“SECURUS EST QUEM CIVIUM SERVAT FIDEM” – “HE WHOM THE CITIZENS’ LOYALTY PRESERVES IS SAFE”
(BAPTISTES, SCENE VIII, L. 1213):
THE PEOPLE, THE KING AND THE TYRANT IN GEORGE BUCHANAN’S DRAMATIC AND POLITICAL WORKS

Carine FERRADOU
Université Paul Cézanne – Aix-Marseille III

From the second half of the sixteenth century to the beginning of the eighteenth century, George Buchanan’s dramatic and political works were very successful and went through several editions across Europe. This is particularly true in Scotland and England, where his fight against what was going to be labelled in the next centuries as ‘absolutism’ echoed the thoughts of some Puritan readers, such as John Milton or Oliver Cromwell, although during the seventeenth century Buchanan’s books were repeatedly censured by the political authorities of both countries. We have no way of knowing for certain whether John Milton was the anonymous translator of Buchanan’s Latin sacred tragedy, Baptistes sive Calumnia, under the English title Tyrannical-Government Anatomized; in any case, the author of the Tenure of Kings and Magistrates enthusiastically read Buchanan’s tragedies and his Latin dialogue De Jure regni apud Scotos (On the Law of Kingship among the Scots), first published in Edinburgh in 1579. Buchanan dedicated this book to his young royal pupil, James VI, who later became James I of England. He had already dedicated his tragedy to the king, and published it in London in 1577, though it was written in Bordeaux between 1540 and 1543.

1 The title of this paper is inspired by Paulette Carrive, “Il Re, il Tiranno, il Papa, il Popolo in George Buchanan”, Rivista di Storia della Filosofia, 50. 3, 1984, p. 471-98.
2 According to McKechnie, James VI radically kept away from his teacher’s principles; besides, many times during the seventeenth century the Scottish Parliament and the Privy Council forbade the circulation of Buchanan’s De Jure regni apud Scotos and Rerum Scoticarum Historia (History of Scotland, 1582), as well as their translations, as “seditious pamphlets”. In England the De Jure was publicly burnt in Oxford in 1683. See Simon McKechnie, “De Jure Regni apud Scotos”, Glasgow Quatercentenary Studies, 1906, Glasgow, James MacLehose and Sons, 1907, p. 220-23.
3 See the summary of the tragedy in the Appendix at the end of this paper.

Long before openly becoming a “monarchomach” and becoming involved in the political and religious events of the Scottish kingdom, Buchanan was already interested in political matters. Already in the years 1540s, during his stay in Bordeaux at the Collège de Guyenne, where he was a Latin teacher, Buchanan turned the obligation for every teacher to create plays for their pupils into an opportunity to dramatize his own political reflection, which was a new phenomenon in the history of early modern drama. For example, in Baptistes sive Calumnia (Baptist or the Slander), the Scottish scholar showed how an innocent man, the prophet John the Baptist, could be persecuted by evil rulers, and what consequences such a crime had for the people. The plot of Baptistes is very faithful to the Gospels: John the Baptist is a prophet and a saint, not a revolutionary, that is why Buchanan cannot stage his theory of tyrannicide, but he explains it in his treatise On the Law of Kingship, which appears to be in many ways a justification of the ‘trial’ and the deposition of Mary Queen of Scots. An analogy can be made with the trial and the execution of Charles I, another Stewart… What Buchanan thought about kingship and its limits may also be relevant in 1649. By analyzing some significant extracts from Baptistes and from the Dialogue on the Law of Kingship, I would like briefly to describe Buchanan’s political theory, and underline which elements of his thought are traditional and more revolutionary, in order to understand how Buchanan may have inspired Milton’s political point of view.

Conventional assessments of the political thought adapted by Buchanan in his tragedy and his treatise:

The King and the Tyrant

One of the most traditional elements of political thought since Aristotle, Cicero and Seneca runs through the tragedy of Baptistes and the Dialogue on the Law of Kingship: the distinction between a king and a tyrant.

Whereas other monarchomachs insisted on Biblical arguments and gave a great weight to Saint Paul’s epistles, this philosophical commonplace was mostly debated in Buchanan’s works with secular, non sacred arguments, coming more frequently from ancient thinkers than from Holy Scriptures.⁴

⁴ See Roger Mason and Martin Smith: “Buchanan was well acquainted with two of the most incendiary theorists of the late 1550s, John Knox and Christopher Goodman, while also numbering among his friends and correspondents Theodore Beza, Hubert Languet and Philippe du Plessis Mornay, the authors of two of the most influential Huguenot tracts of the 1570s. Yet, for all that they address common problems and draw on a common stock of arguments and exemplars, the writing of these authors are very different in tone and character from Buchanan’s Dialogue. First and foremost, Buchanan’s text is strikingly secular in its modes of argument, a far cry from the biblical literalism of Knox and Goodman or even the rather less shrill biblicism of Beza and the authors of the Vindiciae.
The second scene of Baptistes is a dialogue between Herod and his wife, called “the Queen”. This violent woman leading her husband to commit a crime (she wants to put John the Baptist to death) and to resort to tyranny is like Lady Macbeth in Shakespeare’s tragedy. On the contrary, Herod is weak, hesitant, and openly protects the wretched and inoffensive prophet, because he wants to pass off as a good king in the people’s eyes. That is why it is Herod that makes a distinction between the king and the tyrant in the second scene:

HEROD- The condition of kings is wretched if it fears the wretched.
QUEEN- It becomes most wretched if it is plundered through fearing nothing.
HEROD- In that case what safety will now remain for kings?
QUEEN- All will be safe if they silently remove what impedes them.
HEROD- Surely this is the difference between the tyrant and the good king, That the king keeps watch on enemies, whereas the tyrant is the enemy of the citizens.
QUEEN- Both dying and destroying are grim experiences, But if a choice must be made it is better to destroy the enemy.
HEROD- When one is unnecessary, both courses are wretched. (lines 367-375)

Herod repeats here what all the ancient philosophers had said about the king, who protects his citizens from foreign enemies, and about the tyrant who destroys his own people, and, as a public enemy, is the most terrible danger for society, which he completely ruins.

