kingdomes and *Estates*. XXIX." p. 98, ll. 281-284: "But thus much is certaine; That hee that Commands the *Sea*, is at great liberty, and may take as much, and as little of the Warre, as he will. Whereas those, that be strongest by land, are many times neverthelesse in great Straights."

[655] Markku Peltonen, *Classical Humanism and Republicanism in English Political Thought 1570-1640* (Cambridge: Cambridge University Press, 1995), p. 310: "Some central Machiavellian notions were also embraced by Walter Ralegh and even more so by Francis Bacon. Both of them evinced a profound interest in republican and aristocratic forms of government and sometimes even showed a sincere respect for them."; *ibid*, p. 312: "It is thus arguable that the commonwealth of Oceana was Bacon's Great Britain writ large."

[656] *OFB* XV, p. 98, ll. 281-284.

[657] *De Augmentis Scientiarum*, Liber Octavus in *SEH* I, p. 801: "tum quia pleraque Europæ regna mediterranea simpliciter non sunt, sed maxima ex parte mari cincta; tum etiam quia utriusque Indiæ thesauri et opes imperio maris veluti accessorium quiddam existunt." *OFB* XV, p. 98, ll. 284-291: "Surely, at this Day, with us of *Europe*, the Vantage of Strength at *Sea* (which is one of the Principall Dowries of this Kingdome of *Great Brittaine*) is Great: Both because, Most of the Kingdomes of *Europe*, are not merely Inland, but girt with the *Sea*, most part of their Compasse; And because, the Wealth of both *Indies*, seemes in great Part, but an Accessary, to the Command of the *Seas*."

[658] *OFB* XV, p. [5].

[659] *De Augmentis Scientiarum*,

No less, Bacon's claims that rule of the seas entails the treasure of the Indies, East and West, are echoed in his utterances in Parliament during the debates over the naturalization of Scottish subjects in England. In the House of Commons on 17 February, 1606/7, Bacon stressed that "I hold our laws, with some reducement, worthy to govern, and it were the world."[660] "The world" includes both the East and the West Indies, and Africa, Asia, the Pacific Ocean, and the entirety of Europe as well—with little room remaining for the laws of the Spanish empire, the Vatican, or the Ottoman Empire. Bacon didn't need to say this in the 1606 Parliament: English law governing the world directly contradicted King James's preferred policies in all matters of foreign affairs, not least, every article of the 1604 Treaty of London. Nonetheless, in arguing for Scottish naturalization, Bacon made the fitness of naturalization for empire a key component of his argument.

In his *Short View to be Taken of Britain and Spain,* Bacon stressed that in the absence of its colonial empire in the "Indies"—meaning Spanish held territories in the Americas—Spain could neither support nor continue its imperial ambitions. In that white paper, Bacon advocated the raising of a two fleet Anglo-Dutch armada, in violation and abrogation of the 1604 Treaty of London, to blockade both the Iberian peninsula as well as Spain's colonial outposts throughout the Americas.[661]

In Bensalem, the reader may hear a potential echo of Bacon's preferred military stratagem of dividing an opponent's forces, via blockade or troop maneuver, in his description of the mythic military founder of Bensalem, Altabin, "a wise man and a great warrior", who "knowing well both his own strength and that of his enemies, handled the matter so, as he cut

[660] "A Speech used by Sir Francis Bacon, in the Lower House of Parliament, concerning the Article of Naturalization." in *LL* III, pp. 307-325, at p. 314.

