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# Confessionalization in Europe, 1555–1700

Essays in Honor and Memory of Bodo Nischan

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# Political Unity and Religious Diversity: Hermann Conring's Confessional Writings and the Preface to Aristotle's *Politics* of 1637

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Thomas Hobbes defined a person as someone "whose words or actions are considered, either as his own, or as representing the words or actions of an other man, or of any other thing to whom they are attributed, whether Truly or by Fiction."<sup>1</sup> His definition distinguishes sharply between the person and the person's words or actions. Of course the words or actions can be regarded as the person's own. That would reflect our natural understanding of what a person is: a human being saying and doing certain things. But Hobbes stretches the natural understanding beyond its ordinary limits. The way he sees the matter, words and actions need not at all belong to the person saying and doing them. They can represent the words and actions of someone else. Indeed, they need not come from any human being; they can be attributed to things. Even if the attribution is grounded in a fiction, the person does not lose its reality. From Hobbes' point of view, a person is like an actor appearing on a stage in one of infinitely many forms of play.<sup>2</sup> The person is one thing, the role is quite another. The actor wears a mask. What lies behind the mask may never be revealed without undoing the very nature of the person.

Hobbes justified his definition by drawing on the meaning of *πρόσωπον*

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<sup>1</sup> Thomas Hobbes, *Leviathan*, 1:16, ed. C. B. Macpherson (Harmondsworth, 1968), 217.

<sup>2</sup> "The word Person is latine: instead whereof the Greeks have πρόσωπον, which signifies the Face, as *Persona* in latine signifies the disguise, or outward appearance of a man, counterfeited on the Stage; and sometimes more particularly that part of it, which disguiseth the face, as a Mask or Visard: And from the Stage, hath been translated to any Representer of speech and action, as well in Tribunalls, as Theaters. So that a *Person*, is the same that an *Actor* is, both on the Stage and in common Conversation." Hobbes, *Leviathan*, 217.

in ancient Greek and *persona* in ancient Latin. But there was something more at stake than classical etymology. Hobbes was reacting to the strain that two opposing forces placed on early modern Europeans: on the one hand, deep uncertainty about the nature of religious truth, and on the other, the need to identify with some form of it. The writings of men like Luther, Zwingli, and Calvin and documents like the Augsburg Confession or the canons and decrees of the Council of Trent had never settled the question of religious truth. Each was lucid in its way. But they did not agree with one another and their interpretation was a matter of intense debate. Yet theologians, politicians, and ordinary folk all had to play their part in society. Emigration or the establishment of new communities in isolated places was taken up by some. But it was not for all, and minding your own business without disturbing others worked only so long as war did not come knocking on your door. War did come knocking, and soldiers came to ask if you were able to pronounce the shibboleth. What was your faith? Under those circumstances it made sense to heighten a distinction between the person and the person's role that is basic to the human condition, but only on occasion raised to consciousness.

In just this fashion Hermann Conring (1606–81), professor of medicine at the University of Helmstedt and soon to become professor of politics as well, stepped self-consciously onto the stage of European confessional debate early in 1648 in order to impersonate a Catholic theologian.<sup>3</sup> At the time negotiations for bringing the Thirty Years War to a conclusion had long been underway. But late in 1646 confessional hackles had once again been raised by the publication of a Catholic memorandum maintaining that it was impossible to make real peace with Protestants.<sup>4</sup> Even among Catholics that position was regarded as extreme. Conring decided to respond with a book entitled *Pro pace perpetua Protestantibus danda consultatio Catholica* (*A Catholic Recommendation to Conclude Perpetual Peace with Protestants*). He had it published under the fictitious imprint of “a long-suffering German” (*Apud Germanum Patientem*) in the fictitious town of Frideburg (actually Helmstedt), and he wrote it under the pseudonym Irenaeus Eubulus, which may perhaps be translated as “Peacelover Goodwill” without concealing the inelegance of a name chosen for no other purpose than to leave no doubt in the reader's mind about the laudable intentions to which the author was laying claim.<sup>5</sup>

<sup>3</sup> For information about Hermann Conring's life and works, see Constantin Fasolt, *The Limits of History* (Chicago, 2004), and Michael Stolleis, ed., *Hermann Conring (1606–1681): Beiträge zu Leben und Werk* (Berlin, 1983), henceforth cited as *Beiträge*.

<sup>4</sup> This was the *Iudicium Theologicum* written by Heinrich Wangnereck for the bishop of Augsburg in 1640, but not published until the end of 1646; see Fritz Dickmann, *Der Westfälische Frieden*, ed. Konrad Repgen, 4th edn (Münster, 1977), 413f.

<sup>5</sup> Hermann Conring, *Irenaeus Eubulus. Pro pace perpetua Protestantibus danda consultatio Catholica* (Frideburgi [i.e. Helmstedt]: Apud Germanum Patientem, 1648), reprinted in

Styling himself an Austrian theologian (*Theologus Austriacus*) Conring pretended to write from a point of view quite different from his own. He did not even hesitate to refer to Protestants as heretics in formulating the central question that Irenaeus Eubulus sought to answer: “Is it possible for his Holy Imperial Majesty and the other estates of the Roman Empire to conclude perpetual peace with Protestants, that is, with heretics, without violating conscience?”<sup>6</sup> His disguise worked so well that its effect was possibly not quite what he intended. His friend Lampadius (1593–1649), a leading voice among Protestants, wrote a preface welcoming the arguments of Irenaeus Eubulus. But since he did not know the author's true identity, he also gave vent to his frustration that even moderate Catholics did not seem able to refrain from denouncing Protestants as heretics.<sup>7</sup>

The *Consultatio Catholica* confronts historians interested in Conring's views about religion with a difficulty similar to the one that led Lampadius astray. They can examine Conring's performance of a role that he adopted in order to achieve a particular effect. But they cannot examine what Conring actually believed. They see a mask. But why did Conring choose to wear that mask? Was it a theological commitment? Or was it just a matter of pure politics? Was Conring seeking to subordinate religion to reason of state? Or was he quite on the contrary promoting religious unity? Did Conring have a kind of faith? If so, what kind? What, in short, did Hermann Conring think about religion?

### Conring's Confessional Writings

At first sight there may seem to be an easy road to answering those questions. The *Consultatio Catholica* was, after all, not Conring's only writing on matters

Hermann Conring, *Opera*, 7 vols, ed. Johann Wilhelm Goebel (Brunswick, 1730; reprinted Aalen, 1970–73), 2: 472–517, henceforth cited as *Opera*. About ten years later Conring republished the *Consultatio Catholica* as the first item in a collection of closely related documents, including Wangnereck's *Iudicium*. This time he published it under his own name and called the whole collection *De pace perpetua inter imperii Germanici ordines religione dissidentes servanda libelli duo* (Helmstedt, 1657). Twenty years after that he published a revised edition of the same collection under the title *De pace civili inter imperii ordines religione dissidentes perpetuo conservanda libri duo* (Helmstedt, 1577 [i.e., 1677]). This is the version reproduced in *Opera*, 2: 467–66. Note the omission of *Germanici* in the title and the shift from *pax perpetua* in 1648 and 1657 to *pax civilis perpetuo conservanda* in 1677.

<sup>6</sup> *Caeterum quaestio ardua est, num talis perpetua pax Protestantibus, hoc est, haereticis, a S.C.M. et reliquis catholicis imperii Romani Ordinibus salva conscientia possit concedi. Opera*, 2: 473.

<sup>7</sup> See Conring, *Opera*, 2: 472, and cf. Dickmann, *Der Westfälische Frieden*, 414. On Lampadius see Richard Dietrich, “Jacobus Lampadius: Seine Bedeutung für die deutsche Verfassungsgeschichte und Staatstheorie,” in *Forschungen zu Staat und Verfassung: Festgabe für Fritz Hartung*, ed. Richard Dietrich and Gerhard Oestreich (Berlin, 1958), 163–85.

of religion. On the contrary, the evidence for his ideas about religion is abundant. How abundant can be illustrated by a quick look at the bibliography that William Kelly and Michael Stolleis compiled in 1983.<sup>8</sup> Eighty-seven items on the list of Conring's published writings were printed in the thirteen years from 1648, when the *Consultatio Catholica* was published, to 1660, when Conring began to focus more exclusively on questions of politics (including both 1648 and 1660, but without counting either the numerous reprints that Kelly and Stolleis identify along with the originals, or the occasional German translations of writings that were first published in Latin). Twenty-five, more than a quarter, deal more or less directly with questions of religion; thirty-eight deal with politics, history, and law; and the remaining twenty-four deal with medicine, Conring's original profession.

