

# V A R I A

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## « DROIT DIVIN ET HUMAIN » : THE RHETORIC OF HUGUENOT RESISTANCE

**Résumé:** « *Droit divin et humain* »: *la rhétorique de la résistance huguenote*. Le but de cette étude est de définir l'expression rhétorique « droit divin et humain » qui est apparu fréquemment dans les travaux polémiques des catholiques et protestants pendant les guerres de religion (1562-1620). Cette étude se fonde principalement sur les brochures politiques protestantes imprimées qui circulaient en France pendant la décennie de 1560. La plupart des sources étaient anonymes. L'auteur discute d'abord les idéologies majeures qui ont fourni le contexte intellectuel pour l'expression rhétorique « droit divin et humain ». Un éclairage nouveau est apporté à ce concept en combinant une analyse de la pyramide de Lovejoy, de la notion de Corpus Mysticum et des théories de résistance Huguenote. Tandis que les conclusions préliminaires suggèrent une interprétation politique des guerres de religion, l'expression « droit divin et humain » a pu trouvé chez les nobles protestants qui ont cherché à contenir la puissance des Guise, une plateforme idéologique et également un mobile important pour le comportement politique de la noblesse. Les polémistes protestants qui ont invoqué le dispositif rhétorique « droit divin et humain » ont cherché à mobiliser leurs coreligionnaires qui aimaient les libertés politiques traditionnelles définissant ainsi la culture politique de la Renaissance.

**Mots-clés :** huguenots, guerres de religion, reformation, calvinisme, rhétorique.

**Abstract :** The purpose of this study is to define the rhetorical expression « droit divin et humain » that appeared frequently in the polemical works of both Catholics and Protestants during the French Wars of Religion (1562-1620s). This study relies mostly on printed Protestant political pamphlets that were circulating in France in the 1560s. Most of the sources were anonymous. The author first discusses several key ideologies that may have provided the intellectual foundation and backdrop for the rhetorical expression « droit divin et humain ». Lovejoy's Great Chain of Being, the concept of the Corpus Mysticum, and Huguenot resistance theory are considered. The author also examines « droit divin et humain » in light of Renaissance political culture. While preliminary conclusions suggest a political interpretation of the Wars of Religion, « droit divin et humain » may have resonated with Huguenot nobles who sought to contain Guise power, ideology was also an important motivator for noble political behavior. Protestant polemicists who invoked the rhetorical device « droit divin et humain » sought to mobilize coreligionists who cherished traditional freedoms and rights long associated with the Renaissance monarchy.

**Key words :** Huguenots, Wars of Religion, Reformation, Calvinism, Rhetoric, Renaissance Monarchy.

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From the outbreak of the religious wars through the early decades of the seventeenth century, French pamphleteers frequently invoked the idiom « droit divin et humain » to express disapproval over a policy or action they believed was unjust. The frequency with which « droit divin et humain » appears in both Catholic and Protestant sources suggests that it was an important rhetorical tool for early modern polemicists. Both the idioms « droit divin et humain » and « loix divines et humains » can be identified in at least twenty-six political pamphlets of the early modern era. Though none defined « droit divin et humain », an examination of Protestant political texts suggests that Protestant pamphleteers invoked the rhetorical device, « droit divin et humain », to defend traditional freedoms such as the right to consult the king. In doing so, Protestant polemicists held that the restoration of peace and political order rested as much with the estates as it did with the monarch. To them the state was both human and divine : though the state operated according to man-made laws that were amendable, its basic foundation of human law and custom could not be violated or eliminated because it was part of God's natural order. Huguenot polemicists claimed that the state, in persecuting Protestants, had violated their rights as French subjects. The justification for the existence of such rights was not based upon tradition specifically, but upon the notion that tradition had demonstrated the occurrence of such rights in the natural order. As the monarchomach François Hotman contended, God obligated the king to adhere to the customs and laws of the French nation; such were the rights, argued Huguenot pamphleteers, of the natural French (*Articles des plaints*, 1567 : Bj) .