[661] *A Short View to be taken of Great Britain and Spain*, *LL* VII, p. 25. "And I cannot see how his [Philip III's] estate should be much better now than it was, for though it be true that his charge is somewhat less, yet it is true that his subsidies in Spain are diminished, as well in respect of insupportableness as indisposition, and his returns out of the Indies decay; and indeed but for the Indies he were the poorest King of Europe. Now it serves the better for the finding of his weakness or strength, to enquire whether he be able to stand upon terms of defiance and yet hold the Indies? I think not. His Majesty of England joining with the States of the United Provinces is of power to raise twos Armadas, the one to block up Spain, the other to block up the Indies. The least success that may be hoped for out of this enterprise, the cutting off his returns, would beggar him."

off their camp with a greater power than theirs, both by sea and land; and compelled them to render themselves without striking a stroke".[662]

Bacon's mythic martial founder applies the strategy to the enemies of Bensalem which Bacon persistently advocated in his discussions of England's relations to Spain: mass superior forces, divide one's opponent, and demand an unconditional surrender.

In the *Short View,* Bacon's white paper advocating a dual armada war against the Spanish empire, as was his wont, Bacon stressed that this imperial adventure would be self-financing: "the Indies will afford" the English crown "the means to exercise it."[663]

While scholars dispute the dating of the white paper, both Noel Malcolm and James Spedding place it between 1618 and 1624, and thus situate the text as closely preceding Bacon's composition of the *New Atlantis*.

Bacon's sailors in the *New Atlantis* speak Spanish, yet write their narrative in English; they refer to themselves as coming from "Europe" yet seemingly accept that Thomas More, an Englishman, is one of their own. Crucially, as the narrative opens, the sailors who narrate English prose fiction sail from Peru, from a Spanish colony whose ports would be closed to English shipping. The fiction of the *New Atlantis* opens the reading of the text as the offspring of peace which would be facilitated were Bacon's imperial vision, the seizure of Spain's colonial holdings, to be realized.

In Bacon's view, English vessels could sail from Peru without danger only on the condition of a change of colonial administration and an alteration of that great power upon whose empire the sun would never set.

Bacon's utopia of science and civic order is built upon the husks of an Armada in flames and can be reached only from the disembarking point of an overseas empire expropriated.

[662] Bacon, *New Atlantis*, p. 468 in *Major Works.*
[663] Bacon, *A Short View to be Taken of Great Britain and Spain*, *LL* VII, p. 28. Cf. *LL* I, p. 223.

The sum of my argument, therefore, is that, for Bacon, peace is the incapacity of a state to be harmed militarily by any other opposed state, *even if* that state desired to inflict harm. This inflects his foreign policy, his opposition to the 1604 treaty of London, and is visible in his posthumously published fable, *The New Atlantis*.

I'd like to conclude with a thought about international relations theory, emphasizing that how we conceptualize peace is correspondingly crucial to how we conceptualize and study war in international politics. How we think about peace shapes how we think about war. Our notions of peace shape what we are willing to concede at the bargaining table, how we might view treaties, how to think about diplomacy, embassies, and negotiations—and also what we might not concede and where states might make recourse to arms.

If we recur to Kenneth Waltz, particularly in his canonical debate with Scott Sagan on atomic proliferation, –Waltz is not particularly or at least not overly concerned about atomic blackmail, atomic accidents, or atomic weapons falling into the hands of terrorists, not least because he thinks that the diffusion of atomic weapons means that conventional warfare between states will be reduced, and his conception of peace is such that the absence of conventional warfare even in the presence of atomic blackmail is peace. If one has a voluntarist or dispositional conception of peace, and the threat with which one is primarily concerned is conventional warfare, Waltz's view may look more plausible.

If, however, one has a capacitarian (and asymmetric) conception of peace, Waltz's assessments may look different. If one holds that atomic blackmail or the threat of atomic terrorism, or the threat of an armada invasion positively negates peace, one might prefer some modicum of conventional warfare to these threats.

By now, I hope that I may have shown that the definition of peace as not-war is not and has not been eternal in the history of state theory and the history of the theory of international relations, that Francis Bacon offers an historically interesting counter-conceptualization of

what peace was or is or might be, and that both Bacon's thought and the notion of peace in international relations merit the study accorded it here.