Classifying Conring's writings in this way is of course a little arbitrary. How, for example, should one classify the *Gründlicher Bericht von der landesfürstlichen ertzbischofflichen Hoch- und Gerechtigkeit über die Stadt Bremen* (Thorough Account of the Majesty and Jurisdiction the Territorial Prince and Archbishop Has over the City of Bremen) published in 1652? It deals with episcopal authority. Is that a matter of politics or of confessional dispute? Moreover, in the 1660s Conring wrote less about religion than before. Out of fifty-two items listed by Kelly and Stolleis for the years 1661–70, only eight were clearly devoted to religion. But that was still more than the six devoted to medicine, and it included a book that deserves to rank among the most important pieces Conring ever wrote about religion: the *Pietas Academiae Juliae* of 1668.<sup>9</sup> The *Pietas Academiae Juliae* was Conring's public, emphatic, and systematic declaration in favor of his mentor, Georg Calixt (1586–1656), against Calixt's orthodox Lutheran opponents in the theological battles that had broken out into the open with the so-called Latermannsche Händel in 1648 and raged into the 1680s. He had it sent to Protestant courts, consistories, and universities in order to ensure the recognition that he wanted. In Johannes Wallmann's judgment it played a crucial part in the single most important battle dividing Lutheranism after the Reformation by putting Lutheran orthodoxy on the defensive.<sup>10</sup>

There surely is no lack of evidence for Conring's views about religion. And yet it does not take long to recognize that the road to understanding Conring's ideas about religion is not as easy as the volume of the evidence suggests. True, he expressed himself often. But usually he expressed himself in terms that were

<sup>8</sup> William Ashford Kelly and Michael Stolleis, "Hermann Conring: Gedruckte Werke, 1627–1751," in *Beiträge*, 535–72.

<sup>9</sup> Hermann Conring, *Pietas Academiae Juliae programmate publico prorectoris et senatus academici adversus improbas et iniquas calumnias cum aliorum quorundam tum D. A. Srauchii asserta* (Helmstedt, 1668).

<sup>10</sup> Johannes Wallmann, "Helmstedter Theologie in Conrings Zeit," in *Beiträge*, 36–7, 47–8, with references to the pertinent literature.

defined by others. In fact, some of the items on the list of Conring's confessional writings consist entirely of works by other authors that Conring simply re-edited because he wished to publicize their views.<sup>11</sup> Some consist of annotations on writings by other authors that he regarded as particularly important.<sup>12</sup> Most commonly he reacted to attacks from his opponents. Such was of course the case with the *Consultatio Catholica* itself, provoked by the publication of Heinrich Wangnereck's *Iudicium theologicum*. Such was also the case with the *Vindiciae Pacificationis Osnabrucensis et Monasteriensis*, published in 1653 in order to rebut Pope Innocent X's annulment of the Peace of Westphalia.<sup>13</sup> And such was the case again with the *Defensio ecclesiae Protestantium* of 1654, to mention only three prominent examples of the polemics that constitute the bulk of Conring's confessional writings.<sup>14</sup>

Most of the evidence, in other words, testifies to Conring's engagement with the views of others. Hardly ever does he seem to have written down just what he regarded as central to his faith. This is true even of a document as clearly designed to make one theological position prevail over another as the *Pietas Academiae Juliae*.<sup>15</sup> Conring declares it quite unnecessary to engage directly with the writings of Calixt and his opponents. Instead he concentrates on defending the university and the church against the calumnies of their enemies on the grounds that even non-theologians must not remain silent when their well-being is under direct assault.<sup>16</sup> What he himself believed remains opaque.

The problem thus is not simply that Conring relied on pseudonyms sometimes. The problem is that even when he did write under his own name,

<sup>11</sup> Thus he edited the works of Georg Witzel and Georg Cassander, two sixteenth-century Catholic authors who had devoted themselves to the cause of religious peace. See Hermann Conring, ed., *Via regia sive de controversis religionis capitibus conciliandis sententia*, by Georg Witzel (Helmstedt, 1650), and Hermann Conring, ed., *Georgii Cassandri et Georgii Wicelii De sacris nostri temporis controversiis libri duo* (Helmstedt, 1659).

<sup>12</sup> See his annotations on Grotius's *De veritate religionis christianae* in *Opera*, 5:1–105. These were not published in Conring's lifetime.

<sup>13</sup> *Vindiciae Pacificationis Osnabrucensis et Monasteriensis, a declaratione nullitatis articulorum arrogantiae Pontificum temerariae praepjudicialium, impudenter satis et audacter attentata ab Innocentio Papa X* (London, 1653). This was published under the pseudonym Ludovicus de Montesperato.

<sup>14</sup> *Defensio ecclesiae Protestantium adversus duo Pontificiorum argumenta, petita a successione episcoporum ac presbyterorum ab apostolis usque derivata* (Helmstedt, 1654). Johannes Wallmann, "Helmstedter Theologie in Conrings Zeit," in *Beiträge*, 52 n. 43, suggests that the *Defensio* may have been written in response to a request from Johannes Schwartzkopff, the chancellor of Brunswick-Wolfenbüttel, who wanted arguments to counter the bad precedent that had just been set by the conversion of the oldest son of the count of Nassau to Catholicism. For more examples of Conring's polemics see Inge Mager, "Hermann Conring als theologischer Schriftsteller, insbesondere in seinem Verhältnis zu Georg Calixt," in *Beiträge*, 55–84.

<sup>15</sup> The closest he ever seems to have come to venturing onto explicitly theological terrain is his *De purgatorio animadversiones in Ioannem Mulmannum, Iesuitam* (Helmstedt, 1651).

<sup>16</sup> *Pietas Academiae Juliae* (Helmstedt, 1668), 10, 17.

he did not expose his religious views to public scrutiny. No doubt he stood up for Calixt's theology. No doubt he wanted to promote confessional co-existence on the basis of the Peace of Westphalia. That his writings breathe a certain spirit of toleration and that they are directed against religious intransigence is evident enough as well. Most certainly he thought that no form of religious intransigence was more important to combat than that which he attributed to the papacy. But what were the grounds on which he adopted those positions? Is there anything besides hostility to Catholics and good will for Protestants that holds his views together? Is there a principle, a system, some positive means by which we could attribute coherence to Conring's religious views beyond the unilluminating truth that he opposed the papacy? What would that principle be? Is it theology? Is it faith? Is it philosophy? Or something altogether different?