In the following scene, in front of John the Baptist, he presents himself as a good and fatherly king who, because he was born in the same country as his subjects, is naturally related to them, contrary to a bloody tyrant, a usurper whose foreign identity is a danger:

HEROD- It was no Assyrian or Egyptian father who begot me

In stark contrast to these writers, […] Buchanan shows little or no interest in anchoring his political theory in scriptural precepts and imperatives” (Roger Mason and Martin Smith, A Dialogue on the Law of Kingship among the Scots, A Critical Edition and Translation of George Buchanan’s De Iure Regni apud Scotos, Aldershot, Ashgate, 2004, p. xlvi).


In the Dialogue on the Law of Kingship, Buchanan asserts the same argument, see below.

This assertion is wrong and ironical: as a matter of fact Herod is not a Jew.

© Études Épistémè, n°15 (juin 2009).
To make me a tyrant eager for your blood.
You and I share the same country as native land, wetnurse and mother. 
Whenever a person from the humblest of the common folk dies, 
I always regard it as a limb of my body
Torn away; it is my blood that seems to be shed.
In Herod you will have a judge amenable and fair.
If you can refute the other charges
Made against you, I pardon you for all that you
Have previously said against me and my kin.9
You will realise from the witness of the people
That I ignore injury to myself, but punish injury to the state. (lines 443-457)

Seneca, in his treatise De Clementia had already depicted the good ruler as the “pater patriae”, “the father of the fatherland”, who thinks the prior duty is “res publica”, the “state”, “the common good”. Christian tradition, which, during the same period, deeply inspired John Knox for example10, also uses the vocabulary of mutual good feelings in order to define the functions of the king chosen by God and the obedience of his people, who answer his solicitude with love and faithfulness. In his treatise On the Law of Kingship, Buchanan develops the same metaphor (see for example the extract in Appendix 3).

In the eighth scene, Herod, the Queen and her daughter (whose name is traditionally Salome) deal again with kingship and tyranny. During the tragedy Herod himself becomes a tyrant, whereas the Queen and her daughter are Machiavellian characters from beginning to end – in the pejorative sense: they cannot tell the lawful use of power apart from the selfish desire to be omnipotent.

In a previous scene, Herod makes an imprudent vow: when the ‘Puella’ (the Girl, Salome) danced in front of him, he promises to give her whatever she wants. She decides to ask for the head of John the Baptist after her mother convinces her to do so. At the beginning of the eighth scene, she has just expressed her wish, trying to persuade Herod, who is horrified by such a cruel act. The “Girl” (Salome) repeats what her mother has already said in the second scene, and goes further in the way of tyranny, in a passage that echoes many Senecan tragedies:

GIRL- It is not an unfitting deed to destroy an enemy.
HEROD- Is this man, then, an enemy worthy of the king’s anger?
GIRL- He is worthy of your anger since he deserved it by his crime.
HER.- What cure shall I then find for the people’s hatred?

9 John the Baptist publicly blamed Herod for being married to his brother’s wife.
10 See for example John Knox, History of the Reformation in Scotland: “For thair is neather greattar honour; nor greattar obedience to be given to kings or to princes, then God has commanded to be given unto father and mother” (Karen Fiorentino, Les monarchomaques britanniques, Presses Universitaires d’Aix-Marseille, 2003, “Collection d’Histoire des Institutions et des Idées Politiques”, p. 113, footnote 407).

© Études Épistémè, n°15 (juin 2009).
The people, the king and the tyrant...

GIRL- The people’s role is to obey, the king’s to command.
HER.- The king’s role is to command what is just.
GIRL- The king by his command can make just what was earlier unjust.
HER.- But the law enjoins a limit to the king’s commanding.
GIRL- If the law is what the prince has decreed, the law does not limit kings, but the king the laws.
HER.- Rumour will brand me as tyrant, not as king.
GIRL- Yet rumour fears the royal power.
HER.- It fears it, yet still gossips.
GIRL- Restrain it with the steel.
HER.- Fear is a poor preserver of kingdoms.
GIRL- Failure to punish crimes causes easy destruction of kingdoms.
HER.- He whom the citizens’ loyalty preserves is safe.
GIRL- Kings must be feared; they need not be loved.
HER.- Hatred oppresses the one who is cruel.
GIRL- Leniency in a king is despised amongst the common folk.

(lines 1199-1216)

Herod is weak and easily influenced; nonetheless, in front of the Queen and her daughter, he continues to defend kingship against tyranny, and both women need to use all their skillfulness and steadfastness to silence him and force him to put the prophet to death. This may mean that from Buchanan’s point of view, even if tyranny finally triumphs, the model of the good king remains a worthy ideal.

The prophet is presented by his opponents as a revolutionary, an enemy of the state, although he only defends a virtuous way of life, congruous with divine commandments. The Girl deliberately mixes private life and politics. This is characteristic of tyranny, as well as the expression of her desire to repress the people violently because they mock the king: she turns the legitimate use of violence against external dangers into a reign of terror within the kingdom. Her words “Kings must be feared; they need not be loved” echo the famous sentence of the Roman poet Accius, twice quoted by Cicero as a slogan for tyrants: “Oderint,

11 This model is for instance fully illustrated in the appendix of the De Jure regni apud Scotos entitled "Rex Stoicus ex Seneca", a long quotation from Seneca’s tragedy Thyestes (v. 344-390: the Chorus describes the perfect king, who is the opposite of the tyrant Atreus) to which Buchanan alludes twice (Roger Mason and Martin Smith, op. cit., p. 38-41 and p. 74-77). Nicole Cazauran showed that Protestant writers of lampoons against the bloodthirsty French kings kept on hoping for the ideal prince: “À bien suivre le jeu de cette rhétorique, on est tenté de croire que ni les apologies du tyrannicide et les thèses des monarchomades, ni les péripéties les plus tragiques et les fautes des derniers Valois n’avaient suffi pour détruire dans les esprits et les cœurs l’image du ‘vray Roy’, qui restait, jusque dans le Réveille-Matin, ‘l’image de Dieu en terre’. Le commun des réformés – auteurs et lecteurs – demeurait attaché, en dépit des trêves rompues et des violences toujours recommencées, à cette idée du Roi qu’ils ne désespéraient pas de pouvoir un jour reconnaître dans le Roi régnant” (Nicole Cazauran, “Le roi exemplaire dans quelques pamphlets réformés, 1560-1585”, Travaux de Linguistique et de Littérature, Strasbourg, 22, 2 [‘Études littéraires’], p. 198).


