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## Bayle's political doctrine: a proposal to articulate tolerance and sovereignty

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### ABSTRACT

For most interpreters of the philosopher from Rotterdam, his political doctrine is solely a consequence of his religious and moral doctrines, and so an image of Bayle as a political philosopher is not usually presented. To my mind, however, only by analyzing his political doctrine can the extent of his religious proposal be understood. In this article, I intend to show that both the Baylean criticism of popular sovereignty and his rejection of the right of resistance are analyses that are indissociable from the Baylean doctrine of tolerance. The protection of individual freedom of conscience and the defense of a multi-confessional state model, tolerant regarding religious minorities, can only be articulated as historical reality if they rest on the political doctrine of indivisible sovereignty and on the strictest separation between political obedience and religious membership.

### KEYWORDS

Bayle; politics; tolerance; sovereignty; right of resistance; absolutism

### 1. Introduction: Bayle as a political philosopher

In a review in 2004, John Christian Laursen pointed out that the main discussions about Bayle can be organized along two essential axes: 'Was Bayle the pro genitor of a Religious Enlightenment or a Radical Enlightenment? Of a Monarchist Enlightenment or a Republican Enlightenment?'<sup>1</sup> Indeed, Bayle's concern over the abuses of religions is known. He is presented as a skeptic who attempts to undermine the bases of theology and of rationalist Christianity; on other occasions, he is presented as a moralist ready to argue about the political deviations of his own fellow believers. Elisabeth Labrousse's pioneering work locates the hermeneutic key to Bayle in his Protestant (Huguenot) environment, although she presents his Calvinism as heterodoxical. Richard Popkin, like John Christian Laursen, links Bayle to the skeptical inheritance that goes from Sextus Empiricus and Montaigne to La Mothe Le Vayer and Hume, while Gianluca Mori, following Leo Strauss, indicates the need to read between the lines in Bayle and defends an atheistic interpretation of the French philosopher's work.<sup>2</sup> For Jonathan Israel, Bayle, together

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<sup>1</sup>John Christian Laursen, 'Bayle the Man, Bayle the Political Animal', *Eighteenth-Century Studies*, 37, no. 3 (2004): 504–7. [Review of *Pierre Bayle. Political Writings*, trans. and ed. Sally Jenkinson (Cambridge, 2000); *Correspondance de Pierre Bayle*, Vol. I, 1662–74 and *Correspondance de Pierre Bayle*, Vol. II, 1674–77, ed. Elisabeth Labrousse, Laurence Bergon, Hubert Bost, Edward James, Antony McKenna, Maria-Cristina Pitassi, Wiep Van Bunge, and Ruth Whelan (Oxford, 1999–2000)].

<sup>2</sup>Cf. Elisabeth Labrousse, *Pierre Bayle II: Hétérodoxie et rigorisme* (Paris, 1964); Richard Popkin, *The History of Scepticism from Savonarola to Bayle*, 3rd, enlarged, ed. (Oxford, 2003); John Christian Laursen 'Skepticism against Reason in Pierre Bayle's Theory of Toleration', in *Pyrrhonism in Ancient, Modern, and Contemporary Philosophy*, ed. Diego Machuca (Dordrecht, 2011), 131–44; Gianluca Mori, *Bayle philosophe* (Paris, 1999). For a discussion of contemporary interpretations of Bayle, read: Antony McKenna, 'Pierre Bayle in the Twentieth Century', in *Pierre Bayle (1647–1706), Le Philosophe de Rotterdam: Philosophie, Religion and Reception*, ed. Wiep Van Bunge and H. Bots (Leiden, 2008), 253–67.

with Spinoza, is part of the matrix of the radical Enlightenment,<sup>3</sup> and Hubert Bost interprets his thinking in a moral key.<sup>4</sup>

So we see that Bayle is not usually presented as political philosopher.<sup>5</sup> For the majority of those who interpret the philosopher from Rotterdam, his political position is a consequence of his ontological, religious, and moral priorities. Thus, John Pocock holds that the defense of freedom of conscience carried out by the philosophers of the Enlightenment involved, as a result, the strengthening of the political attributes of the sovereign, as a way to control the influence of the clergy.<sup>6</sup> Thus, as a good philosopher of the Enlightenment, Bayle would have defended both religious tolerance and political absolutism, using his epistemological skepticism to uphold both doctrines.<sup>7</sup> But how are epistemology and politics articulated? How has the doctrine of *erroneous conscience* managed to provide the foundation for political tolerance of minority denominations? How may the criticism of Christian dualism and of providentialism have influenced Baylean doctrine on sovereignty? What bridges the criticism that Bayle throws at the rationalist theologians of his time and his rejection of the doctrine of resistance? Some things are assumed to be consequences of others, but analysis does not seem to have extended to this; rather, it seemed to be enough to postulate that Baylean political doctrine was a situational taking of sides to achieve a much more important end: the religious objective.

It would certainly be excessive to say that Bayle's work can be defined exclusively based on his political philosophy. I would not go that far. However, I will defend that he is *also* a political philosopher. He is a political philosopher when he articulates his doctrine of political tolerance for religious minorities – something which must not be confused with the doctrine of freedom of conscience. He is a political philosopher when he analyzes the limits of the theories of popular sovereignty and the pactist theories, and when he reconstructs the debates about active resistance. He is a political philosopher when he proposes the concept of indivisible sovereignty as the solution to the civil wars of his time.

It is impossible to **account** for all of Bayle's political articulation in a single article. My objective is more modest. I intend to explain some of the links between his doctrine of tolerance and his theory of sovereignty: while Bayle argues about the religious justification of private violence in his doctrine of freedom of conscience – coercion of conscience in the name of a supposed orthodoxy – his doctrine of sovereignty refutes the religious justification of public violence – the coercion practiced on the sovereign and his overthrow for reasons, once again, linked to orthodoxy. The indivisible sovereignty that Bayle proposes is inseparable from his doctrine of political tolerance which involves a

<sup>3</sup>Even though he is part of the radical Enlightenment, Israel states that Bayle does not accept democratic republicanism because he feels that the common people will never be enlightened enough to avoid superstition, credulity, and ecclesiastic authority: cf. Jonathan Israel, 'Pierre Bayle's Political Thought', in *Pierre Bayle dans la République des Lettres*, ed. Antony McKenna and G. Paganini (Paris, 2004), 349–79 (375–7). Jonathan Israel's analysis of Bayle can be read in *Enlightenment Contested. Philosophy, Modernity, and the Emancipation of Man, 1670-1752* (Oxford, 2006), 145 and following. An analysis of the political dimension of the radical Enlightenment can be found in *Lumières radicales et politique*, ed. Antony McKenna and Marta García-Alonso (Paris, forthcoming).

<sup>4</sup>For Hubert Bost, for example, the Baylean criticism of resistance has a moral-religious basis that refers to the classic Protestant tradition according to which what is important is the defense of order and of obedience, over any other political consideration: Hubert Bost, 'Bayle, pense-t-il la tyrannie en philosophe?', in *Pierre Bayle et le politique*, ed. Xavier Daverat and Antony McKenna (Paris, 2014), 133–55 (155). Similarly, he interprets the political texts of *Avis aux réfugiés* to constitute nothing more than a (moral) fraternal amonestation: cf. idem, in 'Pierre Bayle, un "protestant compliqué"', in *Le Philosophe de Rotterdam*, 83–101 (91).

<sup>5</sup>A notable exception is Sally Jenkinson's work. Her texts not only gather the fundamental doctrines of the philosopher from Rotterdam, but she has analysed them in a polemic with his political adversaries, showing the complexity of his discourse and its contradictions. Even though I disagree with some of the conclusions and reasonings in her analysis, I still consider her to be the author who has known best how to analyse Bayle as a political philosopher. Sally Jenkinson, 'Introduction', in *Pierre Bayle, Political Writings*, ed. Sally Jenkinson (Cambridge, 2000), xviii–xli. Stankiewicz's study, however, is limited to the influence of the Edict of Nantes and does not consider the influence of the Glorious Revolution and the texts after 1690 which, in my view, constitute the essential nucleus of his political doctrine: cf. W.J. Stankiewicz, *Politics and Religion in Seventeenth-Century France: A Study of Political Ideas from the Monarchomachs to Bayle, as Reflected in the Toleration Controversy* (Berkeley, 1960).