There are no good answers to those questions in the existing literature. Few of the scholars who examined Conring's life and works have paid attention to his ideas about religion, and those who did have come to different conclusions. Ernst von Moeller, in what remains the most detailed biography, omits to deal with Conring's confessional writings altogether.<sup>17</sup> Erik Wolf, in an influential collection of biographical sketches of significant figures in the history of German legal thought, doubts that Conring was capable of any genuinely religious commitment. From his perspective Conring was an enlightened but somewhat shiftless rationalist with no real interest in religion, a cold and calculating modern thinker with little spiritual depth and a correspondingly weak sense of morality.<sup>18</sup> Inge Mager agrees that Conring's focus was on politics and that his writings on religion are much too disparate to coalesce into a coherent theological position (*Gesamtposition*). Yet she seeks to defend Conring against Wolf's insinuations of religious superficiality. She explains his reticence to engage directly in theological debate as the result of uncertainty about religious truth and disagreements with Calixt, and she insists that theology in Conring's mind continued to function as an all-embracing form of knowledge (*eine totale Kategorie*).<sup>19</sup> Michael Stolleis agrees that Conring's views on theology are difficult to ascertain. But in sharp contrast with Erik Wolf he maintains that a strong faith in God supported

Conring's entire way of thinking. For Conring natural science was a means to study God's design, human beings were obliged to follow God's commands, and the mere pursuit of power was never legitimate. From Stolleis's point of view, Conring's ideas about theology lie at the very center of his thought.<sup>20</sup> Perhaps Johannes Wallmann put it best when he declared that Conring the theologian is yet to be discovered.<sup>21</sup>

The purpose of this article is to contribute to that discovery. It proceeds on the assumption that the neglect of Conring's confessional writings is not so much a deficiency in the scholarly literature as an expression of the sound intuition that the significance of Conring's confessional writings is impossible to ascertain until the principles on which they rest are better understood. I will therefore refrain from a direct analysis of Conring's confessional writings, not only for the pragmatic reason that there are more of them than can be studied here, but also because a direct approach seems methodologically premature. I will instead try to gain hold of the principles that held Conring's ideas about theology together by focusing on the preface he wrote for his edition of Aristotle's *Politics* in 1637 and dedicated to Duke William of Brunswick-Lüneburg.<sup>22</sup>

### The Preface to Aristotle's *Politics* of 1637

A preface to Aristotle's *Politics* may not look like a good source of information about Conring's views on religion. In fact, however, it furnishes a lucid statement of Conring's most basic ideas, especially including his ideas about religion. It sketches the history of the empire, offers a diagnosis of the empire's contemporary difficulties, defines the value of political science, and outlines

<sup>20</sup> Michael Stolleis, "Die Einheit der Wissenschaften: Hermann Conring (1606–1681)," in *Beiträge*, 22, 23–4.

<sup>21</sup> Johannes Wallmann, "Helmstedter Theologie in Conrings Zeit," in *Beiträge*, 35.

<sup>22</sup> Hermann Conring, "Praefatio in Politica Aristotelis ad Illustrissimum Principem Dn. Guilielmu Ducem Brunsvicensium et Lüneburgensium," in *Aristotelis Politicorum libri octo, cum prooemio H. Conringii*, ed. Hermann Conring (Helmstedt, 1637), 3–74 of the unpaginated front matter; pages 3–58 are reprinted in *Opera*, 1: 117–28. On the title page the preface is announced as Conring's *prooemium*, but the text beginning on p. 3 bears no title of its own. It presents itself as a dedicatory letter to the duke, beginning "Illustrissimo Principi ac Domino D. Guilielmo ... Felicitatem." Later printings refer to this as Conring's "Praefatio in Politica Aristotelis," which is the title I shall use. *Opera*, 1: viii and 1: 117, uses the same title, but replaces *Politica* with *Politicam*. Note that the preface of 1637 is not to be confused with the "Introductio in Politica Aristotelis" that followed the preface on pages 75–183 of the unpaginated front matter. The introduction, unlike the preface, deals with the text and arrangement of Aristotle's *Politics*. The revised edition of the *Politics* that Conring published with Daniel Heinsius's Greek text in 1656, *Aristotelis Politicorum libri superstites*, ed. Hermann Conring (Helmstedt, 1656), includes a revised version of the "Introductio," which is reprinted in *Opera*, 3: 457–90, but it does not include the preface of 1637.

<sup>17</sup> Ernst von Moeller, *Hermann Conring, der Vorkämpfer des deutschen Rechts, 1606–1681* (Hannover, 1915). The sole occasion on which Moeller touches directly on confessional questions concerns Conring's decision in 1631 to accept a position in Brunswick in spite of his misgivings about Brunswick's strict Lutheranism. See p. 28 for Moeller's judgmental conclusion: "Wer weiss, wo er geendet hätte, wenn er damals Nein gesagt hätte und sich selber treu geblieben wäre? Tadel ihn, wer es darf! Ich tue es."

<sup>18</sup> Erik Wolf, *Grosse Rechtsdenker der deutschen Geistesgeschichte*, 4th ed. (Tübingen, 1963), 226–7.

<sup>19</sup> Inge Mager, "Hermann Conring als theologischer Schriftsteller, insbesondere in seinem Verhältnis zu Georg Calixt," in *Beiträge*, 56, 62, 64–6.

the proper relationship between politics and religion with a programmatic clarity that leaves little to be desired. It was formulated early in Conring's career, when he was thirty-one, only one year after he obtained his doctorates in medicine and philosophy, and it was never superseded. Conring had it reprinted on at least three separate occasions.<sup>23</sup> The first was in 1654, at the very end of his book on the boundaries of the Holy Roman Empire.<sup>24</sup> The second was in 1666, in a collection of his prefatory letters.<sup>25</sup> The third was in 1677, in a revised edition of the very same *Consultatio Catholica* with which this article began.<sup>26</sup> It shows not only that Conring continued to believe in 1677 what he had written in 1637, but also how directly his reading of Aristotle's *Politics* was linked to his understanding of the condition of the Holy Roman Empire and the problems of confessional co-existence.

The preface to Aristotle's *Politics* of 1637 can be divided into three parts.<sup>27</sup>

<sup>23</sup> There may have been more. Conring's works were often reprinted, and the reprints often differ from each other in ways impossible to ascertain except by direct inspection. A complete census has not been attempted here.

<sup>24</sup> Hermann Conring, *De finibus imperii Germanici libri duo* (Helmstedt, 1654), 858[misprinted as 878]–90. The pirated edition of this work published under the same title in the same year by Martin in Lyon does not include the preface to Aristotle's *Politics*. The second edition published by Conring himself, however, *De finibus imperii Germanici, editio nova* (Frankfurt and Leipzig, 1680–81), 854–90, does include the preface to Aristotle.

<sup>25</sup> Hermann Conring, *Epistolae hactenus sparsim editae, nunc uno volumine comprehensae, de varia doctrina* (Helmstedt, 1666), 64–94. Goebel omitted the preface to Aristotle's *Politics* from his reprint of the *Epistolae* in *Opera*, 6: 346–430, because he had already printed it together with the *De finibus imperii Germanici* in *Opera*, 1: 117–28.

<sup>26</sup> Hermann Conring, *De pace civili inter imperii ordines religione dissidentes perpetuo conservanda libri duo*, 2nd edn (Helmstedt, 1577 [1677]), 878–96. Following p. 372, the pagination of this volume is thoroughly garbled; cf. the corrections printed at the end of the volume. Counting forward from p. 372, the title of the "Praefatio in Politica Aristotelis" appears on p. 376, and the text on pages 377–413. On this occasion Conring omitted to reprint the concluding pages of the preface, that is, pages 58–74 of the unpaginated front matter in the original edition of 1637, beginning with the sentence, "In quibus omnibus satis fortassis a consiliis nobis esse poterunt antiqua prudentiae civilis monumenta, ne denuo Bodinum aliquem quis censeat desiderandum." They offer a brief critique of Bodin's account of the empire, describe his initial encounter with the study of political science, and praise his mentor Calixt for his unique understanding of the value of political science. It seems likely that Conring decided to omit them because they were largely autobiographical, bound to personal circumstances forty years out of date, and did not add anything of substance to his argument concerning religious peace. As will be seen below, that argument was self-contained and ended with a nice conclusion of its own.

<sup>27</sup> Since Goebel printed the preface to Aristotle's *Politics* at the beginning of the *De finibus imperii Germanici* (*Opera*, 1: 114–485), one is led to assume that he reproduced the version Conring had included at the end of the *De finibus imperii Germanici* in 1654, and repeated in the second edition of 1680–81. But Goebel's edition of the *Opera* does not contain the text of the autobiographical section at the end that is included there. He reproduced the truncated version that Conring published in *De pace civili*, 2nd edn (Helmstedt, 1577 [1677]), 878–96 [misprinted pagination; see preceding note]. After Goebel had already published the first volume of the *Opera*, he discovered certain manuscript annotations concerning details of the

In the first part Conring offers his diagnosis of the condition of the Holy Roman Empire, or German Empire, as he preferred to call it on occasion.<sup>28</sup> In the second part he describes his plans for a therapy by means of political science, particularly political science as taught in Aristotle's *Politics*.<sup>29</sup> And in the third part he addresses the main obstacle preventing such a therapy from taking effect.<sup>30</sup> That obstacle, of course, consisted of disagreements over religion. In a few clearly articulated steps the preface thus explains how the calamity of the Thirty Years War is related to the history of the empire, how the history of the empire is related to the study of politics, and how the study of politics is related to disagreements over religion. It presents the reader with a logical chain of reasoning that runs right through the center of Conring's thought.