Carine Ferradou

dum metuant”, “Let them hate, provided that they fear”. Many paraphrases of this slogan can be found in French sixteenth and seventeenth-centuries tragedies.

Herod, who does not want to be considered as a tyrant, replies that clemency is better than fear because the outcome is the citizens’ loyalty, which makes the kingdom and consequently the king himself safe. Once again, beyond Herod’s assessment that “He whom the citizens’ loyalty preserves is safe”, Buchanan reveals his Aristotelian and Senecan inspiration. Obedience must be based on trust, not on strength, because one day one can encounter somebody stronger than oneself.

The limits of kingship

In the eighth scene, Herod invokes a significant argument against “absolutism” or unlimited monarchy – which is the same as tyranny according to Buchanan: the Law is superior to the king’s will. The good ruler cannot do whatever he wants, he must stay within the limits of the Law. This is a legal argument for restricting royal power. In the Dialogue on the Law of Kingship, Buchanan explains that a king can neither change nor abolish the laws because they are superior to him, and he must obey them, as a mere servant of the laws. Any leader who goes beyond these limits would automatically become a tyrant. After John of Salisbury (1115-1180) and before Milton, Buchanan and other monarchomachs adapt Cicero’s theory of natural Rights: they claim that the Law is the expression of reason and of common will (the will of the people), and that it is also what circumscribes the use of violence by the ruler. Since the Law results from reason, it is superior to violence, often induced by irresistible passions such as ambition, greed, lust or any other vices that often move powerful people. This is a psychological argument against ‘absolutism’, as it were.

Besides, when Herod first says: “The king’s role is to command what is just” (l. 1204); then: “But the law enjoins a limit to the king’s commanding” (l.

12 See Cicero, Philippicae, 1, 14, 34 and De officiis, 1, 28, 97.
14 See in particular De Clementia, De vita beata (about the ideal of virtue supposed to lead the people who are involved in social and public life), Letters to Lucilius (such as Letter XLI which explains that the human soul is endowed with wisdom and strength because of the part of divinity that can be found within it), and Thyestes. The well-known tragedy Octavia was attributed to Seneca during the Renaissance because of its Stoic inspiration.
15 See Roger Mason and Martin Smith: “[…] Buchanan is clearly blurring the distinction between the law as the means by which the ruler ensures harmony in the body politic and the law as a necessary restraint on a ruler’s own destructive appetites […]” (Mason and Smith, op. cit., p. liii).
« The people, the king and the tyrant... »

1207); and finally: “Hatred oppresses the one who is cruel” (l. 1216), he links the royal orders to justice, which is the root of the Law and the antithesis of cruelty. This is a moral argument for limiting the power of the monarchy: politics must be based on ethics, because neglecting ethical principles leads to the reign of the arbitrary. The result is chaos, as expressed by the Chorus of the Jews after the third episode. In lines 599 to 607, the Chorus, who represents the people, insists on the hypocrisy of the religious and political leaders, and on the overturned values, two signs of a tyrannical government:

Devotion is despised, religion lies neglected,  
Deceit rules in the empurpled hall.  
Your holy people offers as victim  
Its devoted neck to the savage axe.  
Prophets die by the sword of the tyrant  
The enemy takes joy in our griefs.  
Under the cloak of holiness  
Men who deserve punishment are at the helm of the kingdom,  
Whilst punishment constrains those deserving of the kingship.

The wise Chorus remarks that tyranny turns everything upside down within the Jewish state. One of the signs of this disaster is that “religion lies neglected”. Now, another limit to the royal behaviour is divine power, the will of God, a spiritual argument. John the Baptist, in the third scene, clearly reminds Herod of his duty to respect the divine commandments, and of his own responsibility: if Herod becomes cruel towards a prophet expressing the will of God, he will be punished by the Lord in the same way as Herod was being cruel to John:

JOHN- See the limits to your power which  
The application of the laws has imposed on you.  
The rights which you here wield against others, God  
Who is king of all possesses against you and other kings.  
So whatever decision you will reach about my person  
You must believe that God makes about yours. (lines 502-507)

Here John the Baptist utters what constitutes the basis of Buchanan’s theory about kingship. In his Dialogue, Buchanan thinks that human association is the result of a natural force (“vis naturae”), which he defines as “a light divinely shed upon minds”, and which he identifies both with the law of nature and with a God-given ability to distinguish base from noble things (“turpia ac honestis”), i.e. wisdom (“sapientia”) or reason (“ratio”). Nature, natural law and wisdom function in accordance with the divine will, according to the neo-Stoicism of

17 The Chorus, who realises that Herod is secretly a tyrant and feigns goodness, asks God for some help.
18 The plural “prophets” is either a poetic use or an indignant exaggeration. The tyrant here is clearly Herod.

© Études Épistemè, n°15 (juin 2009).
Cicero and Seneca. For Buchanan, as for Cicero, wisdom — or reason in accord with nature — is the essence of moral worth in the individual; it is also the foundation of law and justice in a commonweal. The leader’s function in this social group is just to apply and preserve the law inspired by reason given by God to human beings; so the king, when obeying the Law, obeys God, and if not, he both becomes a tyrant and a sacrilege.