<sup>6</sup>J.G.A. Pocock, *Barbarism and Religion*. Volume 5: *Religion: The First Triumph* (Cambridge, 2010), 16.

<sup>7</sup>Cf. J.G.A. Pocock, *Barbarism and Religion*. Volume 1: *The Enlightenment of Edward Gibbon, 1737–1764* (Cambridge, 1999), 58–64. Regarding the relations between politics and skepticism, see John Christian Laursen, 'Skepticism, Tyranny and Toleration', in *Tolerance and Intolerance in the Modern Society: The East, the West*, ed. Irina Pervova (St Petersburg, 2008), 121–30.

strict separation between political obligation and voluntary religious membership, which makes it possible, at the same time, to protect individual freedom of conscience and religious pluralism.<sup>8</sup> I will attempt to offer a reconstruction in terms of political doctrine that will serve to support this hypothesis, remaining aware, however, that Bayle's work is sufficiently complex and diverse to allow interpretations that differ from the one I present here.

In order to give shape to this proposal, I shall begin by contextualizing the debate, accounting for the way the events Bayle witnessed in his lifetime influenced his intellectual evolution. In his book *The Machiavellian Moment*, John Pocock holds that writing about the history of republicanism requires studying the moments of crisis that real republics had suffered.<sup>9</sup> These are the events that generate a theoretical reflection that renews and reinvigorates doctrine, cyclically, during and after each crisis. In this text, I will follow the advice of the New Zealand historian and apply it to the study of Bayle's political work. If the Repeal of the Edict of Nantes in 1685 was the historical occasion that was conducive to the Baylean development of the doctrine of freedom of conscience and of his main text on this, the *Commentaire Philosophique*, the Glorious Revolution of 1688 is the milestone that allowed Bayle to shape his political theory. The text *Avis aux réfugiés*, written by Bayle in 1690, is a response to the overthrow of James II by William III, Prince of Orange, as well as a questioning of the political doctrine that made it possible, that is, the defense of popular sovereignty, the theory of the social contract, and the right of resistance.

## 2. The Dutch context

In the seventeenth century, the Low Countries – Amsterdam in particular – gathered together nationalities from throughout Europe: Germans, Danes, Swedes, French, English, and Portuguese all mixed with the autochthonous population in a way that was quite uncommon at that time. And the immigrants arrived with their own religious traditions: Jews, Catholics, reformed Calvinists, Lutherans, and Anabaptists were only some of the denominations that tried to coexist in these lands. This does not mean that they all had the same influence or recognition. Until 1622, the condition of bourgeois was obtained by paying eight florins (14 florins, after this date), but citizenship rights only allowed for the exercise of some commercial activities (transport, coastal fishing ...). In order to gain access to public functions, both political and military, it was necessary to belong to the Calvinist church, the only officially recognized religion. This is why a brief explanation of how the church and, specifically, orthodox Calvinists achieved such a great influence in the Low Countries – and what political-religious positions confronted one another in this debate – is worthwhile, in order to understand the political-religious discussion in which Bayle is immersed.<sup>10</sup>

It is common knowledge that the dispute that united the names of Arminius and Gomarus began in 1604, and its cornerstone was the doctrine of *double predestination*. The interpretation that the Walloon church and Gomarus himself took drank directly from the *Heidelberg Catechism* based, in turn, on Calvin's work: as absolute sovereign, God not only allows, wants, and decrees what men must do – otherwise divine judgement would depend on human will – but also chooses some and condemns others *ante praevisa merita*, paying no attention to their works because, if this were not so, his Grace would not prevail. In opposition to this theology, Arminius holds that

<sup>8</sup>Similarly, Sally Jenkinson: 'Rationality, Pluralism and Reciprocal Tolerance. A Reappraisal of Pierre Bayle's Political Thought', in *Defending Politics: Bernard Crick and Pluralism*, ed. I. Hampsher-Monk (London, 1993), 22–45 (43).

<sup>9</sup>Cf. J.G.A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, 1975), 53–4. McKenna and Yardeni also analyse the Baylean doctrine of sovereignty in contextual terms: Antony McKenna, 'Questions de souveraineté chez Bayle et chez Jurieu: un contexte politique déterminant', in *Obbedienza religiosa e resistenza politica*, ed. Luisa Simonutti (Turnhout, 2010), 363–92; Myriam Yardeni, 'La "vision d'une civilisation protestante dans l'oeuvre de Pierre Bayle"', in *Le Rayonnement de Bayle*, ed. Philippe de Robert (Oxford, 2010), 51–7.

<sup>10</sup>Regarding Bayle in the Dutch Republic: Wiep Van Bunge, 'The presence of Bayle in the Dutch Republic' in *Le Philosophe de Rotterdam*, 197–210; Bart Leeuwenburgh, 'Pierre Bayle in Dutch Politics', in *Protestants, hérétiques, libertins. Libertinage et philosophie au XVIIe siècle*, ed. Antony McKenna and Pierre-françois Moreau (Saint-Etienne, 2004), 91–113. Regarding Dutch politics, see: Jonathan Israel, *The Dutch Republic: Its Rise, Greatness and Fall, 1477-1806* (Oxford, 1995).

choice and salvation are conditioned but not determined by God. In the process of salvation, human freedom is fundamental, as God must know what (future free) human choice will be in order to provide the circumstances that will make it feasible in the end.

The dogmatic difference was also a political-ecclesiological one. According to Arminius, the power to settle theological disputes belonged to the magistrate, not to the church. Common good requires the mediation of civil authority precisely because peace in the church – the absence of the theological disputes – has repercussions on the whole of the community. This is the reason that it is the magistrates who are asked to convoke a Synod in 1606, with the objective of revising the *Heidelberg Catechism* and the *Belgic Confession* that rule Dutch ecclesiology. This is also the reason that, in 1608, Arminius directs his work *Declaration of His Sentiments with Respect to Predestination ... (Verlaeringhe aengaende zijn ghevoelen ...)* to the regents of the Provinces of Holland and of the region of Frisia (West-Friesland), in which he systematically refutes the Calvinist theses of predestination. His ideas are shared by his friend Uytenbogaert (Wytenbogaert<sup>11</sup>) who, one year later (1610), published his work *On the Office and Authority of a Higher Christian Government in Church Affairs* in the Hague, defending the authority of the Provinces over the Church in naming ministers, regulating doctrine, convoking Synods, and the right of the State to be represented and have influence in these **ecclesiastical** meetings. This work will provide the doctrinary bases of the policy of the Grand Pensionary of Holland, Johan van Oldenbarnevelt (1547–1619), according to which the control of religious disputes and of the public activity of the churches corresponds to the provincial regents.

Thus, the regents considered religious policy to be a responsibility not of the General States but of the Provinces. The Gomarists, on their part, did not accept the subordination of ecclesiastical affairs to civilian affairs. They demanded that the clergy have a vote of censure in relevant religious issues. They also considered religion and the control of heresy to be affairs of general, not regional, interest and that they should, therefore, be resolved in the General States – the only ones that could convoke Synods –, and not remain under the control of the provinces. For orthodox Calvinists, it was the Church's job to take care of its own internal affairs (discipline, dogma, worship ...), as well as to supervise the compliance of general customs to the *true* religion. Thus, they became fervent followers of the anti-Catholic policy promoted by William III (1650–1702), named head of State (*Stadholder*) after the **assassination** of the De Witt brothers in August 1672. The republican regents, on their part, feared this policy not only because it questioned the Provinces' control over religion but because it meant making a common cause in religious policy that they did not share, either in their political principles or in their economic consequences. We must not forget that they belonged to a small oligarchy of rich investors and stockholders in the East and West Indies companies, and that a war with Catholic countries such as France could seriously harm their commercial interests.<sup>12</sup>

Therefore, while the Arminians and republicans wanted to consolidate the 1678 Peace of Nimega, the Gomarists and Orangists wanted to declare war on France. This peace was a commercial incentive for the Dutch who traded with the French, as one of its consequences was the elimination of the customs duties imposed by Colbert in 1667. Regarding this, regent Adriaan Paets, mentor of Pierre Bayle, played an important role as intermediary, secretly negotiating in favor of peace between the two countries. He was also part of the diplomatic delegation that travelled to London in 1685 to witness the coronation of James II (1633–1701), at which time he wrote his famous letter to Bayle, in which he presented his position on the need to separate religion from politics and to establish a doctrine of tolerance: *De nuperis Angliæ motibus Epistola in qua de diversum à publica Religione circa Divina sententia disseritur tolerantia*.<sup>13</sup> It is not a simple gesture because, together with his

<sup>11</sup>Regarding Johannes Uytenbogaert or Wytenbogaert (1557–1644): Charles H. Parker, 'To the Attentive, Nonpartisan Reader: The Appeal to History and National Identity in the Religious Disputes of the Seventeenth-Century Netherlands', *Sixteenth Century Journal* XXVIII, no. 1 (1997): 57–78.