## **1. Intellectual Foundations**

### **1.1. Order, Harmony, and the Natural World – The Great Chain of Being**

Early modern Europeans held a world view and cosmology in which all things, animate as well as inanimate, existed within an interlocking, interdependent system of natural hierarchies, what Arthur O. Lovejoy termed the Great Chain of Being. Human hierarchies reflected animate and inanimate hierarchies, and animal behavior and natural occurrences served as a guide for human action and belief. Essentially, human society and its institutions were rooted in nature (Daly, 1979). By studying the rotation of the planets, the properties of natural substances, and the behavior of animals, human beings could better understand the natural patterns and processes that governed human relations and actions. Most early modern Europeans agreed that to ignore the examples of nature was to ignore God. To defy nature was to be unnatural and ungodly. Equally important were the principles of unity and harmony. Early modern Europeans studied the natural world not only to

understand their place and role within the Great Chain, but also to ensure that human beings conformed to nature, thus ensuring that human institutions continued to operate in harmony with God's system. To do otherwise would be to invite disorder and destruction, the antithesis of God's purpose and design.

In preaching to their followers, Huguenot ministers often conveyed religious ideas by relating them to the behavior and natural attributes of animals and insects. Dauphiné minister François Murat, for example, likened faith to the instinctual tendencies of birds and fish (Murat, 1625 : 43-44). The minister of Paris, Pierre du Moulin, linked man's inability to understand God to the natural blindness of moles (Moulin, 1655 : 175). He also preached on the permanence of salvation, contrasting it to the transient state of hopping grasshoppers (Moulin, 1614 : 162). In the above cases, ministers communicated important religious points by creating analogies involving animals in their natural settings. In doing so, ministers underscored the connection between man and nature. Man's rightful position and purpose could be understood by observing God's earthly design.

Just as man studied the natural world to understand his proper place within it, Renaissance humanists also studied human law and custom to understand and interpret correctly the proper role and function of legal and political institutions. Legal scholars believed that human laws should conform to God's system, its physical, earthly counterpart, as well as what is known to be true in the Holy Scripture. The king did not dictate the laws, but the laws, rooted in nature, existed as the product of years of historical development (Daly, 1979 : 21-22). Early modern theorists held that God had infused the world with natural laws at the time of creation. For natural operations to continue, for the living to grow and prosper, physical, natural occurrences depended upon a hidden Godly power that perpetually nourished and sustained them (Murat, 1625). Like the natural world, God's law sustained human law. Human law, custom, and tradition, were an outgrowth of the natural order. One writer and lawyer who demonstrated the connection between the natural order and French law was Pierre de Belloy, a *politique* and lawyer with the Parlement of Toulouse. Writing in defense of Henry IV's pacification edicts, Belloy compared the laws of France to the parts of a tree : « De maniere que justmet nous pouvons coparer le roict, et loix a un arbre, duquel la racine est la Nature, qui tend a ce qui est bon a toutes choses, le tronc au droict des gens, communement receu et attaché par tout, les branches et rameaux au droict civil, vz. Et coustumes de diverses natiois, peuples et provinces, conformement a ce qui est bon, . . . , utile, et honeste a chafcune » (Belloy, 1599 : 41).

To Belloy, society's laws and institutions were based on natural law, or the divine law, the root in Belloy's analogy. Belloy maintained that all the laws and ordinances were divine and human, with the former ( « loix divines » ) immovable and progressing from nature. The former represented all the animals according to their natural inclination, and all the nations and people, as reasonable creatures.

The latter ( « loix humaines » ) symbolized all the laws, edicts, and declarations for each city and civil right that was reasonable, that followed common equity, and that was observed by all in the universe. Belloy writes: « Car aussi se devoient ces murmurans représenter, que toutes loix et ordonnances sont divines ou humaines: les premières ont leur progrès de la nature (c. Omnes, I. Diftin.) ; les secondes de l'usage observé parmi les hommes. Les premières, di-je, sont . . . équitables, certaines et immuables, accomodées de-par Dieu à tous les animaux selon leur naturelle inclination, et toutes les nations et peuples, comme créatures raisonnables; don't procéde la distinction et division du droit de nature, et du droit des gens. Les secondes sont les Ordonnances, Edicts & Declarations nécessaires, pour chacune cite, qui sont le droit civil, par lesquelles est pour certaines occasions, et selon les temps. Les lieux, & autres considérations raisonnables, aucunement altéré, et amandé ce qui est gardé, et observé en la vulgaire et commune équité, observée par tous en l'Univers » (Belloy, 1599 : 38).