Finally, one can say, like Roger Mason and Martin Smith that:

[For Buchanan Christian and civic values came to be melded in an understanding of ‘pietas’ [“piety”] – based on an essentially Stoic moral code – that owed more to classical Greece and Rome than it did to Calvin’s Geneva. This is borne out by the De iure itself where Scripture is assigned no greater weight than the classical authorities in which Buchanan was so clearly steeped and to which he all but instinctively appealed.]

Arguments against tyranny shared by other monarchomachs of the sixteenth century:

The term “monarchomachus” (“monarchomach” or “King-killer”) was coined by the Scottish Catholic writer William Barclay in his dialogue defending what we would now call absolutism. This word targets Protestant thinkers fighting “absolute monarchy” and defending in some cases the deposition of an evil king, and, according to some of them (like Buchanan), even tyrannicide. There are some differences between those thinkers, for example about the status of those who must rebel, or about the legal and religious possibility or impossibility to kill a king. Nonetheless, the monarchomachs agree on some principles, which Buchanan himself adapts in his tragic plot. As will be seen, he even goes further than his contemporaries about the rights of the people and tyrannicide, in a way that is quite reminiscent of John of Salisbury’s medieval theory.

19 Mason and Smith, op. cit., p.xlvii
20 The title of William Barclay’s book published in France in 1600 against George Buchanan and the French anonymous authors of the pamphlet Vindiciae contra tyrannos (“Revenge on the tyrants”) written under the name of “Junius Brutus” after the Saint Bartholomew’s Eve massacre of 1572 was: De Regno et Regali potestate, adversus Buchananum, Brutum, Boucherium et reliquos Monarchomachos (“On Kingship and the Royal Power, against Buchanan, Brutus, Boucher and the other Monarchomachs”).
The portrait of the tyrant in Baptistes sive Calumnia

In his tragedy Buchanan evokes some of the tyrant’s commonplace features. For example, the Chorus of Baptistes denounces the hypocrisy of powerful people as tyrannical behaviour. This comment on the plot echoes the words of the tyrannical characters themselves when they show their intention of hiding their evil passions, and of turning traditional values upside down to suit their own interests. This is the case in the third scene, when Herod ironically deals with the obligation for “kings” to wear a virtuous and benevolent mask, and he insists on the defence of his own interests against the potential danger of the inconstant people. Herod deceives the people because he really despises and fears them, like a usurper, not like the “father of the fatherland he wanted to look like at the beginning of the scene.

In the eighth scene, the Queen insists on the omnipotence of the tyrant who changes the meaning of words and destroys common values and all the moral bonds in order to preserve his exceptional status. She talks about “the king” but this term in her mouth has a Machiavellian undertone, and is synonymous with “tyrant” in Buchanan’s mind. One can find verbal similarities in this extract with Erasmus’s Adagia. More generally, every political thinker traditionally underlines that the tyrant excludes himself from common humanity, so that he is not quite a man, but precisely because he thinks he is a god, he becomes a beast.

---

22 See Baptistes, v. 524-551.
23 Baptistes, v. 1220-1231. About the idea that there is one moral law for the private people and another for kings, one can remember Seneca’s tragedies, for example Thyestes, v. 216-217: “Sancititas pietas fides / privata bona sunt: qua juvat reges eant”.
24 See for instance this extract from Machiavelli’s The Prince, chapter 18: “though faith, Christian charity, humanity, and religion are genuinely good things, the ruler need not regard them […] , the ruler is required only to maintain his state” (Steven Berkowitz, A Critical Edition of George Buchanan’s Baptistes and of Its Anonymous Seventeenth-Century Translation Tyrannical-Government Anatomized, New York and London, Garland Publishing, 1992, p. 545).
25 Erasmus, Adagia 875.
26 About the tyrant who “from being a man become[s] a wolf”, see Plato, Republic, 565d-566a. The animalistic metaphor crops up in many sixteenth-century political treatises; see for example Cazauran, art.cit., p. 194-95, Béatrice Périgot, “Le Lion, le renard et le loup dans quelques traités politiques de la Renaissance”, L’animal sauvage à la Renaissance, Philip Ford (éd.), Cambridge, Cambridge Printing (“Cambridge French Colloquia”), 2007, p. 17-31, and Mason and Smith quoting Erasmus, Education of a Christian Prince: “Now you are looking for what corresponds to the tyrant, think of the lion, the bear, the wolf, or the eagle, who live by mutilation and plundering, and, since they realize that they are vulnerable to the hatred of all and that everyone seeks to ambush them, confine themselves to steep crags or hide away in caves and deserts – except that the tyrant outdoes even these creatures in savagery” (Mason and Smith, op. cit., p. 187). For examples of this animalistic metaphor in contemporary tragedies, see for instance Rebecca Bushnell (Bushnell, op. cit., p. 50-56). Besides see this theme in Buchanan’s treatise (extract in Appendix 3).
Another recurrent feature of the tyrant is his bestiality, his wild desire to shed blood, not only to strengthen his power, but also merely for pleasure. In his soliloquy in the third scene, Herod says cruelly: “I must take thought for my rule […]. Now I am decided to buttress the king’s authority with bloodshed” (lines. 549-550).

Besides, the tyrant traditionally looks for scapegoats. In the seventh scene, after Herod’s imprudent vow, the Queen, who has just convinced her daughter to ask Herod for the head of John the Baptist, is aware of her husband’s cowardice, but she also clearly accepts her own responsibility with a paradoxical pride (v.1175-1181)27. This reaction shows that tyranny in the plot is embodied by two complementary characters – Herod, who appears to be weak, and his wife who is the stronger. The female tyrant is a commonplace in ancient history and tragedy, as well as in modern pamphlets like John Knox’s *First Blast of the Trumpet Against the Monstrous Regiment of Women* (1558) against Mary Tudor and many Scottish lampoons against Mary Stuart28.