<sup>12</sup>The commercial background of the debate can be followed in Jonathan Israel, 'The Dutch Role in the Glorious Revolution', in *The Anglo-Dutch Moment: Essays on the Glorious Revolution and Its World Impact* ed. Jonathan Israel (Cambridge, 1991), 105–62.

<sup>13</sup>Two years before Bayle's work appeared, in 1685, Adriaan Paets defended the general lines of the doctrine on tolerance: *De nuperis Angliæ motibus Epistola in qua de diversum à publica Religione circa Divina sententia disseritur tolerantia*. This is Letter

republican allies, he refused to sign any kind of religious treaty that sought to favor the Low Countries' alliance with the Protestant states, to the detriment of the relations maintained with the kings of Catholic countries. Thus, they forced the treaty between the Republic of Holland and the Electorate of Brandenburg, signed on 23 August 1685, to be conceived in purely political terms.

But in October of this same year, Louis XIV repealed the Edict of Nantes and, in 1687, annulled the Treaty of Nimega, complicating the relations between these countries, after his decision to increase import taxes on all industrial products, doubling the price of the Dutch cloth produced mainly by Huguenot refugees. This was a good occasion for William III to remind the regents of the drawbacks of trusting Catholic monarchs. And the fear of a commercial alliance between Louis XIV and James II, which would be detrimental to the Low Countries' interests, had its effect. The Orangists' proposal was accepted: rearmament, alliance with the Protestant German states in order to prepare to invade England, and the prohibition on importing French merchandise. In November 1688 the invasion began, and on 18 December, William III became the new King of England. Bayle's old mentor and current intellectual enemy, Pierre Jurieu, was the prophet of this revolution.<sup>14</sup>

This is the great event that marks an important turning point in Bayle's doctrine, as James II, although he openly professed the Catholic religion, did not attempt to force the Protestants to convert, which makes him a defender of freedom of conscience.<sup>15</sup> No greater praise can be given him by the philosopher from Rotterdam. For Bayle, the reign of James Stuart is one of the best proofs that Protestants have to show that they are loyal to the sovereign, that they can respect their oath of allegiance, independently of the religion the sovereign practices.<sup>16</sup> We can imagine what he might have thought when he received the news that his fellow believers had dethroned this tolerant king, with specifically religious justifications.<sup>17</sup> The *Avis aux réfugiés* depicts perfectly his state of mind and his rejection of the doctrines that permitted this action.<sup>18</sup>

This is why, if *Avis aux réfugiés* is such a virulent text against his fellow believers – Gianluca Mori even called it anti-Protestant<sup>19</sup> – it is because, after the Dutch conquest of the English throne, with the blessing of Calvinist theologians, the possibility of implanting the model of political tolerance in France once again had lost a golden chance. When Bayle wrote the *Commentaire Philosophique* and

446, the translation of which can be read online: <http://bayle-correspondance.univ-st-etienne.fr/?Lettre-466-a&lang=fr> (accessed February 2016). Even though many authors interpret it to have been Paets who offered the basic ideas that Bayle developed, according to Leeuwenburgh, their relation should be understood more as one of intellectual collaboration than of debt: cf. 'Pierre Bayle in Dutch Politics', in *Protestants, hérétiques, libertins*, 91–113 (95). See, in addition, Jacques Solé, 'Les débuts de la collaboration entre Adriaan van Paets, protecteur de Pierre Bayle à Rotterdam, et le gouvernement de Louis XIV (1679–1680)', in *De l'Humanisme aux Lumières, Bayle et le protestantisme*, ed. Michelle Magdelaine, Maria-Cristina Pitassi, Ruth Whelan, Antony McKenna (Paris-Oxford, 1996) 477–94.

<sup>14</sup>Harry M. Braken, 'Pierre Jurieu: The Politics of Prophecy', in *Continental Millenarians. Protestants, Catholics, Heretics*, ed. Richard Popkin and John Christian Laursen (Dordrecht, 2001), 85–94; F.R.J. Knetsch, 'Pierre Jurieu: Theologian and Politician of the Dispersion', *Acta Historica Neerlandica* 5 (1971): 213–42.

<sup>15</sup>This is how Bayle sees it: NRL XII Mai 1685, OD I, 293. Bayle's texts are cited following the electronic edition of his complete works published by Garnier, following the *Œuvres diverses de M<sup>r</sup> Pierre Bayle, professeur en philosophie et en histoire à Rotterdam* (La Haye, 1727–1731), 4 vol. edition. These works are cited using the initials of the work, followed by the volume in which it is found in the *Œuvres diverses* (OD), and the page. CG: *Critique générale de l'Histoire du calvinisme de M. Maimbourg* (1682); PD: *Pensées diverses écrites à un Docteur de Sorbonne, à l'occasion de la comète* (1683); NRL: *Nouvelles de la république des lettres* (1684–1687); NLG: *Nouvelles lettres de l'auteur de la Critique générale de l'Histoire du Calvinisme* (1685); FC: *Ce que c'est que la France toute catholique sous le règne de Louis le Grand* (1686); CP: *Commentaire philosophique sur ces paroles de Jésus-Christ: contrain-les d'entrer* (1686); Supplément au *Commentaire Philosophique* (1688); Réponse: *Réponse d'un nouveau converti à la lettre d'un réfugié* (1689); Avis: *Avis aux Réfugiés* (1690); Réponse: *Réponse aux question d'un Provincial* (1703–1707). The *Dictionnaire Historique et Critique* (DHC) is cited following the fifth edition published in Amsterdam, Leyde, the Hague, Utrecht; 4 vols.

<sup>16</sup>NRL XII, Mai 1685, OD I, 294.

<sup>17</sup>However, Bayle adds that there are political and commercial motives behind this religious justification which is, then, not as pious and sincere as it pretends to be (Réponse, OD II, 572).

<sup>18</sup>I absolutely agree with Mori that many historians only consider the influence of the repeal of the Edict of Nantes in Bayle's work and underestimate the importance of the Glorious Revolution (Gianluca Mori, 'Politique et religion dans l'oeuvre de Pierre Bayle', *Pierre Bayle et le politique*, 79–95 (85)). Antony McKenna, expresses the same idea: 'Questions de souveraineté chez Bayle et chez Jurieu', 376.

<sup>19</sup>Gianluca Mori, 'Bayle anti-protestant: l'Avis aux Réfugiés', in *Les 'Eclaircissements' de Pierre Bayle*, ed. Hubert Bost and Antony McKenna (Paris, 2010), 409–28.



the *Supplément*, he insisted on the defense of freedom of conscience and referred to the Catholic religion as seditious, but after the Glorious Revolution, he also had to accept that the Protestants defended this doctrine. The turning point resulted in a change in strategy: the discussion in *Avis* does not try to convince the *République des Lettres* inhabitants of the rational superiority of political tolerance. Bayle, rather, proposes indivisible sovereignty and the rejection of the pactist theories that articulate the theories of resistance as the only political means to make political tolerance possible.