In order to gain a clearer sense of how that chain of reasoning was constructed, it will be best to describe the case that Conring makes in the order in which he made it. In part one Conring recounts the empire's decline from the times of the Ottonians to the present. In the beginning, which is to say, up until the reign of Emperor Henry IV, the empire's power was great. France, Poland, and Hungary were comparatively weak; Denmark and Sweden were more or less under the empire's sway; and Italy was entirely under its control. At that time, Conring believed, the empire would have been able to withstand not just any one among its neighbors but all of them combined.<sup>31</sup> Now, however, the empire has lost the power to determine its own fate, while Poland, France, the Ottoman empire, Sweden, Denmark, Britain, Russia, and Spain have managed to strengthen themselves, either by extending their boundaries or by centralizing power in the hands of the monarch.<sup>32</sup>

The causes to which Conring attributes the empire's decline are manifold.<sup>33</sup> He finds one of them in the natural warlikeness of the German people and the freebooting ways that manifested themselves just as soon as the troubles of Henry IV invited rebellion. Another consisted of the deplorable habit of

history of the Holy Roman Empire. He published them in *Opera*, 2: 1–4. See his opening remarks in *Opera*, 2: i. Given the effort Goebel made to publish these notes, it seems unlikely that he omitted the autobiographical conclusion of the preface knowingly. I will pay no further attention to that conclusion, nor will I examine the details Goebel added from Conring's manuscripts. I have also made no effort to trace the sources of Conring's unattributed quotations, which he printed in italics.

<sup>28</sup> *Opera*, 1:117–23. For Conring's habit of referring to the Holy Roman Empire as *imperium Germanicum* see, among many other possible examples, the title of *De finibus imperii Germanici*.

<sup>29</sup> *Opera*, 1: 123–5.

<sup>30</sup> *Opera*, 1: 125–8.

<sup>31</sup> *Opera*, 1: 118.

<sup>32</sup> *Opera*, 1: 122.

<sup>33</sup> *Opera*, 1: 118–20.

German kings even prior to Henry IV to diminish their authority by alienating public goods, compounding their failure to distinguish properly between private and public finance. Then there was the power of the great men of the realm who only sought to build their own dynasties; the division of Germany into heritable counties; the ability of bishops to combine political and religious power in one hand; and Henry IV's miscalculations. When Pope Gregory VII launched his deadly attack against the empire, the authority of German emperors was effectively ruined. Most principalities became hereditary and the conferral of episcopacies and abbacies was removed from imperial control.

Political authority, Conring explains, depends on the ability to inspire fear or to distribute gifts. Once that ability was gone, the subjects of the empire lost their respect for its authority, escaped from central control, and concentrated on accumulating monarchical power over their own subjects. Conring acknowledges that this state of affairs is commonly referred to as the liberty of the estates. But in his opinion the liberty of the estates is but a euphemism for the servitude of the many to those few who managed to cast off the imperial yoke and concentrated power in their own hands in order to wield it all the more effectively over their subjects. The empire, Conring implies, was better qualified than the estates to serve the cause of liberty.<sup>34</sup>

There is one cause of the empire's decline, however, that Conring considers worse than all the rest. That cause is religious strife.<sup>35</sup> Just when the creation of imperial circles was raising modest hopes that the empire's organization might recover some solidity, all hopes were dashed by civil war over the question of religion.<sup>36</sup> Whether the religious disagreements were genuine or merely a convenient pretext for political advantage, there is no doubt in Conring's mind that they divided Germany into factions more bitterly opposed to one another, and more destructive of good public order, than anything previously seen in German history. All other troubles look harmless by comparison. For now the question is no longer merely how to preserve internal unity. Now the survival of Germany itself hangs in the balance.<sup>37</sup>

Conring's analysis of the empire's contemporary condition concludes with a gloomy assessment of the difficulties ahead. Inaction is certainly no option.

<sup>34</sup> *Opera*, 1: 120. Recent scholarship on the Holy Roman Empire would appear to corroborate that judgment more effectively than earlier generations of historians deemed imaginable; see James A. Vann, *The Making of a State: Württemberg 1593–1793* (Ithaca, 1984); John Boyer and Julius Kirshner, eds., *Politics and Society in the Holy Roman Empire, 1500–1806* (Chicago, 1986); and Karl Otmar Freiherr von Aretin, *Das Alte Reich, 1648–1806*, 3 vols (Stuttgart, 1993–97).

<sup>35</sup> *Opera*, 1: 120–21.

<sup>36</sup> On the imperial circles see Winfried Dotzauer, *Die deutschen Reichskreise in der Verfassung des Alten Reiches und ihr Eigenleben, 1500–1806* (Darmstadt, 1989).

<sup>37</sup> *Opera*, 1: 118, 121.

If you are surrounded by other powers, you cannot preserve your safety by doing nothing. Where the goal is domination, your peace and tranquillity are nothing but an incitement to others to reduce you to slavery.<sup>38</sup>

That German unity must be restored is obvious.

If we could act in harmony, and if we could agree with one another on what we want and what we do not want, there is no doubt that our immediate and our more distant neighbors could not harm our empire with impunity, even if they were all united.<sup>39</sup>

But it is difficult to see how national unity could possibly be brought about. In the first place, a people engaged in civil war is so deeply absorbed with its own affairs that it tends to forget its foreign enemies. It does not even recognize the danger it faces from abroad. It acts as though it were invisible to all the world and had none but friends beyond its borders. Hate for its neighbors can blind the weaker party in a civil war so thoroughly that, rather than face defeat at home, it expects salvation from enemies abroad and enters into alliances with foreign powers. That hardly helps the cause of unity.<sup>40</sup>

In the second place, an end to civil war is not at all the same as restoring national unity. Assume one party wins a decisive victory:

Who is there who does not want to dominate his enemies if he can, or would not wish to return the state to a condition that, if his wish came true, would make it impossible for him to be in the position in which he actually finds himself?<sup>41</sup>

It is, in other words, not merely impractical to try to reverse the results of civil war; it is logically inconceivable. The very desire to go back to how things were before the war broke out proceeds from memories of past injustices and fears of revenge that presuppose the destruction of the very condition the victor is pretending to restore.<sup>42</sup> There is no going back. Moreover,

<sup>38</sup> Neque vero inter potentes tuto quiescas. Ubi dominatus quaeritur, pax et tranquillitas tua irritamentum est servitutis. *Opera*, 1: 123.

<sup>39</sup> Ac certe non etiam nostrum hoc imperium vel uniti vicini populi omnes, vel remotiores quique lacerarent impune, si concordēs ageremus, et idem volentes idem nolentes consuleremus in commune. *Opera*, 1: 123.

<sup>40</sup> *Opera*, 1: 123.

<sup>41</sup> Quotus vero quisque est, qui, cum possit, non etiam velit dominari hostibus devictis, aut rempublicam illo rursum loco cupiat esse, quo cum esset, ipse non poterat esse loco suo? *Opera*, 1: 123.