The evil counsellors in Baptistes sive calumnia

The influence of evil counsellors on a tyrannical ruler is another *topos* of political literature, but during the years 1540s, Buchanan is the first modern dramatist to stage this kind of characters, which will become very successful in European tragedy. We only have to think of Shakespeare’s Iago in *Othello* or Jean Racine’s Narcisse, Nero’s evil counsellor in *Britannicus*. Yet the first European tragedy probably inspired by Buchanan’s model about cruel advisers seems to be Antonio Ferreira’s *Castro*, written between 1553 and 1567 in Portuguese, for the students of the *Real Collegio das Artes* at Coimbra, where Buchanan was a teacher in 1548-49. While dramatizing the murder of Ines de Castro due to King Alfonso’s weakness, Ferreira, like Buchanan, gives Machiavellian speeches to the evil advisors of a king who becomes a tyrant, including arguments about the end justifying the means or the “reason of State”.29 Ferreira’s dramatic technique also shares many similarities with Buchanan’s. For example, the soliloquies of Herod and Alfonso are expressions of “self-pity by harassed rulers”30 after their interview

---

27 At the end of the eighth scene, she claims again her responsibility in the murder of the prophet. See verses 1256-1263. About this paradoxical pride of the monstrous tyrant in many classical tragedies from Garnier to Racine, see Jacques Truchet who calls it a “perversion of values” (Truchet, *art.cit.*. p. 260).


29 Their names in *Castro* are Pacheco and Coelho.

first with their advisers and then with the character that is accused to be a danger for the security of the state.

Every monarchomach writer insists on the danger for the king to be influenced by dishonest and selfish ministers who want to encourage tyranny to serve their own interests. In the third scene, John the Baptist warns Herod against such a danger (l. 495-498), when he says that those who want to be close to the kings must prefer truth to flattery because this kind of deceit leads to calamities. John does not specify whether only the ruler or he and his people will suffer as a consequence, although he seems to think the latter is the case.

Because falseness, deceit and violence reign at Herod’s court, he necessarily becomes a tyrant, and gives his close associates what they want: he is like a puppet in their hands. Buchanan was one of the first European tragic poets that took full stock of the dramatic potential of the evil counsellors as characters. The tragic dimension of his play Baptistes is based on the combination of the various schemes of those characters, which eventually lead to the prophet’s death.

*Buchanan’s theory of tyrannicide in his* Dialogue on the Law of Kingship among the Scots

All the monarchomachs based the right and duty to resist tyranny on popular sovereignty, which had its roots on natural law theory and the idea of a contract between the subjects and the ruler. John Mair (or Major), Buchanan’s fellow countryman and his teacher in scholastic philosophy at St Andrews and Paris, adapted this ancient theory to sixteenth-century society.

In the *Dialogue*, after Buchanan and his interlocutor Maitland have dealt with the creation of kingship in human society, they remark:

Buchanan- Now in the making of a king, I think the ancients followed the principle that if there was someone of outstanding distinction among the citizenry who seemed to surpass all the others in justice and prudence they voluntarily conferred the kingship upon him, as is said to happen in beehives.\(^{31}\)

Maitland- That is a plausible account of what happened.

B.- But what if no single person such as we have described could be found in the commonwealth?

M.- By that law of nature which we mentioned earlier an equal neither can nor should assume authority over his equals. For by nature it is just, I think, that those who are equal in all others respects should be equal by turns in ruling and obeying.

B.- What if a people, weary of annual electioneering, want to elect as king some individual who does not possess absolutely every kingly virtue but is outstanding either for his nobility, his wealth or his achievements in war? Shall we not consider him a king established by the best of titles?
M.- The very best. For the people have the right to bestow authority on whomever they wish.

Here Buchanan and Maitland refer to the ancient Scottish tradition of electing the king reported by Hector Boece in his History of Scotland, in order to underline that, generally speaking, the people legally decide to whom the power is given and from whom it must be removed.

Moreover, according to the Scottish tradition, not only does the people bestow authority to the king, but they also contribute to his decisions by means of a Council, within the scope of the supremacy of the laws:

M.- But in entrusting the government of the kingdom to laws rather than to kings, you must beware, I beg you, not to subject this man whom in name you have made a king, to a tyrant who can ‘hold him down by his authority and curb him with chains and prison-bars’; and only stop short of loading him with fetters and sending him to work on the land or to serve in the mill.
B.- Fine words! I am not imposing anyone as master over him, but I want the people, who have granted him authority over themselves, to be allowed to dictate to him the extent of his authority, and I require him to exercise as a king only such right as the people have granted him over them. Nor do I wish these laws to be imposed by force, as you interpret it. Rather I believe that, after consultation with the king in council, a decision should be taken in common in matters which affect the common good of all.
M.- Then you want to grant this function to the people?
B.- Yes, to the people, unless perhaps you think otherwise.
M.- Nothing, it seems to me, could be less just.
B.- Why is that?

32 *taedio annuae ambitionis*: either “weary of annual electioneering” or more pejoratively “weary of the annual scramble for office”. This phrase is taken from Livy, 5, 1, 3.
33 Mason and Smith, op. cit. p.42.
34 Hector Boece (or Boethius), Scotorum Historia, Paris, 1527: the author describes the election of the king as the most ancient custom in Scotland about kingship, and also, in an extravagant account of the early history of Scotland, he tells how some thirteen of the first forty kings of Scots were deposed as tyrants. For the tendentious character of Boece and Buchanan’s arguments about traditional elective monarchy in Scotland, see for example Mason and Smith (191 and Introduction). Long before Boece, during the thirteenth century, Bracton in his attributed treatise *De legibus et consuetudinibus Angliae* (On the Laws and Customs of England) already dealt with the election and the sword of th king before his people (see Turchetti, op. cit., p.256-258).
35 The quotation comes from Virgil’s *Aeneid*, 1, 5. According to Mason and Smith’s endnote, “the rest of the sentence suggests Roman comedy, where city slaves are often threatened with banishment to their masters’ country estates, or, worse still, with being sent to work in the mill: see, e.g., Terence, *Lady of Andros*”.  

© Études Épistémè, n°15 (juin 2009).
M.- You are familiar with the phrase ‘the many-headed monster’. You know, I think, how rash and fickle the people are.