### 3. Proselytism as a source of religious violence

Bayle first approached the discussion of the pernicious public influence of religion in his *Critique Générale* in 1682, prepared in response to the *Histoire du calvinisme* written by Louis Maimbourg, in which the Jesuit defines the Calvinist tradition as seditious, violent, and heretical. According to him, the Calvinists commit, once again, many of the errors that had been purged throughout the centuries by the Church in its struggle against heresy.<sup>20</sup> According to Bayle, however, having a different faith is not what incites people to violence; what leads directly to civil war is the practice of forced conversion so widely extended among Catholics. Even more, if this pernicious tactic were to become universal, Europe would go up in flames.<sup>21</sup> The same arguments are repeated in *La France toute catholique*, where he holds that violence is inscribed at the very heart of the positive religions, based on their universalistic, proselytizing intentions.<sup>22</sup> When religions spread their mantle, they always do so to try to get more faithful followers for their churches, more supporters for their faith, with no concern for the price. It is true that, throughout the book, the harshness of Bayle's accusations is directed explicitly at the Catholic Church, described as a pillar of violence and deceit. Under the Catholic Church's influence, not only were Protestants obliged to abandon public worship and **disposed** of their goods, and their churches destroyed, but soldiers were sent into their homes to make any intimate life impossible. What is more, the Church pretends that this violence never existed, that it belongs to anti-Catholic propaganda and was invented by the reformists. Bayle wonders what could be worse than this bad faith that insists that the means employed were always courteous and moderate? However, it is not only the Catholic religion and its evil arts that are at stake. It is not, therefore, the supposed heresy, the diversity of beliefs, or the heterodoxy that create problems for the State. Proselytism and clericalism, understood as the influence granted to positive religions and their agents over the public sphere are, rather, what should be persecuted.<sup>23</sup> In order to be able to keep the peace and defend his subjects, the king must be required not to let himself be taken in by the churches; it is necessary to show him that the call to violence and forced conversions to enter into a certain church are not evangelical mandates but rather a bad faith interpretation by one church to act against another. After all, throughout his account, Bayle insists on freeing Louis XIV from direct **responsibility** for his religious policy because, according to Bayle, the king was getting bad advice, he was deceived, he was a victim of clerical perfidy.<sup>24</sup> It is the clergy that is responsible for the seditions that devastate Europe.<sup>25</sup>

Months later, he simply continued along these lines in the *Commentaire philosophique*, extending the responsibility of the Catholic Church to all Christianity. After all, it is not an issue only of the means employed in this concrete case, or of the greater or lesser consequences to which defending the persecution of heretics leads (the number of people affected by one group or another), but rather the very essence of religious coercion that is shared by Protestants and Catholics alike, and which cannot

<sup>20</sup>Maimbourg: *Histoire du calvinisme*, OD II, 386

<sup>21</sup>CG Lettre XIII, OD II 57.

<sup>22</sup>In my view, for Bayle political tolerance was not an explicit option from the beginning. It is a rather an evolution of his thought and of the very context in which he wrote. In this regard, we concur with Laursen in the difference between *France toute Catholique* and the *Avis aux réfugiés*: cf. Charlotte Stanley and John Christian Laursen, 'Pierre Bayle's The Condition of Wholly Catholic France Under the Reign of Louis the Great (1686)', *History of European Ideas* 40, no. 3 (2014): 312–59 (Part I).

<sup>23</sup>FC, OD II 338.

<sup>24</sup>FC, OD II 343.

<sup>25</sup>FC, OD II, 351.

exist without the claim to universality that their proselytism involves.<sup>26</sup> The Augustinian principle of the obligation of the faithful and, therefore, of sovereigns, to force their fellow beings to adopt a specific Creed is based on the conviction that not only can one gain access to religious truth, but that this specific religion is the only one that possesses the truth. However, according to Bayle, neither the Protestant Church nor the Catholic Church have religious truth, because this truth is inaccessible: neither examination nor authority allows us to know God's will in an undisputed way. And this statement is valid not only for private, uninstructed people, but also for the ecclesiastical authority and for Protestant theologians. The universality of biases – our dependence on education, temperament, passions – means that religious responsibility must fall on the intention that all belief involves, the good or bad faith with which belief is held, not on the issue of adopting a supposedly objective religious truth. The sincerity and good faith with which one believes that what one professes is true, is enough to not condemn the contents of a belief, whatever it may be. Because what God obliges us to do is to respect the truth, *if we know it*, as it is completely impossible to act according to a truth one does not know, or to cease to do so when error takes on the shape of truth and conscience accepts it as such.<sup>27</sup> Absolute truth is inaccessible and we can only know what is true for ourselves, putative truths.<sup>28</sup> Thus, erroneous conscience is equally valid and has the same rights as supposedly right conscience, as what must be taken into account is the formal obligation to follow our consciences and not the contents to which this conscience is applied.<sup>29</sup> Only by following what the conscience takes to be true can one behave morally; otherwise, not a single virtuous act would be possible.<sup>30</sup>

And so, what should be done with intolerant people? The doctrine of errant conscience would lead Bayle to accept that, when the error is invincible, even the defenders of religious coercion sincerely believe that their doctrine is true. On this point, then, all that one can do is accept their position, as the theory of freedom of conscience, the way its foundations are laid, does not allow us to deny them this right. However, there is one way out and this is to separate religious belief from its political application. Then we are no longer struggling with the doctrine of freedom of conscience but with the theoretical and practical justification (the consequences) of the union of political obligation and religious belief. Now we can ask ourselves whether they must be indissolubly united. At this moment, Bayle's analysis seesawed back and forth from the discussion of personal freedom of conscience to the discussion of political tolerance with religious persuasions. The solution to Europe's religious crisis cannot be resolved solely by appealing to 'good manners' and reeducating the clergy;<sup>31</sup> the religious and political spheres must be separated by means of political arguments, not only theological and epistemological ones.

#### 4. Political tolerance and the Christian doctrine of sedition

In Part IV of the *Reponse aux questions d'un Provincial*, published posthumously in 1707, Bayle defends the premise that one can accept as unavoidable and inevitable that confessional religion

<sup>26</sup>Regarding freedom of conscience and the foundations of the lack of distinction between orthodoxy and heterodoxy, see Marta García-Alonso, 'Creencia religiosa y conciencia errónea según Pierre Bayle', *Anuario Filosófico* 48, no. 2 (2015): 35–56. Regarding Bayle's evolution in the discussion of the Protestant examination (*l'examen de l'écriture*): Maria-Cristina Pitassi, 'The Foundations of Belief and the Status of Scripture: Bayle and the Issue of Examination', in *Special Issue, Religious Liberty and Freedom of Conscience in Spinoza and Pierre Bayle*, ed. M. García-Alonso, *Reformation and Renaissance Review* 14, no. 1 (2012): 56–69.

<sup>27</sup>NLCG I, Lettre IX, OD II 219.

<sup>28</sup>CP II-X, OD II 441.

<sup>29</sup>CP I-V, OD II 379.

<sup>30</sup>CP II-X, OD II 437.

<sup>31</sup>When we speak about 'good manners and the re-education of the clergy, we mean that the philosophical approach to persuasion, based on rational arguments alone, is not enough. We need political arguments to implement political tolerance and enforce it. Until then, Bayle has shared the views of Paets, his mentor and friend, for whom reason and persuasion were the only acceptable weapons in the fight over religious beliefs. These latter should be sorted out as the controversies between philosophical schools: 'Quand donc il faut soutenir ou la religion chrétienne contre les infideles qui l'attaquent par la voye du raisonnement, ou la foi orthodoxe contre les heretiques qui employent les mêmes moyens pour la combattre, l'ordre veut qu'on ne se serve que de la même espece d'armes, c'est-à-dire, que de celles que la raison et la parole de Dieu fournissent' (*ibid.*, *De nuperis Angliæ motibus Epistola* ... <http://bayle-correspondance.univ-st-etienne.fr/?Lettre-466-a&lang=fr>, accessed February 2016).

is the cause of problems in the public space and, at the same time, defend the idea that tolerance and religious diversity could be useful from a political point of view.<sup>32</sup> Until the end of his days, he defended the idea that State problems do not come from religious plurality but, rather, from the link between the *Oath of Allegiance and Fidelity* and orthodoxy.<sup>33</sup> This is why he considers it barbarous to require the French kings to take an oath which involves renouncing their promises to protect *all* their subjects, in favor of a clerical interpretation of politics that involves their commitment to persecuting Protestants. It is the confusion between the *political* oath of allegiance and *religious* adherence to the state religious denomination that is at the root of Christian proselytism's intolerance.<sup>34</sup> We should avoid requiring the sovereign to maintain, simultaneously, his duties regarding civil peace and coexistence and his obligations regarding orthodoxy, which involves persecuting the supposed heretics.<sup>35</sup> This requirement is not only vital for the peace of the State but also for the very political stability of the sovereign. Because, according to the Christian clergy, not only must the sovereign persecute those whom the dominant religious denomination considers heretics, but the clergy themselves can depose a ruler because of his religious beliefs. Religious violence has come full circle: what began as a justification to attack believers' freedom of conscience ends up being the perfect excuse for sedition.