Belloy, who became an advocate for Henry IV during the 1580s, held that certain edicts may be modified just as certain branches and twigs change because the law must be made to conform to the changing times. The root and trunk, by contrast, representing nature and the fundamental rights of the people respectively, remain intact, « perpetual et irrevocable » . Neither the root, nor trunk can be destroyed because to do so would bring about the destruction of the entire tree, or the entire system itself.

## 1.2. The Concept of the *Corpus Mysticum*

Early modern theorists additionally held that the government consisted of multiple components that all operated together to ensure balance, harmony, and peace. Otherwise known as the mystical body, the *corpus mysticum* was a medieval concept pertaining originally to the Christian Church. At first applied to designate the presence of Christ in the Eucharist, it later came to represent both the institutional church and body of believers, the entire Christian community (Kantorowicz, 1975 : 194-206). The *corpus mysticum* implied a certain dualism. Just as Christ was both divine and human, the church represented the divine, the soul of the Christian community, while the congregation symbolized Christ's human side. This dichotomy led to a natural hierarchy, placing the church in a superior position to the larger non-ecclesiastical Christian community (Monod, 1999 : 37-40). By the late Middle Ages, the *corpus mysticum* had become identified with the secular state (Kantorowicz, 1951). The *corpus mysticum*, or by then *corpus republicaie mysticum*, became a synonym for the state and microcosm for Christ's body, with the courts, estates, laws, community, and king, representing Christ's separate body parts. In what has been described as an organic representation of government, the king came to represent Christ's head; the other

components of government, such as the courts, laws, estates, and individual communities, the limbs, torso, and other body parts of Christ (Kantorowicz, 1975 : 209).

Early modern thinkers held that the king's sacred body was a microcosm for the entire body politic, serving as an indicator for problems related to his kingdom. As with the movement of the planets, the body's humors signaled in microcosm serious matters involving the kingdom's political institutions. Any signs of weakness or sickness occurring in a specific region of the king's body suggested trouble in a particular area of the realm. In contrast, a healthy king meant a strong and prosperous kingdom. As with the king, Huguenot theorists compared political problems that were affecting the realm to sickness infecting the body politic – an analogy Catholics made as well. Ultimately, Huguenot writers concluded that peace would return only when the proper remedy had been applied, usually this meant restoring the powers of the estates or some other governmental body whose official role had been ignored or violated. According to François Hotman, prominent Huguenot and legal humanist, the health of France depended not only on the health of the monarch, but also on the health of the kingdom's representative institutions. In referring to the ancient estates of France, Hotman wrote : “ Just as our bodies, when dislocated by some external blow, cannot be repaired unless each member be restored to its natural seat and place, so we must trust that our commonwealth will return to health when it is restored by some divine beneficence into its ancient and, so to speak, its natural state” (Giese, 1972 : 143).

For the Huguenot, the preservation of the estates and other corporate bodies and traditions was essential for the preservation of the monarchy and kingdom (Daly, 1979 : 27-29). Though recent scholarship has focused on the concept of the *corpus mysticum* to explain the political theology underlying early modern kingship (Monod, 1999), the *corpus mysticum* pertained not just to the monarch but the entire community – the state and its subjects. While the king represented the head of the community, it was understood that all the orders and other components that made up the body, the rest of the community, were equally important to the function of the state. By definition, the *corpus mysticum* included corporations, villages, cities, and provinces (Kantorowicz, 1951 : 486). It embodied the state as represented in all its administrative and corporate forms, with each form exercising an important function essential for the preservation of the whole.

Both Catholics and Protestants invoked the symbols of the mystical body in their polemical works, though they held different views on their meaning. Sixteenth-century French Catholics came to identify the mystical body with the king and Catholicism, associating the French nation with the institution of kingship and defining citizenship in terms of Catholicity. The Catholicism of citizenship had important ramifications for non-Catholics living in France. Because citizenship was defined in terms of religion, non-Catholics became exempt from the privileges of

citizenship (Wells, 1994). For Leaguer Catholics this meant that no French Protestant could become king. For others who associated national identity with the monarch, allegiance to the state came to mean allegiance to the king. Such an interpretation of national identity undoubtedly assisted in the trend towards absolutism the following century. By contrast, sixteenth-century French Protestants defined national identity in terms of France's historical institutions and traditions – her courts, assemblies, and laws, which had existed longer than any single king or religious dispute.