B.- I have never thought that this task should be left to the judgement of the people as a whole. Rather, as is roughly our own practice, selected men from all estates should meet with the king in council; then, once a ‘preliminary resolution’ has been drawn up by them, it should be referred to the judgement of the people.

Buchanan essentially assigns a moral stature to the king; as Roger Mason remarks:

For the king is the supreme public figure, always on display and always under the watchful eyes of the people, and it is his example that they will follow. On him, therefore, rests responsibility both for the moral bearing of the people and hence, most significantly of all, for the harmonious functioning of body politics [...].

The Scottish humanist thinks that the king has neither a legislative nor a judicial role, because the legislative authority that limits kingship must lie with the people. But what do the words “the people” mean in Buchanan’s mind? This question has been much debated. Did Buchanan defend an aristocratic or a populist point of view? I would like to suggest that it is both.

In this extract, the humanist evokes a council of “selected men of all estates”, but he does not specify according to what criteria they are chosen: their nobility, their respectability, their skills, or their virtues? In other extracts, he speaks about the members of the Council as “maior pars populi” (“the greater part of the people”): this may mean “the numerical majority” but it could also refer to Antiquity, when “the best part” meant “the nobles”, aristocracy. Moreover, there

36 Quotation from Horace’s Epistles, 1, 1, 76. The phrase was a commonplace by the sixteenth century.
37 Mason and Smith, op. cit., p. 54.
38 Mason and Smith, ibid., p. liv.
39 He is neither a lawmaker nor a judge, that is why he can be judged.
40 See for example p. 138: B.- Quid si maior aliqua potestas reperiatur cui id sit in reges quod regibus est in ceteros?
M.- Audire istud cupio.
B.- Hanc si meministi, in populo diximus esse potestatem.
M.- In uniuerso quidem populo, aut in maiore eius parte. Illud etiam amplius tibi largior, in iis in quos populus, aut maior pars populi eam potestatem transmiserit.
(“B.- What if some greater power is found which has the same rights over kings as kings have over everyone else?
M.- I am eager to hear your argument.
B.- If you remember, we said that this power is vested in the people.
M.- In the people as a whole, yes, or in the greater part of them. I make you this further concession: it is vested in those to whom the people or the greater part of the people have transmitted that power.”)
41 See for example, Aristotle, Politics, 4, 12, 1-2 (1296b) about the need to balance quantity and quality in constitutional arrangements.

© Études Épistémè, n°15 (juin 2009).
is a contradiction between his claim for the sovereignty of the people as a whole\textsuperscript{42} and his hint about some form of virtual representation involving the transfer or delegation of the people’s authority to a council making the laws. This point has also been much debated: did Buchanan have in mind something like a popular plebiscite or a referendum\textsuperscript{43}, or the normal Scottish practice, i.e. the Three Estates meeting in Parliament and electing a small representative body – the Committee of Articles – that was responsible for formulating legislation which was then presented to the full Parliament for final approval?

According to Roger Mason, Buchanan “was thinking in terms of an institution that was far more representative of the people than the Three Estates as traditionally conceived”\textsuperscript{44}. Arthur Williamson went even further, saying that Buchanan’s treatise represents an attempt to introduce a “democratic element”\textsuperscript{45} into the Scottish polity; but nothing in the Dialogue really suggests that he thought about the idea of a mixed or balanced constitution. Nevertheless, as a humanist, Buchanan had a great and deep conception of citizenship, based not essentially on social criteria (such as nobility, wealth or property), but on ethical criteria, which engage any member of the society in the active civic life, without any reference to social class. This conception of a kind of general responsibility is very new.

This humanistic and extensive definition of political participation somehow justifies Buchanan’s radical theory of tyrannicide, which differs from the stands that the other monarchomachs take. They generally acknowledge the right to resist tyranny to ‘magistrates’, as Theodore Beza\textsuperscript{46} and much later John Milton label the official intermediaries between the king and the people as a whole. Every monarchomach has his own definition of those magistrates: they can be nobles, judges, ‘administrators’, officers, to sum up, they are those who have a public function in the commonweal. As a representative group, they are allowed to take the decision of the king’s trial or deposition, for the sake of the common good. Mary Stuart’s ‘trial’ was in a way an example of this conception of a collective action against a ruler, which can lead to an official condemnation to death. Buchanan goes further. Since he thinks that any member of a commonweal has the duty as well as the capacity to participate in civic life, as a person endowed with reason and a sense of ethics, he acknowledges every citizen’s right to eliminate the

\textsuperscript{42} See for example, p. 130-136.
\textsuperscript{44} Mason and Smith, op. cit., p. lx-lxiii
\textsuperscript{45}Arthur Williamson, Scottish National Consciousness in the Age of James VI, Edinburgh, John Donald, 1979, p. 115-116.
\textsuperscript{46} Du Droit des magistrats sur leurs subjets. Traité très nécessaire en ce temps pour adviser de leur devoir tant les magistrats que les subjets : publié par ceux de Magdebourg, l’an MDL et maintenant revu et augmenté de plusieurs raisons et exemples, Magdebourg [Genève], 1574.
king if his behaviour goes beyond legal and moral principles. He legitimizes individual initiative and single-handed tyrannicide\(^\text{47}\), without making it a necessary condition for an official body – a Parliament or a Council – to declare the ruler as a tyrant or a public enemy first, because tyrants are, in his view, self-declared public enemies\(^\text{48}\). In the *Dialogue*, Maitland remarks that the possibility of an individual murder attempt can lead the whole society to chaos and anarchy. The only argument Buchanan says in his own defence is that he only presented what can or may be done legitimately, but that he does not call to such an action\(^\text{49}\).

As Roger Mason concludes, “without conceding anything to Maitland’s fears, [Buchanan] washes his hands of any ill-consequences of the radical theory he has developed”\(^\text{50}\).