<sup>42</sup> The analytic precision of Conring's recognition that a difference in temporal location is sufficient to establish a categorical difference between otherwise identical sets of circumstances (the conditions that obtained before the war broke out, and the identical conditions that the victor would like to restore) is a good indication for his grasp of the logic of historical knowledge that forms the subject of Arthur Danto, *Narration and Knowledge* (New York, 1985).

the power to rule is too sweet, and nothing is commonly considered to be sweeter than the power to control one's enemies. [The unfortunate consequences of] victory in civil war should therefore not be held against the victor, but against whoever heedlessly provoked the war. For starting that kind of war is malicious in the extreme, whereas refusing to abandon power won by arms is just a common human failing."<sup>43</sup>

The unfortunate truth of the matter is that

a country divided by civil war is exposed to attack, not only from abroad, but from its own citizens, and from none more so than from those who manage to win a decisive victory, even if they happen to be your friends and share the same religion."<sup>44</sup>

The clarity with which Conring rejects victory and the confessional belief of the victors as a reliable foundation for the restoration of political order is remarkable. But matters are hardly better if victory is any less one-sided. As soon as one party prevails, it will promote factionalism. Even in the unlikely event that civil war concludes with a perfect balance between the contending parties, the wounds that they inflicted on each other will be remembered "in a dark corner of the mind." In sum "the true friendship and firm association without which no commonwealth can flourish will not be easy to restore."<sup>45</sup>

In the second part of his preface Conring proposes a therapy for the problems he has described in the first. That therapy consists of studying political science in general and Aristotle's *Politics* in particular. He begins on a somewhat defensive note.<sup>46</sup> He declares that he has no desire to impose his views on those who are obliged by birth or oath to care for the commonwealth. He seems to have feared that it might not have been regarded as appropriate for him to meddle in political affairs because his appointment at the University of Helmstedt obliged him to teach natural philosophy from 1632–37 and medicine thereafter. It was not until 1650 that he was formally appointed to a chair of politics. In his excuse he mentions the private ills

<sup>43</sup> Nimis dulce est regnare: nihil dulcius certe vulgo aestimatur, quam hostibus imperare. Sic scilicet fere res est: ut dominatus ex victoria civilis belli natus non tam vitio vertendus sit victori, quam illi qui belli auctor temere fuit: quum movere istiusmodi bellum malitiae plerumque sit extremae, dominatum armis partum nolle dimittere, communis hominum impotentiae. *Opera*, 1: 123.

<sup>44</sup> Neque tamen externis tantum patet ad ictum civitas suis dissidiis, sed et ipsis civibus, ipsis amicis ejusdemque sacramenti hominibus, maxime ubi veram atque sine exceptione victoriam aliqui expresserint. *Opera*, 1: 123.

<sup>45</sup> Quod etsi aequis partibus finiatur contentio, maneat tamen *repositum alta mente* inflictum utrinque vulnus, haud rursus coeunte facile vera amicitia ac firma societate; qua sine tamen nulla civitas est salva. *Opera*, 1: 123.

<sup>46</sup> *Opera*, 1: 123–4.

arising day in, day out, from the convulsion of the public order. They make it impossible for him to remain completely silent. The common people have a right to complain about their suffering at the hands of the rulers of this earth, and they may even be obliged to raise their voices when the rulers of the earth are tottering. But the main reason why Conring regards himself entitled to speak out is that his business (*negocium*) consists not only of knowledge in general (*eruditio*), but also of knowledge of politics in particular (*civilis sapientia*). Unless he is very much mistaken, Germany's ills flow in large measure from failure to heed the truth (*philosophia*). No one whose job it is to teach true philosophy can therefore very well avoid addressing himself to Germany's political travails.

With this emphatic declaration that men of knowledge cannot fulfill their calling unless they accept responsibility for their role in politics, Conring hits his stride.<sup>47</sup> He draws on the analogy with medicine. As a physician needs to know the illness in order to be able to demonstrate the value of medicine, so someone wishing to establish that political science (*civilis prudentia*) is not merely useful, but necessary to the common good, must understand the ills afflicting the commonwealth. Ignorance of the principles of monarchical government is the reason why the kings of Germany lost their authority. Ignorance of the art of government led a misguided people into armed rebellion against its rulers. If political science had been properly understood, the authority of German kings would have survived intact, or at the very least Germany would have known how to transform itself into a proper aristocracy, on the Venetian model, and not descended into utter confusion. Just as neglect of political science has been the main cause for Germany's deterioration, so the study of political science affords whatever hope is left for Germany's restoration.

Where would a collapsing commonwealth find more effective assistance and protection from total ruin than in the doctrine that alone can tell what must be sought and what avoided in public affairs, that alone estimates both risks and damages, that carefully weighs hopes and fears, and that alone knows how to treat the disease?<sup>48</sup>

It may be worth stressing that Conring's understanding of political science is of course not identical with that maintained by members of the academic discipline carrying the same name today. The differences are significant.<sup>49</sup> But

<sup>47</sup> *Opera*, 1: 124.

<sup>48</sup> Et vero undenam collabescens aliqua republica praesentius capiat auxilium ac ruinae suae fulcimentum, quam ex illa doctrina, quae sola novit quid fugiendum publice quid appetendum sit, quae sola pericula damnaque expendit, quae denique spe metuque utrinque libratis sola non ignorat medicinam malorum? *Opera*, 1: 124.

<sup>49</sup> In brief, Conring regarded science as complementary to history. History consisted of



it is crucial to realize that he does regard it as a science. To be sure, his favorite way of referring to it is *civilis prudentia*. But he refers to it as *politica scientia*, *civilis philosophia*, and *civilis sapientia* as well.<sup>50</sup> More important, the difference between *civilis prudentia* and *politica scientia* is not, appearances to the contrary notwithstanding, the difference between a virtue and a science. The difference is that *politica scientia* means political science as such whereas *civilis prudentia* means political science as applied in practice. The difference turns on a technical distinction in Aristotelian philosophy between the different ways (what Conring calls *habitus*, and Aristotle *ἕξις*) in which the same knowledge can manifest itself. Where that difference does not demand special attention, *politica scientia* and *civilis prudentia* can serve as synonyms. In Conring's view both are expressions of what he simply calls *politica*, and he leaves no doubt at all that *politica* is a science in the strict sense of the term. As he puts it in his *Miscellaneous Theses on Civil Prudence*:

*Prudentia civilis* and *politica* are different words for the same thing. ... *Civilis prudentia* deals exclusively with the characteristics of bodies politic in and of themselves. Whatever is not characteristic of bodies politic in and of themselves falls outside the scope of *politica scientia*. ... We maintain that *politica* is a true science in the strict sense of the term. But it can also be considered a [kind of] *prudentia*, because an expert in this science is well equipped to govern a commonwealth.<sup>51</sup>

The significance Conring attributes to political science is evidently great.

empirical facts obtained by direct observation or by relying on direct observations reported by others. Science consisted of rational explanations of those facts by means of universally valid causal relations. Cf. Constantin Fasolt, "Conring on History," in *Supplementum Festivum: Studies in Honor of Paul Oskar Kristeller*, ed. James Hankins, John Monfasani, and Frederick Purnell (Binghamton, 1987), 563–87.

<sup>50</sup> For examples see the "Praefatio de historiarum, Germanorum inprimis, studiis," in Hermann Conring, ed., *De moribus Germanorum*, by Tacitus (Helmstedt, 1635), in *Opera*, 5: 253–78; *Theses miscellaneae de civili prudentia* (Helmstedt, 1650), in *Opera*, 3: 277–80; *De civili prudentia liber unus* (Helmstedt, 1662), in *Opera*, 3: 280–421; and *Propolitica sive brevis introductio in civilem philosophiam* (Helmstedt, 1663).

<sup>51</sup> *Vox Prudentia civilis, idem quid notat ac vox Politices*. ... Ad civilem prudentiam pertinent eae solae affectiones, quae de civitate primo ac per se praedicantur. Quae vero reipublicae primo ac per se non insunt, a Politica scientia aliena sunt. ... Nos politicam vere et proprie dictam scientiam esse affirmamus. Potest etiam prudentia censerī, in quantum videlicet hac scientia imbutus quis redditur aptus reipublicae gerendae. *Theses miscellaneae de civili prudentia*, nrs. 1, 63–4, 83–4, *Opera*, 3: 277–80. Conring made the same point at much greater length in *De civili prudentia liber unus*, chapters 8–9, *Opera*, 3: 318–37. For background see Pierre Aubenque, *La prudence chez Aristote* (Paris, 1963), esp. 33–41; Volker Sellin, "Politik," in *Geschichtliche Grundbegriffe*, 7 vols, ed. Otto Brunner, Werner Conze, and Reinhart Koselleck (Stuttgart, 1972–92), 4: 789–874, esp. 814–24; and Wolfgang Weber, *Prudentia Gubernatoria: Studien zur Herrschaftslehre in der deutschen politischen Wissenschaft des 17. Jahrhunderts* (Tübingen, 1992).