The Protestant perspective of French national identity gained greater momentum during the Wars of Religion, as Huguenot polemicists invoked the image of the mystical body to defend ancient liberties and customs. At least one anonymous pamphleteer foreshadowed the writings of the monarchomachs by discussing French law with respect to the mystical body and the estates, claiming that the authority of the estates rested with previous ordinances and the histories of France. In stressing the historical qualities of French law, the anonymous pamphleteer reaffirmed the importance of preserving the Renaissance monarchy in its natural form : « Lesquels estats sont le corps mystic d'icelle, et le Roy le chef organique d'un tel corps, estant reuni: car autrement que seroit telle teste retranchee de son corps, sinon la teste du Lyon de l'Apologue, le poil de laquelle desioincte de son corps, les connilz poureaux arrachent sans crainte? l'autorité desquelz estatz ie n'allegue par Coeur (comme l'on dict) ains instruit par les histories de la Frace, et pour l'auoir veu approuver par Loys Auguste Roy de France, et fans laquelle autorite le Roy a present regnant, ny tous le successeurs de Hugues capet, & particulièrement de Philippes de Valois, ne pourroyent soustenir avoir droict en la couronne, ains seroyent usurpateurs d'icelle, comme le Guisars tendent monstrere, cuidans abastardir l'autorité desdicts estats » (*Discourse par dialogue*, 1569 : Dij).

### 1.3. The Renaissance Monarchy

Huguenot pamphleteers often called for the convoking of the estates because the estates, as J. Russell Major has shown, were essential to the function of the Renaissance monarchy (Major, 1994). Because Renaissance kings were weak and ruled by consensus, they depended on their noble clients and representative bodies to adopt and carry out royal policies. At the same time, nobles, who called for the convening of the estates, revered the monarchy's consultative function, which by the sixteenth century had found expression in the various representative bodies and institutions that had become a standard part of French political life. Renaissance elites associated their right to counsel with France's representative institutions and traditions. When Huguenot nobles during the religious wars called

for the estates to assemble, they saw themselves as invoking a right that was an historical, and, hence, natural function of the Renaissance monarchy.

The religious wars of the sixteenth century revealed the inherent weaknesses of the Renaissance monarchy. Noble factions competed for control over royal patronage, which was incredibly limited during the sixteenth century (Major, 1994: 108). A smart king might prevent political conflict by consensus building and skillful manipulation of court factions. But the ascension of a minor to the French throne in 1559, Francis II, created, instead, a climate of political instability, as the two rival factions, Bourbon and Guise, vied for access to court patronage and power (Major, 1994 : 108). The Protestant charge, that the crown was restricting the flow of patronage to court favorites and ignoring the customary role of representative institutions, demonstrates the political nature of the evolving conflict. It additionally illustrates a Protestant esteem for the Renaissance consultative tradition.

#### **1.4. The Huguenot Resistance Theorists**

During the Wars of Religion, Huguenot political theorists reaffirmed the legal power of representative bodies and lesser magistrates over monarchs. Drawing upon historical precedent, Huguenot theorists, such as François Hotman, Philippe Duplessy-Mornay, and Theodore Bèza proposed that monarchs were elective and that the Estates-General and/or local magistrates possessed the right to depose tyrannical monarchs. The resistance writings of the monarchomachs represented the first attempt on the part of humanist scholars, drawing upon their understanding of history and legal precedent, to articulate a modern political theory that delineated between the rights of monarchs and other governmental institutions.

Huguenot theorists believed human law should reflect natural law, which revealed itself to human beings by observation and empirical analysis, a method that was becoming increasingly more common across disciplines during the early modern period (Shapiro, 1983). Huguenot resistance writers proved that legal tradition was concomitant to the natural order by applying principles of induction--that truth is determined logically from following the particular to the general, and that the strength of one's conclusions rested on the number of supporting cases.<sup>1</sup> Huguenot writers also demonstrated the universalism of representative practices,

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<sup>1</sup> In all, Hotman's *Francogallia* provided a total of 800 references from among 158 separate classical, medieval, and early modern sources. Of the 800 citations Hotman furnished, about 500 were derived from classical and medieval sources. The remainder Hotman gleaned from contemporary accounts. According to *Francogallia* editors Ralph E. Giesey and J.H.M. Salmon, four-fifths of the changes Hotman made in the later Latin editions of the *Francogallia* constituted additions in the form of historical examples. As Giesey and Salmon would agree, a prominent aspect of Hotman's work is the abundance of historical references (Giesey, 1972: 52).

showing that elective monarchy and contractual government were not unique to France but customs shared by other nations as well.<sup>2</sup> By illustrating that limited monarchy and the social contract were consistent and universal, Huguenot theorists laid claim to an empirical basis for natural rights. Indeed, the monarchomachs were not writing merely from a position of tradition but sought to prove a fact by following a more descriptive method of proof. In doing so, the monarchomachs concluded that French constitutional custom, consistent and universal, conformed to natural operations. A natural process, French law reflected the universe as God had created it.