CONCLUSION:
WAR AND PEACE IN THE POLITICAL THOUGHT OF FRANCIS BACON

In this dissertation, I have argued that Francis Bacon's thinking on war and peace may be traced from the inside outward. Beginning with conflicts internal to the realm, I proposed that Bacon saw the grounds of civil sedition, and with it, the causes of civil war, as residing in poverty and discontentment, both of which he traced to a "surcharge or overflow of people more than the territories can well maintain".[664] Above all, Bacon stressed in his essay "Of Seditions and Troubles," that to avoid civil strife, the "Population of a Kingdome" ought "not exceed, the Stock of the Kingdome, which should maintaine them."[665] The cure for civil strife accordingly was keeping the population of kingdoms below the condition of "surcharge or overflow"—a path best followed by external transplantation of population into colonies, whether in Ireland, Virginia, or the Low Countries, and by wars of attrition so that excess population might be "mowen downe by warrs."[666] In both cases, in Bacon's estimation, civil war was best alleviated by martial expansion outward.

I have further argued that such outward expansion in wars for empire, colonies, and the attrition of population did not, in Bacon's assessment, justify itself on its own terms. On the contrary, Bacon felt himself compelled to argue for wars of expansion, attrition, and empire within the inherited vocabularies of the just war tradition and also the more recent tradition of

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[664] Francis Bacon, "Certain Considerations Touching the Plantation in Ireland, Presented to His Majesty," in *LL* IV, pp. 116-126, at p. 118.
[665] Francis Bacon, *Essayes or Counsels, Civill and Morall*, in *OFB* XV, p. 47, ll. 129-132.
[666] *Ibid*, *OFB* XV, p. 47, l. 130. For the precursor to this reading, see Michel Foucault, *Sécurité, territoire, population*: *Cours au Collège de France (1977-1978)* (Paris: Gallimard/EHESS /Seuil, 2004), esp. pp. 273-77. Foucault stresses the centrality of population in Bacon's thought without linking the notion of population to its relation to warfare in Bacon's writings.

justifying war on religious or confessional grounds. Working within both traditions, Bacon sought to expand the set of permissible justifications of warfare to include pretexts. As such, he expanded the casuistry supporting wars of preemption, particularly against the Spanish Habsburgs.

Not least, I have argued that Bacon felt himself constrained in his arguments for war by the Treaty of London of 1604 and the related "Short Peace" between Britain and Spain in the period 1604-1624/5. For Bacon, this amounted to little more than a paper truce deferring future warfare and was nothing more than "peace at interest". To the notion of peace based upon treaties Bacon juxtaposed his notion of a "true peace", in which no opponent state has the capacity to harm one's own state, *even if* that opponent wished to do so. As presented in my interpretation, Bacon's notion of "true peace" attains tacit polemic force when set against the 1604 Treaty of London, the centerpiece of Jacobean foreign policy. It amounts to nothing less than a defense of a hegemonic peace imposed via military victories and imperial rule.

The trajectory of my argument has thus traced a line within Francis Bacon's thought from eliminating the causes of internal conflict, warfare, and strife via outward imperial wars of expansion to a state of "true peace". I have argued that Bacon's wars of expansion and attrition, aiming at "true peace" take as their geopolitical goal peace through dominant hegemony. Baconian peace is thus a *Pax Britannica* modelled on the *Pax Romana*.

My argument has stakes for future avenues of research no less than for the approach taken to the study of the history of political thought. It also offers future lines of research in the history of political thought and early modern studies more broadly.

The work of this dissertation opens further avenues of research into the study of Bacon's successors, not least amongst them Thomas Hobbes, whose Latin *Leviathan* (1668) makes overt reference to Bacon's *New Atlantis*, and to James Harrington, whose *Commonwealth of Oceana* (1656), opens with a series of modified quotations from Bacon's essay "Of the True Greatness of Kingdoms and Estates"—quoting precisely the passages of Bacon's argument concerned with population and its qualities. In those passages of his *Oceana*, Harrington says that Bacon "harps upon a string which he hath not perfectly tuned, and that is the balance of dominion or property"[667]. Where Bacon saw his reflections on population as intimately linked to warfare, Harrington's claim raises the question of how Bacon's later readers re-conceptualized Bacon's reflections on population as considerations on population that were tied directly to property. Looking to Bacon's reception amongst his successors might also shed light on the political philosophy of John Locke no less than that of James Harrington. Locke, in his "Some Thoughts Concerning Reading and Study for a Gentleman" (1703) stressed that amongst historians, "Those who are accounted to have writen best particular parts of our English History are Bacon of Henry VII. And Herbert of Henry VIII."[668] Locke's assessment was confirmed by the pride of place which he accorded to Bacon's