After the Glorious Revolution, the Protestants went from being persecuted to being the persecutors, becoming defenders of sedition.<sup>36</sup> While Bayle tried to philosophically take apart the thesis of the need for religious coercion – to maintain the faith, the Church, and the State – throughout the three books of the *Commentaire philosophique* written in 1686, and continued to do so in the 1688 *Suplement*, after the Glorious Revolution in 1688, the debate continued to be about religious coercion but the subject changed radically. Where before he discussed the religious coercion that States exercised upon their subjects' consciences, now he discussed the practice of sedition for religious reasons. Because of this, Bayle wrote *Avis aux réfugiés* in 1690, in which he holds that the religious use of politics is not only immoral and contrary to reason – as it coerces consciences – but it makes peace impossible in any kingdom, as it serves to justify political sedition.<sup>37</sup>

We must not forget that the *Protestant League* promoted the incompatibility between Catholicism and the oath of allegiance for Protestants so that, in England, France, Ireland, and Scotland, they were dispensed from obeying their sovereigns. Therefore, the conquest of England was only one of the League's objectives and part of its intention to extend Protestantism throughout Europe,<sup>38</sup> with the conversion of France as an inescapable step.<sup>39</sup> It was not in vain that France was the Protestants' constant objective.<sup>40</sup> However, according to Bayle, complicated political plots are not necessary when theologians convince individuals that their rulers can be deposed or assassinated for religious reasons.<sup>41</sup> With this dogma, he condemned the shared peace and set fire to all of

<sup>32</sup>RQP IV-I, OD III 1011. Jenkinson defines multi-confessional pluralism as liberal tolerance: Sally Jenkinson, 'Two Concepts of Tolerance: Or Why Bayle Is Not Locke', *The Journal of Political Philosophy* 4, no. 4 (1996): 302–21 (320).

<sup>33</sup>This is the link that leads to sedition and even to tyrannicide: DHC 'Mariana, Jean', remarque H.

<sup>34</sup>The oath of allegiance must be obligatory, while adherence to the religious denomination is voluntary. I have presented this thesis in M. García-Alonso, 'Liberté de conscience, tolérance politique et souveraineté: les fondements anti-eclesiologiques de la théologie politique de Bayle', *Journée d'études à Nantes IAS: Fondements théologiques de la théorie constitutionnelle moderne: XVI-XVIIe siècles*, January 2016 (unpublished). This paper will soon become an article in which I will respond to Mori's main thesis regarding the *Avis*, according to which Bayle, in his last texts, gave the defense of religious pluralism, that is, political tolerance, in favor of an atheist sovereign or a State without religion: cf. Gianluca Mori, 'Bayle anti-protestant', 425.

<sup>35</sup>RQP II-CXXI, OD III 745.

<sup>36</sup>CP II-V, OD II 413.

<sup>37</sup>A year before the publication of the *Avis*, in the *Réponse d'un nouveau converti* de 1689, Bayle maintains the same thesis: Protestants have not only persecuted the faithful for reasons of conscience, but they have defended sedition against the sovereigns who do not share their religion (*Réponse*, OD II 572).

<sup>38</sup>*Avis*, OD II 626

<sup>39</sup>*Avis*, OD II 591.

<sup>40</sup>The conclusion of the *Avis* is quite a panegyric dedicated to Louis XIV, both to his way of governing and to his person (*Avis*, OD II 625).

<sup>41</sup>His words on the assassination of Henri IV by Ravaillac leave no doubt about this (RQP IV-XXVII, OD III 1080).

Europe.<sup>42</sup> In the *Réponse d'un nouveau converti* from 1689 we can read: 'Ecrits séditieux ont été si souvent brûlez ici par la main du bourreau, et de ne vous servir d'autre principe que du leur, c'est qu'il n'y a point d'autre Souverain légitime que celui qui est orthodoxe'.<sup>43</sup>

And, in Bayle's opinion, the group most to blame for disseminating this doctrine is the clergy. Not a single pastor had preached against these doctrines,<sup>44</sup> and the subordination of the sovereign to the people had been shouted to the four winds both in temples and in universities, spilling forth all kinds of justifications to dethrone kings.<sup>45</sup> This doctrine is what makes the Christian religion hateful to all the peoples of the world,<sup>46</sup> as it implies that the fulfilment of the most elementary civic and moral duties gathered in civil legislation depend on the usefulness of religion: unfaithfulness to oaths, assassinations, lies ... can be forgiven and accepted as long as they are carried out in the defense of religion.<sup>47</sup>

## 5. The right of resistance and sedition

As we have seen, while Bayle referred to the Catholic religion when he wrote his first criticisms of the Christian doctrine of the right of resistance, we must accept that, after the Glorious Revolution, Protestants also defended this doctrine. In fact, despite the fact that the Protestants criticized and discredited Catholic doctrines of resistance in their texts, they ended up defending similar theses when it was convenient to their interests.<sup>48</sup> Not only the *Avis*, but also the *Réponse à un nouveau converti*, are texts that are almost wholly devoted to criticizing this double dealing which, for Bayle, had one leading character: Pierre Jurieu.<sup>49</sup> In contrast to Jurieu, for Bayle, sedition cannot be justified by religious motives, not even when the sovereign suppresses or prohibits the public practice of some denomination. The Gospels clearly establish this when they point out that the only option left to a Christian when he is persecuted for religious reasons in one place is to flee to another. Nowhere does Scripture say that he should flee to a neighboring country to rearm and return for revenge for the persecution.<sup>50</sup> What interest could anyone have, says Bayle, in returning to their country of birth to confront their old sovereign instead of staying in their host country and living according to their religion?<sup>51</sup>

But if religious motives give no legitimacy at all to political revolt, neither does the supposed injustice of the law. First of all, because civil laws do not show moral justice in an objective way, as they must contextualize and adapt justice, which is why they need corrections, exceptions, limitations, and extensions.<sup>52</sup> And so legislating and applying justice – legislative and penal power – complement one another and can only be in the hands of those who hold sovereignty, a final court of appeal.<sup>53</sup> The doctrine of popular sovereignty goes against this elementary thesis; how can one maintain that the people are the absolute sovereign who create their own tutors and, at the same time, defend the idea that the people owe them obedience in critical political circumstances such as the defense of their interests or, simply, in relation to their very continuity as a people? There is nothing more extravagant, according to Bayle, than holding that individuals retain the right to judge kings and

<sup>42</sup>Avis, OD II 632.

<sup>43</sup>Réponse, OD II 572.

<sup>44</sup>Avis, OD II 592. In this same direction, see: Réponse, OD II 575.

<sup>45</sup>Avis, OD II 600.

<sup>46</sup>DHC 'Abdas', remarque C.

<sup>47</sup>CP I-V, OD II 378.

<sup>48</sup>Avis, OD 621.

<sup>49</sup>There is a comparison of Jurieu's and Bayle's political doctrines in Antony McKenna, 'Questions de souveraineté chez Bayle et chez Jurieu', 363–92; Guy Howard Dodge, *The Political Theory of the Huguenots of the Dispersion, with Special Reference to the Thought and Influence of Pierre Jurieu* (New York, 1947); F.R.J. Knetsch 'Pierre Jurieu and the Glorious Revolution According to His Lettres Pastorales', in *Church, Change and Revolution*, ed. J. van den Berg and P. G. Hoftijzer (Leiden, 1993), 145–66.