But he is careful not to exaggerate its power. Even political science cannot foretell the future. Political science can make predictions of a certain kind. But such predictions are subject to the same limits that circumscribe all forms of human knowledge. "Nature has hidden many things beneath a sacred cover, and no mortal human being is permitted to know everything."<sup>52</sup> Again he draws on the analogy with medicine: in an acute illness predictions of recovery or death are never certain. Illnesses of the body politic are similar. To the extent that they are acute (*acutum aliquid*), they are subject to scientific analysis. But they also include an element of unpredictability (*fatale aliquid*). That element comes from God, and since it comes from God, it is only for God to know.<sup>53</sup>

One must accordingly distinguish between things that can, and that cannot, be predicted. But that does not detract from the value of political science as such. Much less does it afford an argument for predictions made on other than scientific grounds.

To the extent that such matters are possible to penetrate with human ingenuity at all, neither the stars nor the birds teach them to us, but only the oracles of prudence. They will more readily reveal the remedies for our ills to us than Delphi ever did to ancient Greeks. They are uncorrupted counsellors, free of hate, fear, and hope. For they alone keep their distance from the causes of such emotions.<sup>54</sup>

The oracles of prudence (*prudentiae oracula*). With that crucial and wonderfully telling phrase Conring establishes that the pursuit of science is not at all a matter of religious neutrality. As the jealous God of the Old Testament refused to tolerate other divinities, so the jealous God of science refuses to tolerate other forms of knowledge. Conring has nothing but contempt for oracles of any other kind and does not hesitate to brand them as superstition.

In such matters there is no reason for consulting Ammon, beseeching Delphi, inspecting entrails, observing the flight of birds, or questioning our Chaldeans last of all – methods we perceive to be dear to many people in spite of their having been repeatedly prohibited by divine and human law. Those kinds of seers are not

<sup>52</sup> Solus in hisce prudens sapit. Soli illi datum imminetia non nescire. In quantum sane futurorum capax est humanum genus. Etenim *multa tegit sacro involucre natura, nec ullis fas est scire quidem mortalibus omnia*. *Opera*, 1: 124.

<sup>53</sup> *Opera*, 1: 124. This clearly reflects Conring's knowledge of Aristotle's views on so-called future contingents. For a lucid contemporary analysis of this issue see Danto, *Narration and Knowledge*, 183–200.

<sup>54</sup> Quaecunque tamen humano in his sunt ingenio pervia, illa profecto non astra, non aves docebunt, sed prudentiae oracula. Ab illis etiam promptius remedia malis nostris impetramus, quam Graeci olim Delphis. Haec incorrupti consiliarii, absque odio, absque timore et spe: ut quorum et causas sola habeant procul. *Opera*, 1: 124.

inspired to foretell the future by means of art or science. They are superstitious fortunetellers and impudent soothsayers who give directions to others without knowing their own way.<sup>55</sup>

Science can conquer superstition. But only if its advice is closely heeded. Science may not be taken up or dropped at will. While things were going well, it was perhaps permissible not to pay much attention. But in the face of Germany's destruction that is no longer so.

When the wind is favorable and the skies are clear, on the high seas, far from the rocks, the rudder can safely be entrusted to anyone. But on the sandbanks or when the north wind is raging, our safety depends upon the skipper. Thus, so long as the commonwealth is at peace, one need perhaps not always call on the counsel of political science. Under those circumstance even ordinary people picked randomly from a crowd can govern reasonably well. But now the world is being turned upside down. Every mistake can have a lethal consequence. Continuing to live according to the old ways under such circumstances, if I am not completely wrong, would both be a horrendous crime and the height of madness.<sup>56</sup>

Science, moreover, is more than just an instrumental form of knowledge or a diversion for the curious, and it does more than merely to reveal the means by which Germany's unity can be restored. Science is in and of itself one of those means because it pleases God.

Not to want to know is in and of itself an offense against God, as wanting to know is to obey God's laws. Confusion spreading throughout the mind is certain evidence for the wrath of God.<sup>57</sup>

Of course God helps the stupid every now and then. But that does not make stupidity a good example or a reliable defense.<sup>58</sup> Science is a religious

<sup>55</sup> Neque enim est quir in his negotiis, aut Ammonem consulamus, aut petamus Delphos, aut inspiciamus exta, aut aves observemus, aut postremo Chaldaeos nostros interrogemus; quod nunc etiam tot post interdicta divina humanaque multis cernimus esse familiare. *Non enim sunt ii aut arte divini aut scientia, sed superstitiosi vates, impudentes harioli. Qui sibi semitam non sapiunt alteri monstrant viam. Opera*, 1: 124.

<sup>56</sup> Ut enim impetrent veniam suae negligentiae tempora antecessa, haec certe nescio qui inveniant. Scilicet ut secundo vento aut tranquillo caelo, inque alto, longe a rupibus, sine periculo clavus navigii cuius etiam committitur; inter Syrtes vero aut depraeliantibus Aquilonibus ad solum tuto nauclerum recurrimus: sic quieta adhuc republica fortassis licuerit non advocare semper prudentiam civilem in consilium, et potuerint illam non male moderari vel de trivio homunciones; at nunc quando summa imis vertuntur, quumque error quilibet habeat quid lethale, profecto moribus illis (nisi totus fallor) vivere et nefas magnum et summa dementia fuerit. *Opera*, 1: 124.

<sup>57</sup> Nolle sapere, hoc ipsum est Deum offendere: ut velle, ejus est legibus obsequi: certumque est divinae indicium irae caligo menti offusa. *Opera*, 1: 125.

<sup>58</sup> *Opera*, 1: 125.

obligation. God grants his favor only to people that do not hide from truth, and God hides the truth from people who refuse to do his will.

We have provoked the wrath of God with countless sins. Once his wrath has been placated, I hope that foresight and hard work will restore German affairs to integrity, as if by a ceremony of *postliminium*; that the original honor of the people will return; and that the liberty of the estates will be moderated by monarchy in such a fashion that we must neither fear the wilfulness of princes nor the licence of the estates, but that the sacred authority of the laws will constrain all to fulfill their proper function.<sup>59</sup>

Science, in other words, is the best hope that Conring has for overcoming the destructive selfishness that has divided Germany and that prevents the parts from restoring the unity on which their prosperity depends. Science is the pursuit of knowledge, and the pursuit of knowledge is a religious offering, a sacrifice intended to propitiate a deity visiting its wrath upon a sinful people.

In the third part of the preface Conring turns to what he regards as the greatest obstacle that must be overcome for Germany to reap the benefits of science. That obstacle, of course, consists of religious disagreements. He begins conventionally enough.<sup>60</sup> He calls religious disagreements the single most important cause for the murderous slaughter in which Germany is threatening to consume itself. He indicts religious hatred as an unjustifiable, indeed, inhuman form of superstition and likens it to the misguided zealotry of Jews (*furores Judaicorum zelotarum*) who think it wrong to show the way to, or accept gifts from, anyone besides other Jews. He insists that neither the true faith (*rationalis pietas*) nor the Mosaic law lend their support to such a lack of humanity, and he invokes as proof the water Christ accepted from the Samaritan woman and the parable of the good Samaritan.<sup>61</sup> He reminds his readers that Christians are commanded to love their enemies. Of course he recognizes that St. Paul prohibits communion with heretics. But in his judgment the Apostle's strictures only apply where heresy has been established beyond a doubt. They do not apply to anyone for whom there is still hope, much less to people seduced into heresy by others.

That sounds like a disappointing mixture of anti-Judaism, empty pieties,

<sup>59</sup> Et certe placata numinis indignatione, quam innumeris hactenus peccatis irritavimus, restituetur providendo ac laborando quasi postliminio in integrum etiam res, (quantum spero) Germanorum, redibitque pristinum gentis decus, ita libertate Ordinum temperato Principatu, ut neque in hoc libidinem neque in illis licentiam habeamus metuere, sed sacra legum auctoritate cuncta in officio contineantur. *Opera*, 1:125. *Postliminium* is the ceremony by which Roman citizens who had been captured and fallen into slavery were restored to their civic rights; cf. Adolf Berger, *Encyclopedic Dictionary of Roman Law* (Philadelphia, 1953), s.v. *postliminium*.