Early modern theorists argued that the king never died because the king was both divine and human. Though the king's physical body would eventually die, the institution of kingship would live on with the anointing of a successor king. To French Protestants, the king's body symbolized the state. Just as the king was by definition divine and human, so were other institutions of state. The courts, custom, and representative institutions were as much a part of the mystical body as was the king. Protestants such as Hotman argued that the laws of the state were perpetual and irrevocable and, for this reason, should be followed just as one followed God's law. Huguenot pamphleteers, in discussing the political problems stemming from religious disagreements, demanded that their adversaries follow the law, for « le loy de l'Estat ne meurent jamais » (*Discours sur la procedure*, 1588 : 18).

## 2. The Rhetorical Device « Droit divin et humain »

Analysis of the pamphlets in which « droit divin et humain » and « loix divines et humaines » appear suggests that these devices served as metaphors for an early modern political ideology that envisioned human laws as an expression of God's law and the law of nature. Because human society and, more precisely, government, reflected, in microcosm, God's larger design, it followed that man-made laws (« droit humain ») should conform to a higher, moral law, God's law (« droit divin »). For the Huguenot pamphleteers, « droit divin et humain », symbolized the rights and traditions associated with the *corpus mysticum*, or

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<sup>2</sup> Hotman described elective monarchy, for example, as “an institution, which the Germans, Danes, Swedes and Poles retain even in this day” (Giesey, 1972 : 221). Mornay, likewise, found the European kingships of England, France, Spain, Germany and Poland to be most “accustomed to be inaugurated ... by the estates of the realm...” (Garnett, 1994 : 72). “Even amongst the heathen,” wrote Mornay, “kings are constituted by the people.” In discussing the history of the powers of estates and contractual government, Bèza also drew examples from the histories of England, Scotland, Spain, Poland, Denmark, Sweden, Venice, and Ancient Rome, Greece, and Israel. To Bèza elective monarchy was corroborated by the history of nearly all nations (Gonin, 1956).



Renaissance state, the rights and traditions which both the politique Belloy and the leading Huguenot theorists believed were « perpetual et irrevocable » because they were rooted in nature.

### 3. The Political Context

#### 3.1. The Ascension of Francis II and the Conspiracy of Amboise

During the 1560s, Huguenot pamphleteers argued that Catholic zealots were subverting the natural order for the sake of personal gain by denying access to the king. Huguenot resentment centered specifically on the Catholic House of Guise, which pamphleteers argued had seized power illegally. The death of Henry II from a jousting accident brought the boy-king Francis II to the throne in 1559. A minor, the king fell quickly under the influence of the Catholic Guise family who in time had managed to secure control over the major systems of governmental administration – the church, military, diplomatic corps, and royal treasury (Holt, 1995 : 42). While Guise domination of the king and government frustrated leading Protestant nobles, at least one Protestant pamphleteer directly challenged « la tyrannie et cruauté de la maison de Guise », calling the abduction of the king a violation of « tout droit divin et humain. » (*Supplication et remontrance*, 1561). The pamphleteer argued further that only the natural French could advise the king, who had fallen under the influence of foreign usurpers. To free the French people from this tyranny and preserve the monarchy of France, the Estates-General needed to assemble. The pamphleteer continued that the convening of the Estates-General was customary and consequently consistent with « la Loy naturelle » anytime a minor assumed the throne of France.