<sup>50</sup>Avis, OD II 617.

<sup>51</sup>Avis, OD II 620.

<sup>52</sup>Avis, OD II 597.

<sup>53</sup>Avis, OD II 598.

oppose their orders when they fail to fulfill their pact and, at the same time, defend the idea that, in these circumstances, they should blindly follow the lower magistrates' indications.<sup>54</sup>

Paradoxically, this *theory of the ephorate* is criticized in the pages of the *Avis* mentioning Etienne Junius Brutus exclusively. However, it was Jean Calvin who defended institutional resistance according to which, if the people are the victim of a bad magistrate, they can only pray and accept his government as a divine punishment for their sins but, if the ruler turns against divine Law or the true religion, his own legitimacy is questioned and he can, therefore, be dethroned with the help of the lower magistrates. With Calvin defending the doctrine of kings' divine right, a defense of the popular legitimacy of revolts is impossible, so that, in the case of an impious head of state, only another of equivalent rank can oppose him. Therefore, in order for resistance to be legitimate, it must be led by public authorities who, for Calvin, are none other than *blood princes*.<sup>55</sup> This is the basis upon which the French reformer was able, in 1560, to support the Lyon conspiracy, known as the *l'affaire de Maligny*, as its promoter was the king of Navarre, Antoine de Bourbon, first prince of the blood and great hope of the French Reformation.<sup>56</sup>

But Bayle did not care whether resistance came from the hands of individual people or people in political offices, if they did not act as commissioners of the sovereign.<sup>57</sup> So he did not accept either institutional or popular resistance. The only option when faced with a sovereign who becomes a tyrant is, then, obedience. As he pointed out in the article devoted to Amirauc in the *Dictionnaire Historique et Critique*, the Protestant theologian exhorts his fellow believers to have patience, to what he calls *passive obedience*, in the case of finding themselves subjected to an unjust king, with obedience being his 'preferred dogma'.<sup>58</sup> Nevertheless, if Amirauc can be described as a political theologian, Bayle's proposal does not depend exclusively on the doctrine of Christian obedience, nor is it put forth according to the information that the Old Testament offers. His proposal is political.

## 6. Indivisible sovereignty as the condition for political tolerance

The discussion regarding shared sovereignty in the Low Countries can be traced to their struggle with Spain, the moment at which the General and Provincial States defended a sovereignty divided between States and Monarchy, against the centralist aspirations of Philippe II.<sup>59</sup> The political dispute had before it two different forms of government. On one hand, there was a model of centralist sovereignty and, on the other, a model of shared sovereignty, in which the defense of shared monarchy for the Empire was conjugated with the protection of jurisdictions and privileges (freedoms) of the Provinces that formed the Low Countries. In defense of this thesis, the doctrine of *lex regia*, based on the interpretation of some passages of the *Digestum* (I, 4,1; XI, 8, 2) and of the *Institutes of Justinian* (I, 2, 6) about the Roman people's transmission of power to their rulers, was brandished.

But the appeal to *lex regia* was not only good for arguing about the distribution of power. It attempted to clarify not only who had legitimacy to exercise sovereignty, but also the framework in which this person could carry out this sovereignty, as well as the conditions for delegating power when its titleholder was absent. When he delegates, does the primary titleholder completely relinquish power or is it only a partial, conditional transfer? It is in this context that social pactist doctrines arise. In effect, during the *sixteenth* and *seventeenth* centuries, theoreticians added that

<sup>54</sup>Avis, OD II 603.

<sup>55</sup>In the *fifteenth* century, the members of the French royal house who descended from Saint Louis (Louis IX, 1214–1270), who were in the line of succession to the throne, were called *princes de sang*.

<sup>56</sup>Alain Dufour, 'L'affaire de Maligny (Lyon 4–5 septembre de 1560) vue à travers la correspondance de Calvin et de Bèze', *Cahiers d'histoire* 8, no. 3 (1963): 269–80. Regarding Calvin's doctrine of resistance, see also: Marta García-Alonso, 'Tutela e insurrección en los orígenes del derecho de resistencia', *Revista Latinoamericana de Filosofía* 33 (2007): 5–23.

<sup>57</sup>Avis, OD II 602.

<sup>58</sup>DHC 'Amyrauc, Moïse', remarque Q.

<sup>59</sup>Regarding *lex regia* and shared sovereignty, cf. Catherine Secretan, *La Révolte des Pays-Bas: aux sources de la pensée politique moderne (1566–1619)* (Paris, 1990); Fabrizio Lomonaco, *New Studies on Lex Regia. Right, Philology and Fides historica in Holland between the 17th and 18th Centuries* (Berlin, 2011).

the transmission of power took place through a social pact and that this pact was not limited to the original moment of transmission but that, in order to maintain its legitimacy, the power constituted after this contract had to continue to act according to the initial conditions. Thus, in the Low Countries, even though the privileges had *de facto* been granted by previous monarchs, they began to be interpreted *de iure* as the result of a pact between the monarch and his subjects; therefore, doubt would be cast on the political pact if these conditions were questioned.

Pierre Jurieu was one of the defenders of the doctrines of popular sovereignty and of the theory of the social pact, although to Bayle's eyes, his political position was the result of his interests and he only accepted this doctrine in order to articulate the defense of Protestant sedition against the Catholic king James II. Bayle continued to indicate him indirectly when he criticized writers who, when it came to confronting priests, popes, and Jesuits, defended the sacredness of the institution of the monarchy, but who adopted the doctrine of popular sovereignty when it suited their religious cause.<sup>60</sup> The philosopher from Rotterdam believed that the function of these doctrines was none other than to open a breach in political power, making rebellion easier and encouraging the clergy's aim to control the rulers, setting them against the people. However, these are pernicious doctrines, not only considering the consequences they provoke but because they are, in addition, incongruent with their principles. Popular sovereignty assumes that sovereigns and their subjects commit themselves mutually, by means of a contract, so that – Bayle adds – if the magistrates do not fulfill their promises, the subjects can feel free from the subjection that they owe them,<sup>61</sup> as they will have the right to judge what is required of them and to decide if it conforms to the public good and to their particular privileges, without committing them to anything that could be prejudicial to their cause: *salus populi suprema lex esto*.

A social contract, therefore, does not mean a completely alienated popular sovereignty and it will never avoid the problem of a crisis of authority<sup>62</sup> because, even when it delegates the majority of its powers in the hands of deputies or envoys, the people always have the possibility of maintaining some degree of sovereignty, according to which they can keep for themselves a final right to inspect the behavior of the authorities. In this simple way, any sedition can be justified.<sup>63</sup> What is more, if parliaments, General States, and the ephors are the final custodians of the people, who will supervise their behavior – *sed quis custodiet ipsos custodes?* What reason justifies submitting oneself to the will of Parliament and not to the will of a monarch? In order to avoid the crisis of authority, Bayle holds that there should not be a legislative power on the margins of the executive power, thus his opposition to parliamentarism. Only when the monarch and the parliament act unanimously, as one – as a political sovereign – does their action make sense. If we consider the purpose of Parliament to be to control or veto the monarch's legislative action, then we have a sovereignty that is divided and, in Bayle's opinion, useless.<sup>64</sup> Its intromission can, on occasion, even be harmful because, as Bayle says, the main reason for the failure of the Edict of Nantes was the *interference* of the parliaments in France's religious-political legislation.<sup>65</sup> Their incompetence is not limited to religious affairs; their disastrous influence on the country's economic policy can also be documented,<sup>66</sup> not to mention the arbitrariness the English parliaments boasted of throughout the sixteenth century.<sup>67</sup>

<sup>60</sup> Avis, OD 592.

<sup>61</sup> Already in Calvin's time, authors such as John Knox (1514–1572), Christopher Goodman (1520–1603), and George Buchanan (1506–1582) – all three cited in the *Avis* – defended the idea that, if sovereigns act against the true religion, their subjects can unbind themselves from the oath of allegiance that they had given (Avis, OD II 606–607). Similarly: DHC 'Knox, John', remarque D.