The Scottish humanist and the author of *The Tenure of Kings and Magistrates* and the *Defence of the People of England* both belong to the ancient tradition of the defence of natural Right\(^\text{51}\), on which both base their theory of the sovereignty of Law. When defining this Law as the expression of reason and of the people’s will, they legitimize the right for the people to elect, to keep or to depose the king, and even to kill him when he becomes a tyrant, for the sake of their own freedom.

As one of Europe’s last great humanists, Milton shares with Buchanan a wide philosophical culture based on classical authors, both pagan and Christian, on medieval ‘mirrors of princes’ (traditional handbooks on education intended for future kings\(^\text{52}\)), on more recent works written by Protestant thinkers. Milton and Buchanan not only adapt their musings to current events, but they try to offer a somewhat universal political system that, at least in their minds, may be valid in any circumstances.

\(^{47}\) See, p. 152-155.
\(^{48}\) Theodore Beza (*op. cit.*) deals with the “tyran manifeste” (“the obvious tyrant”) in a way close to Buchanan’s argument.
\(^{49}\) See, p. 156-157.
\(^{50}\) Mason and Smith, *op. cit.*, p. lxviii
\(^{51}\) Note that Milton’s *Defence* was first written in Latin: *Pro Populo Anglicano Defensio* (London, 1651).
\(^{52}\) For example John of Salisbury’s *Policraticus* or Giraldus Cambrensis’ *De instructione principis* (*On the education of the prince*) which express the theory of tyrannicide during the twelfth and thirteenth centuries.
BIBLIOGRAPHY


BARCLAY, William, *De Regno et Regali potestate, aduersus Buchananum, Brutum, Boucherium et reliquis Monarchomachos*, Poitiers, 1600.


BEZA, Théodore, *Du Droit des magistrats sur leurs sujets. Traité très nécessaire en ce temps pour adverter de leur devoir tant les magistrats que les sujets : publié par ceux de Magdebourg, l’an MDL et maintenant reveu et augmenté de plusieurs raisons et exemples*, Magdebourg [Genève], 1574.


© Études Épistémè, no15 (juin 2009).
« The people, the king and the tyrant... »


Appendix: George Buchanan

1) Elements of biography, 1506-1582:

1506: Birth at Killearn, Scotland (Stirlingshire).
1520s: Studies at Saint Andrews, and in Paris.
1530s-1540s: Latin teacher at the Collège de Sainte Barbe, much later at the Collège du Cardinal Lemoine, and also in Bordeaux, in the 1540s (Collège de Guyenne). From time to time, private tutor to noble young men (Scottish and French) (among his students is the illegitimate son of James V). Translation into Latin of Linacre’s *Rudimenta*, translation into Latin of Euripides’ *Alcestis* and *Medea*, original tragedies (*Baptistes sive Calunnia* and *Iephthes sive Votum*), poetical satires (*Somnium, Franciscanus*, beginning of *Elegiarum liber, Epigrammaton Libri tres*, and other satirical or occasional poems).
1548-1550: Latin teacher at the Real Collegio das Artes (headed by André de Gouveia) in Coimbra, Portugal. Writes erotic poems and satirical epigrams.
1550-1552: Inquisition trial, abjuration of his “errors”. Is detained for six months in the monastery of San Bento in Xabregas. Writes *Paraphrasis Psalmorum Davidi poetica*.
1552-1560: Return to France; private tutor to the son of the Comte de Brissac, Marshal of France, who demands that Buchanan follow him to Italy. Visit to the French court, at a time when Mary Stuart is Francis II’s wife. *Silvae, Miscellanea, etc.* Begins *De Sphaera* (never completed).
1561: Return to Scotland; holds several functions at the court of Mary Stuart (after the death of Francis II): tutor to Mary and official translator of Spanish documents. Buchanan officially embraces the Protestant faith.
1563-1566: Member of the General Assembly of the Reformed Church of Scotland, the Kirk.
1566-1570: Principal of Saint Leonard’s College in Saint Andrews, away from Court life.
1570-1582: After the murder of Darnley, becomes official propagandist of the anti-Mary and pro-Elizabeth I faction, member of the Privy Council (Guardian of the privy seal from 1570 to 1578) and tutor to James VI in Stirling Castle. Writes occasional verses, but most of all *De iure regni apud Scotos* (1579) and *Rerum Scotiarum Historia*, for the instruction of the young king.
1582: Death in Edinburgh.
2) Summary of Baptistes sive Calumnia (Baptist or the Slander, probably written in Bordeaux in the 1540s; first edition: London, Thomas Vautrollier, 1577):

Prologue: The “Prologus” presents the subject-matter, and defines it as both old and current.
1st episode: Rabbis Malchus and Gamaliel expose very different points of view about John the Baptist, an ascetic who condemns evil servants of the traditional cult and commends repentance. Malchus is angry with his colleague’s toleration and decides to complain to “King” Herod. Gamaliel talks with the Chorus of the Jews about the evil counsellors driving weak kings to fruitless cruelty. 1st chorus of the Jews: they lament the nastiness and the craftiness of men such as Malchus. 2nd episode: Dialogue between “the Queen”, who wants John the Baptist to be arrested, and Herod, who still considers him as a saint. 3rd episode: Herod leads a kind of interrogation. In his defence, the prophet professes his absolute obedience to God. When Herod is alone, he muses over the difficulties of the royal function, then decides to punish John the Baptist: from now on he will consider him as a rebel. The Chorus asks for God’s help and professes its faith in His omnipotence, past as well as present. 4th episode: Malchus wants to win by fair or foul means against John, who reviles the Levites, the scribes and the priests. When Malchus questions him about his “mission”, he answers with Isaiah’s prophecy about Christ’s coming as repeated in the Gospel according to St John (1, 19-27). Malchus does not understand the allusion, and his threats put an end to the discussion. Quick chorus about vices and crimes: they will not go unpunished for ever. 5th episode: Malchus encourages the Queen to do everything to try and convince Herod to put John the Baptist to death: from now on, the rabbi and the Queen will scheme together. The Chorus condemns Envy and Slander, which support Tyranny, and admires the constancy of the prophet. 6th episode: the Chorus warns John the Baptist against a fatal danger, but John says that he is not frightened by death, which he sees as a transitory passage leading to a better and eternal life. The Chorus asserts its hope for the future life that will bring the righteous a long rest, and the wicked eternal damnation. 7th episode: The Queen, alone on stage, briefly recounts what has happened during a ‘recent’ celebration, when her daughter danced in front of Herod: he promised to give her whatever she wants, and she swore she would ask for the head of the prophet. 8th episode: When he finds out what Salome wants, Herod tries to elude his promise, for he dreads the people’s angry reaction after the death of the much-liked man. The Queen says once again that she will take on the entire responsibility of this death, in order to make an example for the people. The Chorus laments the impiety of their contemporaries, who stain their hands with the blood of an innocent prophet, and the Chorus forecasts the punishment of Israel (actually the seizure and the destruction of Jerusalem in 70 A.C., during the reign of Titus). 9th episode: A messenger briefly informs the Chorus that John the Baptist has been beheaded, and reminds them that death is considered by pious people as deliverance and not a misfortune.