Protestant resentment over Guise power climaxed in March 1560 with the conspiracy of Amboise, a Protestant attempt to liberate the boy-king from Guise control. Though the Huguenot plot failed, with many Protestant nobles receiving the death sentence, the early death of Francis II in 1561 shifted the balance of power at court from the Guise party to the queen-mother Catherine de Medici. Designating herself as regent over her second son and royal heir, Charles IX, Catherine dismissed Guise officials from court and embarked on a new course of political moderation. The Guise faction, annoyed with the growth of Huguenot influence, left court and refused to return despite Catherine's pleas to remain (Carroll, 1998 : 108). In January 1562 Catherine issued the Edict of St. Germain. Known also as the January Edict, the Edict of St. Germain extended to the Huguenots limited legal recognition and the right to preach in the countryside during the daytime. Despite her best intentions, Catherine was not able to check the religious tensions that was mounting between Catholics and Protestants in the early

months of 1562. In March 1562, the Duke of Guise massacred a group of Protestants peacefully worshipping in the town of Vassy. The Protestant nobleman, Louis de Bourbon, Prince of Condé, responded by organizing the Protestant armies and issuing a call to arms.

### 3.2. The Wars of Religion

Protestant military success, demonstrated by the Huguenot seizure of a number of cities following the massacre of Vassy, prompted Catherine to revert back to the Guise camp. Catherine authorized Guise-led royal armies to meet the Protestant military challenge and crush what Catholic pamphleteers called was a Huguenot rebellion. The polemical conflict intensified as well. Protestant pamphleteers blasted the Duke of Guise in the months following the Massacre of Vassy with the murder of innocent Protestants and the destruction of their homes (Racaut, 2002 : 74) The leader of the Protestant forces, the Prince of Condé, was among those who, in issuing the Protestant call to arms, insisted that the indiscriminate murder of Protestants constituted a violation of the January Edict and « loix Divines ou humaines » (*Traicte d'association*, 1562). Condé called further for the punishment of the violators, enforcement of the edicts, and the preservation of the Protestant alliance until the king reached his majority. The prince of Condé considered himself a protector of the crown and sought none other than to conserve the king's majesty and realm (*Traicte d'association*, 1562).

Despite the crown's greater efforts towards peace, Guise domination of the king's inner council continued. By 1566, the Cardinal of Lorraine held enormous influence at court and, as a delegate at the Council of Trent, had established strong diplomatic ties with Rome. At the same time, Philip II had mobilized the army of the Duke of Alva to quell iconoclastic riots that had erupted in the Netherlands. Alva's army moved up the Spanish corridor from northern Italy northward along France's eastern frontier. The movement of Alva's army along this corridor led to heightened anxieties among French Protestants who feared Alva, in collusion with the Guise faction, may invade France to secure a final military victory over the Huguenot armies. Once again, Protestant pamphleteers argued against the Guise domination at court. Huguenot pamphleteers further noted that the House of Guise, specifically, had been plotting to exterminate the Huguenot nobility and all other Protestants living within the realm : Que contre tout droict divin et humain, sans aucun ordre ni procedure de justice, et contre le accords et reconciliations moyenees par le Roy entre les maisons de Guyse et de Chastillon: les fuf dicts Perturbateurs du repos public, ont prattiqué une conclusion arrestee au plus secret Conseil qui se tienne sous le nom du Roy, de faire mourir les fuf dicts Princes et principaux Seigneurs suivans la dicte Religion, et par consequent exterminer tout le reste du people tenant icelle Religion (*Articles des plaints*, 1567).

The anonymous Huguenot pamphleteer directly attacked the Cardinal of Lorraine for his court intrigues and for signing and receiving the terms of Trent. The pamphleteer attacked « les Italiens » as well who « ont gaigne tel credit et faveur en la Court par leurs subtilitez et inventions artificielles de lever argent du poure peuple. » Invoking « droict divin et humain », the pamphleteer challenged the political influence of the Papacy : Que contre les remonstrances, des Estats generux, tenus dernieremet en la ville d'Orleans, et contre tout droict divin et humain, le Conseil du Roy est rempli de gens ayans serment a un estranger: comme Cardinaux et Evesques, obligez par sermet au Pape de Rome, et par consequent dispensez et exempts de la fidelite qu'ils doivent au Roy: Et outre plus est farci de gens diffamez noroirement de trefmauvais mesnage et administration de ses finances converties a leur profit, outré plusieurs exactions faites sur les particuliers, comme sur ceux qui ont pris a forme les aydes, subsides, et autres deniers appartenans audict Seigneur (*Articles des plaints*, 1567).