<sup>62</sup> Avis, OD II 594.

<sup>63</sup> According to Bayle, even though they did not invent it, the Jesuits were the ones who had managed to take the consequences of this political doctrine furthest (DHC 'Loyola, Ignace', remarque S).

<sup>64</sup> Tant il est vrai qu'il y a des occurrences et des constitutions de gouvernement où le partage du pouvoir législatif entre un Prince et un Corps de Juges seroit pernicieux; car une loi ne pourroit jamais être établie, si ces Juges s'obstinoient à ne la pas approuver' (RQP IV-III, OD III 1018).

<sup>65</sup> CG III, XXVII, OD II 107. Similarly: DHC 'De L'Hôpital', remarque K; RQP IV 3, OD III, 1017; DHC 'Cameron, Jean' remarque L.

<sup>66</sup> RQP IV-III, OD III 1018.

<sup>67</sup> DHR 'Boleyn, Anne', remarque B.

These are all reasons why, according to Bayle, the very concept of sovereignty ought to involve not only a single authority to legislate, but should also have exclusive coercive and penal power.<sup>68</sup> This right does not only mean the capacity to judge the conduct of the subjects according to the laws of the State, but it also means that no individual has the right to start any war at all, whether civil or between states. The law of nations prohibits those who lack sovereignty from committing any coercion at all; this is the same as saying that it denies any power of coercion to private individuals.<sup>69</sup> The right to life and death belongs only to the sovereign.<sup>70</sup> If the proper functioning of the State requires it to be constituted as the single, final judge in politics with the authority to impose penalties and make laws, it is because the theoreticians of sovereignty, such as Hobbes and Bodin, suffered the results of revolts in the form of civil wars and popular attacks on the monarchy and understood that popular sovereignty leads to anarchy and social dissolution.<sup>71</sup> This indivisible sovereignty that I am describing coincides with what Bayle knew of the work of Elie Merlat, *Traité du pouvoir absolu des Souverains*, which he himself helped to publish and review in 1685.<sup>72</sup> But in contrast to Hobbes, Bodin, and Merlat himself, for Bayle, the titleholder of sovereignty could be one or several persons, organized politically as a Republic or as a Monarchy. The main issue was that it had to be indivisible, uniting legislative and penal power in one titleholder:

Peu m'importe pour le présent que ce Tribunal suprême consiste ou dans la volonté d'un seul homme, ou dans le concours d'un certain nombre de suffrages, 50. 60. 300. 500. plus ou moins. Il n'en est pas moins vrai que tous les membres de l'Etat doivent obéir à ce Tribunal, et qu'on les y peut contraindre, sans être responsable qu'à Dieu de l'usage que l'on aura fait de ce pouvoir coactif. [...] La République Romaine, celle de Venise, celle de Hollande, et tout ce qu'il y a jamais eu d'Etats au monde, ont eu et ont nécessairement un semblable Tribunal; de sorte que la différence des Monarchies et des Républiques ne consiste pas en ce qu'il est plus permis de désobéir à la Puissance souveraine dans les Républiques que dans les Monarchies; mais en ce que dans les Monarchies cette puissance est attachée à une seule personne, au lieu que dans les Républiques elle demande un certain concours de suffrages; et quoi qu'il en soit, il n'y a nul Particulier sous ces deux différentes sortes de Gouvernement, qui ne soit également destitué de tout droit de contradiction, par rapport à la puissance souveraine, et qui ne mérite également toute la rigueur des Loix, lorsqu'il résiste à cette puissance (Avis OD 595).

So indivisible sovereignty is not a synonym for monarchic absolutism, even though, following Labrousse, specialists in Bayle are unanimous in describing him as a convinced supporter of absolutism.<sup>73</sup> Nor would it be quite correct to define him as a legitimist, as Laursen and Jenkinson do,

<sup>68</sup>Avis, OD II 613.

<sup>69</sup>Avis, OD II 613.

<sup>70</sup>Avis, OD II 614.

<sup>71</sup>Avis, OD II 594. Bodin acknowledged this in his article: DHC 'Bodin, Jean', remarque Q. According to Bayle, Hobbes, in turn, writes about republics in order to demonstrate that, on the contrary, monarchies are much more stable and preferable: DHC 'Hobbes, Thomas', remarque C.

<sup>72</sup>It is the criticism of popular sovereignty and the right of resistance that interests Bayle in Merlat's thesis, not its theological foundation (NRL, VII August 1685, OD I 353–354). The complexity of Merlat's work is greater than Bayle presents in his review, as it is a political theology, anchored in a discussion of the role of Grace, the Old Testament, and Christian obedience, in a broad sense. For an analysis of this, see Myriam Yardeni, 'Fissures et paradoxes dans la théologie politique d'Élie Merlat (1634–1705)', *Revue de l'histoire des religions* 1 (2013): 67–84. Spini situates Merlat's treatise within Bullinger's Protestant federalist tradition, as a spiritual alliance: cf. Deborah Spini, 'Il Traité sur le Pouvoir des Souverains di Elie Merlat', *Il Pensiero politico* 29, no. 2 (1996): 279–89. Regarding federalist theology, see Charles S. McCoy and J. Wayne Baker, *Fountainhead of Federalism. Heinrich Bullinger and the Covenantal Tradition* (Louisville, 1991). I have analysed the Federalist Theology of the Covenant in Marta García-Alonso, *La Teología política de Calvino* (Barcelona, 2008), 208–11. For a short comparison between the approaches of Merlat, Amiraud and Bayle see Luisa Simonutti, "'Absolute, Not Arbitrary, Power": Monarchism and Politics in the Thought of the Huguenots and Pierre Bayle', in *Monarchisms in the Age of Enlightenment*, ed. Hans Blom, John Christian Laursen, and Luisa Simonutti (Toronto, ON, 2007), 45–59.

<sup>73</sup>Labrousse give the chapter he devotes to Bayle's politics the title of 'La théorie absolutiste': cf. Elisabeth Labrousse, *Pierre Bayle II*, 474–96; Gianluca Mori, 'Politique et religion dans l'oeuvre de Pierre Bayle', 85; Bart Leeuwenburgh, 'Pierre Bayle in Dutch Politics', 110; Jonathan Israel, 'Pierre Bayle's Political Thought', 369 Antony McKenna, 'Questions de souveraineté chez Bayle et chez Jurieu', 368. It is interesting to point out that McKenna and Simonutti do acknowledge that this absolute authority can be monarchical or republican, implying that absolutism and indivisible sovereignty are not the same thing, although they do not say it in these terms. Cf. Antony McKenna, *ibid.*, 377; Luisa Simonutti, 'Bayle on Brutus. A Paradoxical Issue?' in *Monarchism and Absolutism in Early Modern Europe*, 187–200. Idem, 'Le masque de Junius Brutus. Le Bayle politique', in *Les 'Éclaircissements' de Pierre Bayle*, 193–208 (197).

understanding this term to refer to a defender of any governmental regime that takes on his political-religious doctrines.<sup>74</sup> Because, even though Bayle believes that sovereignty can be represented by a monarch or by an oligarchic elite, at no time does he ever accept that it can be democratic. In the eyes of the philosopher from Rotterdam, democracy and popular sovereignty are one and the same thing: a proposal to dissolve politics. If sovereignty makes sense in a confederation of confederated States, it loses all meaning when it becomes popular sovereignty, treating individuals as if they were autonomous, sovereign States that can judge and legislate independently.<sup>75</sup>

Nevertheless, this sovereignty is not unlimited; it has a defined framework of action and is exclusively political.<sup>76</sup> Conscience is not one of its prerogatives. The function of the magistrate is limited to the *external forum*, and extends to all behavior, even behavior of the ecclesiastical order, as ceremonies and the order of government do not belong to the essential aspects of religion.<sup>77</sup> In the same way, in the article *Amyraut* which was mentioned previously, he holds that disobedience to superiors is allowed in the *internal forum*, as conscience does not belong to the area of jurisdiction of political powers.<sup>78</sup> However, the clearest text on this issue is found in the *Commentaire Philosophique*, where Bayle indicates that any law against the conscience is null: ‘... les Rois n’ont ni de Dieu, ni des hommes, le pouvoir de commander à leurs Sujets qu’ils agissent contre leur conscience’ (CP I, VI, OD II 384).