<sup>60</sup> *Opera*, 1: 125.

<sup>61</sup> *Opera*, 1: 125; cf. John 4: 8–42, Luke 10: 30–7.

and vain admonitions to Christian charity. Indeed, that Conring appears to have considered Christ's example as probative for Jews points to the limits of his own humanity. What follows, however, amounts to a radical assault on confessional identity. The crucial passage is worth quoting in full:

Here I will not engage in debates about the question whether any of the contending parties ought to be indicted for some kind of heresy, or to which of them the charge in fact applies. But this I do consider certain: true heresy does not consist of error, but of the pertinacity with which the error is maintained. Lethal ideas sometimes rise up in people of good character. There is no inconsistency between having a Catholic mind and holding a heretical opinion, just as a person acting with entirely good will is capable of committing iniquities. What is it that moves us to think worse about each other than Salvian, priest of ancient Marseille and a man of undisputed sanctity, thought of the Arians? "They are heretics," he said, "but unknowingly; they are heretics only in our eyes, not in their own. For they are so certain of their own adherence to the Catholic faith that they charge us with heresy. What they are in our eyes, we are in theirs." And a little later he adds, "Thus they err, but in good faith, not out of hatred of God or partiality, but believing themselves to honor and love God. Although they may not have the right faith, they judge it to be the perfect love of God. No one can know how they are to be punished for the error of their false opinion on judgment day, except the judge himself."<sup>62</sup>

Relying on Salvian for support, Conring thus draws a radical distinction between the quality of a person – what he calls the *ingenium* – and the beliefs that person may express. He insists that in and of itself there is no necessary relationship between the former and the latter. A good person can do bad things out of good will; a person with a Catholic mind can hold heretical opinions; and though Conring does not say so, one suspects that he considered the reverse equally true: a bad person can do good things out of bad will, and heretics can hold Catholic opinions. There is no uniform relationship between character, action, and belief; human beings are no more

<sup>62</sup> Non equidem disputabo hic, siue partium aliqua haerescos nomine infamanda, vel in quamnam earum merito hoc congruat probum; id certum arbitror, verum haereticum non tam errore quam errandi pertinacia censendum esse, et posse interdum lethales sententias non pessimis ingeniis innasci, adeoque cum haeretica opinione nonnunquam catholicum animum consistere; plane ut agere iniquum quod etiam minime iniquus potest. Quid nos movet vero, quod peius de nobis invicem suspicemur, quam de Arianis sanctissimus Massiliensium olim presbyter Salvianus? *Haeretici sunt*, dicebat ille, *sed non scientes: denique apud nos sunt haeretici, apud se non sunt: nam in tantum se catholicos esse judicant, ut nos ipsos titulo haereticarum pravitate infament. Quod ergo illi nobis sunt et hoc nos illis.* Paulo post subiungens: *Errant ergo, sed bono animo errant, non odio sed affectu Dei; honorare se Dominum atque amare credentes. Quamvis non habent rectam fidem, illi tamen hoc perfectam Dei aestimant caritatem; et qualiter pro hoc ipso falsae opinionis errore in die iudicii puniendi sunt, nemo potest scire nisi iudex.* *Opera*, 1: 126. Cf. Salvian, *De gubernatione Dei*, in *Patrologia latina*, ed. J. P. Migne (Paris, 1847), 53: 95–6.

able to judge the quality of a person than to predict the future. As only God can know whether or not the sick will actually die, so only God can judge who actually is a heretic.

From this premise Conring goes on to draw a series of momentous conclusions. First, he acknowledges the terrifying power of belief to blind those whose belief it is to the possibility that others may hold their own belief in equally good conscience.

Great is the power of inveterate belief over both parties, as if it had been mixed with mother's milk, like a disease that, if it is exacerbated by partisan zeal, strikes its victims deaf and blind, as Galen agrees, and that, if we believe him, is more impossible to cure than leprosy.<sup>63</sup>

Second, Conring does not abandon his conviction that heresy exists and must be punished. But he defines heresy on grounds entirely different from religious belief.

The true heretic is someone who is driven by arrogance or love of fame to found or foster a sect and who disturbs the public peace of the church with factions.<sup>64</sup>

Religious belief thus is irrelevant to prosecutions for heresy in all courts but one: the court where God himself presides. A few years later Conring would justify the irrelevance of religious belief on two specific grounds: first, because invincible error constitutes a valid defense, and second, because it is strictly impossible to determine whether the error on which any particular instance of false religious belief could be said to rest is vincible or not.<sup>65</sup> As far as human courts are concerned, that leaves only deliberate and freely acknowledged violations of conscience and disturbances of the public order as potential grounds for heresy.

Heresy thus turns on action, but only action of a specific kind, namely, action that divides the good of the individual from that of the community.

<sup>63</sup> Magna scilicet vis est in utramque partem opinionis inolitae, quaeque ceu cum materno lacte immulsa est, si accedat cumprimis sectae studium, morbus, Galeno etiam meo iudice, quavis scabie insanabilior, quo qui tenentur, si eidem credimus, coeci atque surdi reddi consuevere. *Opera*, 1:126. Cf. Wittgenstein's beautifully clear statement of the same basic point, "One can mistrust one's own senses, but not one's own belief. If there were a verb meaning 'to believe falsely,' it would not have any significant first person present indicative." Ludwig Wittgenstein, *Philosophical Investigations: The English Text of the Third Edition*, trans. G. E. M. Anscombe (New York, 1958), 190.

<sup>64</sup> Non ego pravac pervicaciae sum patronus, nec veniam peto vere haeretico homini, h. e. quem arrogantia aut nominis amor sectam facit condere aut fovere, quique factionibus turbat publicam Ecclesiae tranquillitatem. *Opera*, 1: 126.

<sup>65</sup> See Conring's letter "De haeresi et haeticorum poenis" of 23 June 1641 (Feria IV Trinitatis) to Justus Gesenius, *Opera*, 6: 631–3.

You may believe what you like, and in a sense you may even do what you like; but you may not divide yourself from the community. To believe that your own good is incompatible with the good of all is arrogance and love of fame; to act on that belief is to promote a sect; to continue to promote a sect when asked to stop is pertinacity; and pertinacity must be restrained.

Third, Conring distinguishes sharply between followers and leaders.<sup>66</sup> He has no mercy for instigators of heresy. Nor are their followers to be regarded as completely free of blame. But since the followers are not themselves propelled by partisan zeal, the proper course of action is not to threaten but to enlighten them. They suffer from a deception. Force may possibly have to be used, but it must never even seem to be directed at their destruction. They must be treated gently until they understand that their opponents hate, not their persons, but only, exclusively, their beliefs.

Fourth and finally, Conring insists that public peace does not depend on the establishment of religious unity.

I want nothing other, illustrious Prince, than that each and every one of us in our entirety be called upon in earnest to face the perils disturbing our commonwealth, so that minds presently torn asunder and dispersed by faction will be restored to concord and devotion to the commonwealth in every way. There is no reason whatsoever, not even the religious controversies by which we are afflicted, not to separate our private opinions from the pursuit of concord and public peace. For the religious hatred engaging our citizens does not arise from the law of faith, but from a mindless superstition.<sup>67</sup>

Here Conring's argument has reached its culmination. It is not faith but superstition that causes hatred and religious war. Superstition, not true faith, maintains that only one kind of religious faith can lead to peace. Superstition forges a meretricious bond between the common good and individual opinion that only accomplishes the opposite of what it promises. It makes people hate their neighbors and judge them in lieu of God. It blinds them to the truth that their own faith looks as heretical to others as other faiths look to themselves. True faith must be emancipated from slavery to superstition. And that can only happen if the pursuit of peace is segregated from the search for religious truth.

In his concluding observations Conring describes the task that lies ahead.