#### **4. A Political Interpretation**

##### **4.1. The Issue of Succession**

The rhetorical device « droit divin et humain » may have held special appeal among French nobles who believed their traditional privileges were under assault. While religion undoubtedly played an important role in the conversion of Huguenot nobles, the rhetoric found in political pamphlets illustrates a traditional power struggle over royal succession. At the time of the conspiracy of Amboise, Huguenot pamphleteers claimed they were fighting to preserve the monarchy, the parlements, and the estates of the kingdom, an ideology nobles may have used in the following century as well (Kettering, 1992 : 860-1). « Droit divin et humain » resonated with Huguenot nobles specifically because foremost on their minds was preservation of the kingdom and the Capetian line. As one anonymous pamphleteer stated : « En maniere qu'ils ont de long temps compose par ensemble un sobbriquet et mot a plaisir, par derision de ceux qu'ils dissent ester descendus de la race de Hugue capet, les appellans HUGUENOTS: enveloppas en une telle contumelie, non seulement ceux que se efforcent de maintenir le florissante estat de ce Royaume, mais aussi la personne du roy nostre maistre, Messeigneurs ses ferres, et tous les Princes du sang » (*L'Histoire du tumulte d'Amboyse*, 1560 : 22).

For Huguenot nobles « droit divin et humain » meant the laws and customs of the French state, which included not just the rights and privileges of the king, but all laws and traditions that embodied the traditional French state and people, the *corpus mysticum* and the fatherland.

Huguenot nobles were concerned additionally with the preservation of the Salic law, which prohibited the succession of the French throne through a female line (*Supplication et remonstrance*, 1561 :10). Huguenot pamphleteers defended the Salic law because they feared the House of Guise would replace it with the law of proximity, thus denying the Henry of Navarre, his legal right to be king (Baumgartner, 1975 : 64). As early as 1537, the Catholic argument had been circulating that the Duke of Guise, rather than the descendents of the Valois or Bourbon lines, should be made king because he was the rightful descendent of Charlemagne. According to this position, Hugues Capet was a usurper whose reign the church never sanctioned. Capet's seizure of power inaugurated a new history of rule that brought with it the growth of heresies – including the Huguenot heresy of the sixteenth century (Baumgartner, 1975 : 59-60). Huguenot pamphleteers argued against this position, claiming that those who rejected the Capetian inheritance were usurpers (*L'Histoire du tumulte d'Amboise*, 1560). Any attempt on the part of the Catholic nobility to deny the French people, the natural French, their rightful heir the Huguenots interpreted as a violation of the traditional laws of France, and, more importantly, God's moral law as it found expression in the natural order (*Supplication et remonstrance*, 1561).

#### 4.2. The Problem of Patronage

The massive proliferation of offices that led to the emergence of powerful patron-client networks, proved another source of controversy for members of the Huguenot nobility, who saw themselves as cut off from important channels of power. Through their various patron-client connections, noble magnates, such as the House of Guise, could wield considerable influence at court, in the provinces, and in foreign lands (Carroll, 1998). By invoking « droit divin et humain », Huguenot pamphleteers challenged these monopolies, claiming that the public sale and traffic of offices at court violated « tout droit divin et humain. » (*Articles des plaints*, 1567). In the same breadth, they challenged poor financial management that they argued had plunged the king's finances into « un abysme de debtes » (*Articles des plaints*, 1567: Bij). Critiques continued these charges a few years later during the third civil war in 1568, when another pamphleteer railed against « les jours nouvelles impositions, charges, tributes, tailles et peages, pour succer comme sangsues, le sang et la sueur des pources sujets du Roy » (*Copie d'une lettre missive*, 1568: Aijj). The pamphleteer criticized public spending on extravagant expenditures such as the new buildings of the Tuilleries and condemned the promotion of Alberto Gondi, the son of an Italian banker who was made « sieur du Peron, Chevalier de l'ordre, premier Gentilhomme de la chamber du Roy, Comte de Rets, et seigneur de plus de soixante mil livres de rente » (*Copie d'une lettre missive*, 1568: Bj). The pamphleteer used the example

of the Monsieur de Guise, who at the age 13 or 14 was made judge, a position usually extended to someone who was at least the age of 25 (*Copie d'une lettre missive*, 1568: Aiiij-Bj). The pamphleteer illustrated additional consternation at the marriage of the Monsieur de Nemours, which was carried out « contre tout droict divin et humain » and also against all the authority and deliberation of the most sovereign courts of the kingdom (*Copie d'une lettre missive*, 1568: Bj). Though it is unclear whether this pamphleteer was Protestant or Catholic, the pamphleteer does spell out two important Huguenot grievances: the heinous and calculating efforts on the part of the House of Guise to exterminate the Huguenot minority and the enhanced power and position of foreign Italians who, according to the pamphlet's author, harbor no more affection for the poor people as they do for « un François naturel. » (*Copie d'une lettre missive*, 1568: Aiiij).