## 7. Conclusion: between elitist politics and reason of state

As we have seen, even if Bayle is a convinced defender of indivisible sovereignty, he is neither an absolutist, nor can he be presented as a champion of democracy. But did Bayle think about politics in terms similar to the *Republique des Lettres*, where one could trust in a select, enlightened minority and their capacity for persuasion and negotiation?<sup>79</sup> But would an elite or a monarch be less likely to let themselves be manipulated by the clergy than the common people? If biases are universal (temperament, education, context) and affect us all equally, why does Bayle believe that the titleholder of sovereignty (the monarch or republican oligarchy) can be more easily enlightened than the common people? After all, one of Spinoza’s most valuable political lessons is that we all suffer the same biases – including rulers –, thus his commitment to a democratic republic and his criticism of the doctrines of the philosopher king.<sup>80</sup>

<sup>74</sup>The possibility of Bayle being part of the republican tradition is developed by Jenkinson in her ‘Introduction’, *Pierre Bayle. Political Writings*, xxxii and following. Laursen interprets Jenkinson’s analysis as a defense of political legitimism. Cf. John Christian Laursen, ‘Bayle the Man, Bayle the Political Animal’, 506. We do not agree with Jenkinson’s view about Bayle’s lack of alternatives to the policies he criticizes. Bayle’s indifference regarding the form of government adopted (monarchy or republic) is compatible with him taking sides with the defence of an indivisible sovereignty. Jenkinson’s view holds only if we reduce political theory to the analysis of the forms of government, which is clearly a reductive definition. Cf. Sally Jenkinson, ‘Bayle and Hume on Monarchy, Scepticism, and Forms of Government’, in *Monarchisms in the Age of Enlightenment*, 60–77 (64).

<sup>75</sup>Avis, OD II 596.

<sup>76</sup>In the *seventeenth* century, the defence of an indivisible sovereignty did not imply a reduction of civic rights, but was rather a warrant of the civic peace as a framework for these rights to hold. In a similar sense, cf. Luisa Simonutti, ‘“Absolute, Not Arbitrary, Power”: Monarchism and Politics’, 49.

<sup>77</sup>NRL, August 1865, art. VII. Jenkinson also thinks that, in order to defend confessional pluralism, Bayle considers necessary the indivisible sovereignty, not absolute monarchy; Sally Jenkinson, ‘Bayle and Hume on Monarchy, Scepticism, and Forms of Government’, in *Monarchisms in the Age of Enlightenment*, 73.

<sup>78</sup>DHC ‘Amyraut (Moïse)’, remarque R. The possibility of resisting in conscience does not imply martyrdom, as it happened with either the passive *resistance* or open disobedience of the primitive Christians. We refer instead to crypto-confessional practices. For instance, the Spanish converted *Jews* observed in public the Catholic faith, but, *internally*, they remained *Jews* and just kept their religious practice private. This sort of Jewish crypto-confessionalism was despectively known in Spanish as ‘marranism’.

<sup>79</sup>Not in the sense that only some can know the truth, but in the sense that only some are capable of political leadership, the same way that only a minority is part of the intellectual Republic of Letters. That access to this republic does not depend on the socio-economic position of the individual does not mean that it is not a meritocratic, elitist association. However, Laursen points out that Bayle would have accepted that education could be democratic and would have been against elitism, at least in issues regarding religion: cf. John Christian Laursen, ‘¿Son los cosmopolitas ilustrados elitistas? Reflexiones sobre la República de las Letras de Pierre Bayle’, in *Cosmopolitismo y nacionalismo. De la Ilustración al mundo contemporáneo*, ed. Gerardo López-Sastre and Vicente Sanfélix (Valencia, 2010), 15–32.

<sup>80</sup>Spinoza, TP VII, 27, 719–20. TP: *Political Treatise*, in *Complete Works*, ed. Michael L. Morgan (Indiana, 2002).



Bayle may have felt that it would be easier to convince these elites than the masses, as he could appeal to Reason of State.<sup>81</sup> After all, all rulers are ready to allow the extension of a religion that is contrary to their own beliefs, as long as it means a reduction in the power of their political rivals.<sup>82</sup> Any sovereign, even the Pope, acts in the same way.<sup>83</sup> He may have been convinced that, after the implantation of this model, the philosopher could replace the theologian and freedom of thought would be more likely to flourish in a regime of religious pluralism because, if non-intromission in a person's conscience for religious reasons was accepted and minority religious confessions were accepted, the step to generalized freedom of thought should not have many obstacles.<sup>84</sup> With this in view, it is not surprising that Antony McKenna holds that Bayle not only lost the political game, but that his commitment to absolutism turned him into a man of the past.<sup>85</sup> However, as the publisher of his correspondence and a great scholar of his work, he also knows that the Philosopher of Rotterdam ended up winning the game after his death, as the great dissemination of his work and ideas shows.<sup>86</sup> But his political philosophy also won, as some saw it as an option for the immediate future, an option that was quite compatible with his *enlightened despotism*, as the admiration professed by Frederick II of Prussia and Catherine II of Russia testifies.<sup>87</sup> At any rate, writing to convince a monarch, an oligarchic republic, or the demos as a whole is the task that the political theoretician faces if he aspires to see his proposals applied. Bayle, as we have seen, was no exception.

## Disclosure statement

No potential conflict of interest was reported by the author.

<sup>81</sup> Reason of State that Bayle did not place above conscience or morality, or above institutional religion. It is necessary to clarify this, as Bayle conceives virtue to be apart from religion, as the paradigmatic case of the virtuous atheist shows. That morality does not have a religious basis is not only a philosophical example – represented by the figures of Spinoza and Epicurus – but a historical example, as he well knows from the existence of societies without god, from travel literature of his time. These analyses are supported by the data known in the **seventeenth** century about China which Bayle got from the writings of missionaries, such as those of Jesuits Guy Tachard, *Voyage de Siam des Pères Jesuites* (1686) and Charles Le Gobien, *Histoire de l'Edit de l'Empereur de la Chine* (1698). There is a detailed analysis in Juliette Joy Charnley, *The influence of travel literature on the works of Pierre Bayle with particular reference to the dictionnaire historique et critique* (Durham, 1990). Available at Durham E-Theses Online: <http://etheses.dur.ac.uk/6574> (accessed February 2016).

<sup>82</sup> The rivalry between France and the House of Austria is a good example of this kind of politics (CG III XXVII, OD II 107).

<sup>83</sup> DHC 'Elisabeth', remarque R.

<sup>84</sup> Similarly: Sally Jenkinson, 'Two Concepts of Tolerance: Or Why Bayle Is Not Locke', 320.

<sup>85</sup> Antony McKenna, 'Questions de souveraineté chez Bayle et chez Jurieu', 392.

<sup>86</sup> Bayle's work had a considerable influence on Leibniz, Voltaire, and Diderot, d'Holbach, Mandeville, Hume, Benjamin Franklin, and Thomas Jefferson, to cite only a few names. His mark can be found even in the Spanish Enlightenment: cf. Fernando Bahr, 'Bayle, Feijoo y la Ilustración en el mundo hispánico', in *El libro en el protopaís. Tradición clásica, cosmovisión eclesíastica e Ilustración*, ed. Roberto Casazza (Buenos Aires, 2004): <http://www.bn.gov.ar/descargas/publicaciones/mat/L8.htm> (accessed February 2016).

<sup>87</sup> Cf. Eckart Birnstiel, 'Frédéric II et le Dictionnaire de Bayle', in *Pierre Bayle, citoyen du monde. De l'enfant du Carla à l'auteur du Dictionnaire*, ed. Hubert Bost and P. Philippe de Robert (Paris, 1999), 143–57; Hélène Carrère, *Les Romanov: une dynastie sous le règne du sang* (Paris, 2013), ch. VIII.