© Études Épistémè, n°15 (juin 2009).

*Buchananus-* [...] At qui palam non patriae sed sibi gerunt imperium, neque publicae utilitatis, sed suae voluptatis rationem habent, qui stabilimentum suae autoritatis in ciuium infirmitate collocant, quique regnum non procurationem a deo creditam, sed potius praeda sibi oblatam credunt, hi non ciuili nobiscum, aut aliquo humanitatis uinulo iuncti sunt, sed dei et hominum hostes maxime omnium capitales iudicari debent. Omnes enim regum actiones non suas opes priuatim sed publice ciuium incolumitatem spectare debent: quantoque supra caeterorum hominum fastigium reges sunt eucti, tanto magis imitari caelestia corpora debent quae nullis officiis nostris inconciliata, uim sui caloris, et luminis utalem, et beneficam rebus humanis infundunt. Huius munificentiae uel tituli ipsi, quibus reges honestauimus (si meministi) admonere poterant.


B.- Paterne igitur is dici potest qui ciu es habet pro seruis? Aut pastor, qui gregem non pascit, sed deglubit? Aut gubernator qui iacturam bonorum semper facere studeat? Quique (quod dictur) nauem perforet, in qua ipse nauiget? [...] Si quem ergo conspexeris, qui regium nomen usurpet, nec ullo uirtutis genere quem uis e multitudine praecellat, multis etiam sit inferior, qui ciues non amore patrio prosequatur, sed superba dominatione premat, qui gregem sibi commissum existimet non ad custodiam sed ad quaestum, hunc tu regem ueru putabis?[...]

*M.* Non si mihi consentire uelim, sed omnis humanae societatis expertem.

B.- Quibus tu finibus humanam societatem circumscribis?

[56] *M.* Eisdem illis, quibus tu superiore sermone uisus es uelle concludi: iuris uidelicet saepitis, quae qui transiliunt latrones, fures, moechi, eos uideo puniri publice: eamque causam poenae iustam haberi, quod societatis humanae limites sint transgressi.

B.- Quid qui septa illa numquam ingredi uoluere?

*M.* Deo et hominibus habendos inimicos: eosque in luporum, alioue noxiorum animalium genere potiusquam hominum habendos putem. [...] Aut si quis hominem exuens in talem immanitatem degeneraret, netque cum caeteris hominibus nisi in eorum perniciem conuenire, hominem appellandum censeo nihilo certe magis quam Satyros, simias, aut ursos: quamlibet uultu gestu et sermone hominem mentiretur.
“Buchanan- […] But those who openly wield power not for their country but for themselves, who do not take into account the public interest but their own pleasure, who found the stability of their authority on the weakness of their subjects, and who see their kingship not as a commission entrusted to them by God but as plunder for the taking; such men are not joined to us by any bond of civility or common humanity but must be judged the most deadly enemies of God and man. All the measures taken by kings must have regard not for their own wealth in particular but for the well-being of their subjects in general. The more kings are raised above the rank of other men, the more they must imitate the heavenly bodies which, won over by none of our observances, nevertheless pour on human affairs the life-giving and beneficent force of their heat and light. Even the very titles which we have used to pay honour to kings, if you recall them, should bring this munificence to mind.

Maitland- I think I recall them: you mean that they were to show a father’s kindness towards their subjects, who were entrusted to them like children, and a shepherd’s care in looking after their interest, in saving them from harm, the skill of a helmsman; likewise in showing fairness, they should behave like generals, like leaders in the excellence of their virtues, and commanders in bidding them do what will be to their advantage.

B.- Then call we someone a father if he treats subjects like slaves, or a shepherd if he flays his flock rather than feed it, or a helmsman if he is always anxious to throw the cargo overboard, or if, as the saying goes, he scuttles the ship in which he himself is sailing?

[…] If you see anyone, therefore, who usurps the name of a king yet does not surpass any of the mass of the people in any kind of virtue but is inferior to many, who does not bestow a father’s love in his subjects but crushes them under his arrogant dominion, who thinks that his flock is entrusted to him not for safekeeping but for gain, will you think that this man is truly a king […]?

M.- No, not if I wish to be consistent. I would see him instead as a man with no place in human society.

B.- What are the limits within which you confine this human society?

M.- Those same limits by which you seemed in your earlier remarks to want it to be restricted: I mean the barriers of the law, for I see that bandits, thieves and adulterers who overstep these are publicly punished, and that it is held to be a just ground for punishment that they have gone beyond the bounds of human society.

B.- What about those who have never wanted to come within those bounds?

M.- I think they must be regarded as the enemies of God and of men, and must be classed as wolves or some other type of dangerous beasts rather than as human beings. […] Or if someone were to strip off his human shape and sink to such barbarity, refusing to mix with other men except to destroy them, I think that he is no more fit to be called a man than are monkeys, apes or bears, even though by his looks, gestures and speech he feigns to be a man.”

© Études Épistémè, n°15 (juin 2009).