### **5. Ideology – Ancient Rights and the Natural Order**

In September 1568 war resumed when the Cardinal of Lorraine, in a dominant position at court, ordered the capture of Protestant towns and their leaders Condé and Coligny. Writing in opposition, the Prince of Condé, reiterated many of the same grievances Protestant pamphleteers stated previously. Condé requested that the king convoke an assembly of the estates of the kingdom, as he was appalled by the numerous injustices, taxes, and subsidies imposed at a time when the poor people needed help most. He was additionally disturbed by what he considered were the violations of the ancient laws of the fatherland. He asked : « Que pourroit faire un Prince du sang royal en telles distresses, oyat la clameur publicque, voyant les loix anciennes de la patrie violees, les edicts enfrains, le peuple foudre, la Noblesse opprimée, et tout ordre renversé ? » (*Protestation*, 1568: Aiiij).

Interpreting misery, oppression, and broken laws as « ordre renversé », Condé presupposes a political society in which human institutions and traditions are rooted in the natural order. Indeed, Condé is typical of other early modern thinkers who defined the natural as orderly and the unnatural as disorderly and possibly demonic. While studies by Natalie Davis and others have demonstrated the importance of this dichotomy in popular culture (Davis, 1975), Condé's example suggests that such a distinction is possible for early modern political culture as well. Huguenot polemicists who interpreted their time as « ordre renversé » and who invoked the idiom « droit divin et humain » stressed the rightfulness of their position and the wrongness of their opponents', situating their opponents' position outside the Godly, orderly realm.

As important, Huguenot nobles like Condé were exercising a nationalist rhetoric and ideology that appealed on an emotional level to nobles and possibly

commoners who believed they were fighting for a great moral cause, to preserve the Renaissance monarchy. Whether or not Condé's rhetoric succeeded in moving Huguenot nobles to action is questionable. Condé's true motives and those of his coreligionists are additionally uncertain. Condé and other Protestants undoubtedly felt marginalized by the predominant influence of the Guise affinity (Carroll, 1998). Political motives aside, Condé and his fellow pamphleteers employed and reemployed a rhetorical strategy and specific device, « droit divin et humain », derived not from the Calvinist theology of the Reformation years, but, it seems, from a late-Medieval, early modern popular cosmology and political theology. What is more, such a rhetoric and ideology surely resonated with those individuals most familiar, in concrete terms, with the consultative functions and traditions of the Renaissance monarchy – principally Protestant nobles who wished to end the religious and political violence by restoring the Renaissance monarchy to its original, and, hence, natural state.

### **Conclusion**

The Prince of Condé and other Huguenots employed a rhetoric and ideology that stressed the rights of the estates and ancient custom, claiming that such traditions were based on God's law and human law, as it conformed to the natural order. While Huguenot political theorists, writing in the 1570s, may have reiterated the meaning of « droit divin et humain » in a number of political treatises, the symbol « droit divin et humain » resonated with Huguenot nobles who believed their rights and ancient custom had been violated. « Droit divin et humain » may have generated additional appeal among ordinary folk, who felt the full impact of lawlessness, corruption, and religious violence in their local communities. Ultimately, Huguenot leaders sought to secure greater peace and stability through the restoration of the Renaissance monarchy. In this respect, their rhetoric was less revolutionary and more reminiscent of an older medieval ideology that stressed the importance of preserving the *corpus mysticum*. « Droit divin et humain » would reaffirm Huguenot nobles of the rightfulness of their position. However hopeless their situation seemed, Huguenot defenders remained confident that their stand was the morally right one. By the end of the century, « droit divin et humain » had lost favor in the wake of a new, conservative political climate that valued order and stability, symbolized in a strong monarch, over local autonomy and representative rights. It would take the next generation of Huguenot leaders, the Huguenot ministers specifically, to construct a rhetoric that addressed new challenges facing the Huguenot party, namely declining membership, deepening divisions within the movement, and the loss of civil liberties.

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