[667] James Harrington, *The Commonwealth of Oceana and A System of Politics*, ed. J.G.A. Pocock (Cambridge: Cambridge University Press, 1992), p. 4.
[668] John Locke, "Some Thoughts Concerning Reading and Study for a Gentleman," in Locke, *Political Essays,* ed. Mark Goldie (Cambridge: Cambridge University Press, 1997), pp. 348-355, at p. 353.

History of the Reign of King Henry VII under the "General History" section of his reading list drawn up for personal use.[669] The argument of this dissertation has bearing on the theme of conquest and acquisition in warfare, themes prominent in Bacon's *History*, and the extent to which, on these themes, Locke was Bacon's heir. No less, my argument bears upon Bacon's reception by David Hume and the reception of Baconian thought in the circle of the *Encyclopédistes*—by Diderot, d'Alembert, and Rousseau.[670] Finally, my argument in the dissertation opens avenues of further study to the political thought of Bacon's nearer contemporaries the Earl of Essex, Henry Wootton, Fulke Greville, and Edward Herbert, Baron Cherbury, whose *Life and Raigne of King Henry the Eighth* (1649) can be seen as offering both a continuation of and a corrective to Bacon's *History of the Reign of King Henry VII* (1622).

Beyond further paths of study in the history of political thought, the work of this dissertation aims to offer an illustrative example of how one might approach the study of the history of political thought. It does so by offering a contextual close reading of one of the most polysemous, not to say protean, figures of that history. In a letter to King James discussing Peacham's Case dated to 27 January 1614/15, Bacon addressed his sovereign as "a master in business of estate."[671] In this later letter, Bacon was reiterating here his earlier address to James in his 1605 *Advancement of Learning*, in which he stressed his silence on questions of political or civil philosophy "considering that I write to a king that is a maister of this

[669] "Locke's Reading List," in Locke, *Political Essays,* ed. Mark Goldie (Cambridge: Cambridge University Press, 1997), pp. 376-380, at p. 377.
[670] See Graham Rees, "Reflections on the Reputation of Francis Bacon's Philosophy," *Huntington Library Quarterly* 65:3/4 (2002), pp. 379-394; Graham Rees, "Introduction," in *OFB* XI, esp. pp. xxii-xxxviii.
[671] Francis Bacon, "A letter to the King, touching Peacham's cause." in *LL* V, pp. 100-102, at p. 100.

Science."[672] Here as elsewhere, Bacon knew to whom he was speaking—to the author of the *Basilikon Doron* and the *True Law of Free Magistrates* and one who regarded those treatises as the definitive statements on the subjects they treated.

Bacon was eminently both a political actor and a political thinker whose reflections on politics and civil life are not disjoined from his related reflections on law, science, nature, logic, literature, and history. Bacon is concerned both with conceptual, analytic, and logical argumentation as well as with the concrete details, specifics, addressees and persuasive situations of everyday Tudor and Jacobean politics as he sees them. It has been the aim of my argument in this work to approach Bacon on his own terms—as a thinker both concerned with specific rhetorical performances and as a thinker concerned to pursue coherent arguments, indeed a persistent foreign policy of bellicosity toward the Spanish Empire, across the entirety of his political and philosophic career, independently of whether that policy found favor with the monarchs under whom he served.

The uptake of this approach is that clean and fast rules about method in the history of political thought may not be wholly apt. Different thinkers will have to be approached differently, not only in terms of different contexts and discursive situations, but also and especially in terms

[672] Francis Bacon, *The Advancement of Learning*, Book II; *OFB* IV, p. 179, l. 31; *SEH* III, p. 474. *OFB* IV, p. 179, ll. 25-36: "So vnto Princes and States, and specially towardes wise Senats and Councels, the natures and dispositions of the people, their conditions, and necessities, their factions and combinations, their animosities and discontents ought to be in regard of the varietie of their Intelligences, the wisedome of their obseruations, and the height of their station, where they keepe Centinell, in great part cleare and transparent; wherefore, considering that I write to a king that is a maister of this Science, and is so wel assisted, I thinke it decent to passe ouer this part in sile*n*ce, as willing to obtaine the certificate, which one of the ancient Philosophers aspired vnto, who being silent, when others contended to make demonstration of their abilities by speech, desired it mought be certified for his part, *that there was one that knewe how to hold his peace.*"

of what matters above all to those thinkers themselves. Myriad "mythologies" aside, some thinkers do care about consistency and about their doctrines having coherence precisely at the same time that they also care about different addressees, shifting court audiences, and fluid persuasive contexts. Bacon was one such thinker and the implication of my approach and argument in this work is that studies in the history of political thought will have to approach their subjects uniquely, deciding case by case what mattered and what mattered most to the thinkers themselves.

To this observation on method it might be objected that approaching thinkers on a case by case basis, attending to their differences in circumstances, language, audience and address, is a banal proposition. And indeed if it were more frequently attended to, such an observation would indeed be banal. Yet whether from the proponents of esoteric reading,[673] or from writers who would strike every thinker from the seventeenth to the nineteenth century with the hammer of "commercial sociability",[674] to the disciples of various persuasions who mine the past to find a useful mirror of their own commitments,[675] the unfortunate fact is that a case-by-case approach to the study of figures in the history of political thought is pursued less frequently than alternate approaches. In some cases, if warranted by the figure in question,

[673] For a recent instance, see Arthur Melzer, *Philosophy Between the Lines* (Chicago: University of Chicago Press, 2014).
[674] For a recent instance of this approach, see Paul Sagar, *The Opinion of Mankind: Sociability and the Theory of the State from Hobbes to Smith* (Princeton: Princeton University Press, 2018). For the proponents of setting commercial sociability at the center of the history of political thought, it is important that Smith and Hume be sharply contrasted with the thought of Hobbes as proponents of something called "the state without sovereignty," an interpretation which systematically overlooks and downplays all references to sovereignty within the works of the later writers, not least Smith's identification of sovereignty with the state in *Theory of the Moral Sentiments*.
[675] For an instance of this approach, see Corey Robin, *Fear: The History of a Political Idea* (Oxford: Oxford University Press, 2004) as well as Robin's more recent history of conservatism, *The Reactionary Mind* (Oxford: Oxford University Press, 2011), which effaces real and substantive distinctions and differences between the authors it purports to study.

each of these approaches might prove illuminating. Yet applied in a blanket manner across the ages, the history of political thought suffers in nuance, texture, diversity, and, not least, in its scholarly accuracy.

More broadly, my argument has stakes for the study of the political thought of early modern Britain and Europe in the Tudor and Stuart periods. Ideas and debates related to foreign policy, warfare, and treaties in the Tudor and Stuart courts mattered deeply to early modern reflection on central topics of political theory and political thought: to empire, power-politics, the foundations of the law of nations, and toleration. Without a specific grasp of the specifics of Tudor and Stuart foreign and domestic policy, one can't properly grasp these theoretical questions of the day.

Above all, my argument suggests that the study of Francis Bacon in political philosophy and the history of political thought is far from being exhausted. Francis Bacon was a genius across myriad domains of human endeavor. As one seeks to understand seemingly endless wars pursued in the name of peace, one could do worse than reflect upon the political philosophy of Francis Bacon.