<sup>66</sup> *Opera*, 1: 126.

<sup>67</sup> Ego vero nihil aliud volo, Illustrissime Princeps, quam periculis in quibus patria versatur praesentissimis, omnes omnino, quotquot sumus, serio admoneri, ut animi divulsi et factionibus distracti omnibus modis reducantur ad concordiam et commune reipublicae studium: nihil vero esse, ne religionis quidem queis laboramus controversias, quor saltim a curis concordiae et pacis civilis cogitationes nostras segregemus: quod enim hinc hostilia inter cives odia exercentur, non tam pietatis lege fieri quam inani quadam superstitione. *Opera*, 1: 126.

He quotes church fathers like Cyprian, Optatus, and Gregory of Nazianz to support his view that friendship with people caught in religious error is possible. He evokes the ideal of a commonwealth united with Christ in body, blood, and soul and balances it against the looming threat of a division like that which Rehoboam and Jeroboam caused between Israel and Judah. And he concludes with a call for an end, not only to military hostilities, but also to the relaxation of public morals and the manifold forms of crime to which the war has given rise.

What is the point of pondering the strength and the authority of law amidst pure violence and crimes that have long since forced every law under their power and now undermine the very foundations of the commonwealth? Justice suffers in any kind of war, and our military has long since become corrupted. But in a civil war, as ours has mostly been, the very idea of law dies too.<sup>68</sup>

Conring does not profess to know specifically how obedience to the laws is to be restored. But that is not his task. "In human affairs the story is always the same; only the persons change."<sup>69</sup> There is accordingly no better course of action than to heed the remedies for civil war that Aristotle advocated centuries ago. Conring concludes with an expression of his hope:

that in reality things will turn out for us the way they do for trees when they are split apart by wedges. As the splits close up again with extraordinary force and in a single instant the moment the wedges are removed, may all of us return to concord and unity the moment those who now divide us at their pleasure have been cast out.<sup>70</sup>

## Political Unity and Religious Diversity

By no means every point that Conring made was new. His quotations from the church fathers alone are enough to show how deeply he was indebted to antiquity. Tradition, moreover, had long held that heresy did not simply

<sup>68</sup> Quid enim inter meram vim et scelera, quae dudum leges omnes suam in potestatem traduxerunt, et jam fundamenta reipublicae subruunt, cogitemus legum robur atque auctoritatem: Scilicet inter arma etiam alias justitia prolabitur, neque nuper primum militia nostra coepit corrumpi; inter civilia autem arma, qualia hactenus magnam partem fuere nostra, etiam moritur ius. *Opera*, 1: 127–8.

<sup>69</sup> Eadem quippe semper fabula agitur humanarum rerum, tantum mutantur personae. *Opera*, 1: 128.

<sup>70</sup> Spero autem nobis usu eventurum, id quod arboribus qui cuneis divelluntur. Scilicet ut illae excussis cuneis magno impetu unoque momento ad sese redeunt, ita ad concordiam atque unitatem redituros nos omnes, ubi rejecti fuerint, qui nos ad libidinem suam distrahunt. *Opera*, 1: 128.

consist of heterodox belief.<sup>71</sup> Conring's stress on pertinacity was not unprecedented. Nor could it be said that Conring was fully satisfied with every aspect of his argument. He waffled over St. Paul's treatment of heretics. As late as 1641 he wrote to his friend Justus Gesenius that he felt unsure about the proper penalties for heresy.<sup>72</sup> He did not yet have much to say about just how he envisioned religion and politics to be related in the future. It would take time and further writings before he could speak with confidence about the difference between natural and revealed religion, the principle of human fallibility, and the impossibility of knowing who held heretical beliefs, as opposed to the possibility of knowing who disturbed the public order.<sup>73</sup>

And yet, when all due qualifications have been made Conring's preface to Aristotle's *Politics* of 1637 testifies to a basic shift in the relationship between religion and politics. In Conring's mind the boundaries between the sacred and the profane were redrawn in such a way that religious diversity could be envisioned without any necessary threat to political unity. In 1677 Conring would say it clearly:

Without mentioning examples from antiquity, our age itself exhibits many cases of flourishing commonwealths in every corner of the world where there is much religious diversity without any damage to political unity.<sup>74</sup>

The main ingredient in this shift was the elimination of confessional belief from the relationship between the person and the political community. Confessional belief, Conring maintained, was utterly irrelevant to the question whether a person did or did not qualify as a good member of the community. Given the fierce intensity with which people had staked their

<sup>71</sup> "A heretic, by canonical definition, was one whose views were 'chosen by human perception, contrary to holy scripture, publicly avowed and obstinately defended.'" R. I. Moore, *The Formation of a Persecuting Society* (Oxford, 1987), 68, with reference to Gratian, *Decretum*, C.24 q.3 cc.27–31, in *Corpus Iuris Canonici*, ed. E. Friedberg (Leipzig, 1879), 1: 997–8.

<sup>72</sup> "De haeresi et haereticorum poenis" of 23 June 1641 (Feria IV Trinitatis) to Justus Gesenius, *Opera*, 6: 632.

<sup>73</sup> Most of his uncertainties seem to have been settled by 1646. See his second letter "De haeresi et haereticorum poenis" to Gesenius, dated 28 May 1646 (*Opera*, 6: 633–6), and especially his *Exercitatio politica de maiestatis civilis auctoritate et officio circa sacra* of 1645 (*Opera*, 4: 615–43). Conring returned to the subject much later in his *Exercitatio politica de maiestate eiusque iuribus circa sacra et profana potissimis* of 1669 (*Opera*, 4: 605–15). Also informative is a letter "De immortalitate animae" of 7 October 1659, to Rabanus von Canstein (*Opera*, 6: 638–9), and a letter "De pacis et concordiae ecclesiasticae desiderio" of 19 January 1674, to Gerhard Titius (*Opera*, 6: 636–8).

<sup>74</sup> "Ast ne ad vetera provocem exempla, haec ipsa aetas nostra passim terrarum plurimas exhibet longe florentissimas respublicas, ubi citra ullum civilis concordiae dispendium magna satis obtinet religionis diversitas." *Opera*, 2:468, from the letter of dedication to the 1677 edition of the *Consultatio Catholica*.

existence on one or another kind of confessional belief, and the violence to which that intensity had given rise, Conring's elimination of confessional belief from the equation was hardly without risks. That is perhaps sufficient to explain why he published his *Consultatio Catholica* under a pseudonym. But something more fundamental was at stake than merely the desire to avoid the risk of exposing his person to attack. At stake was a new understanding of belief. In Conring's eyes there was no necessary link between the quality of the person and the belief the person held. Confessional belief became an independent variable. Confessional belief could be adopted, abandoned, changed, defended, and debated without any necessary danger to the integrity of persons or their participation in the commonwealth.

This was the point that Conring made, if only by implication, when he referred to Protestants as heretics while posing as a moderate Catholic theologian. The point went deeper than simply to admonish people to keep their confessional beliefs to themselves. The point was that their identity could not be drawn from their beliefs at all, whether they kept them to themselves or not. Here the treatment of religion and politics was made to depend on a boundary dividing character from belief that no mere human being could ever cross. The link between confession and politics was broken.

This was a radical position. It rested on the conviction that, as a matter of principle, human beings are not fully in charge of their identity. The mask was no exception, donned merely on certain dangerous occasions to hide what otherwise would have been plain to see; it was the rule and what it hid was never seen, not even by the person wearing it. As Hobbes was going to explain in his *Leviathan*, without a mask there could not even be a person. Religious diversity was therefore not an option; it was part of the very nature of political communities.

Conring thus stands for principles that we identify with the Enlightenment. He turned confessional belief into a matter of opinion and opened the way to modern politics. He spoke explicitly about the light of truth, the darkness religious passions cast on the mind, and the clarity with which the mind's eye can perceive the truth as soon as passions have been dispelled by reason. "Once affects no longer cloud the mind's eye, it will see clearly the sunlight of the truth, on which our vices now cast darkness ..."<sup>75</sup> He praised gentle speech as the best teacher. He placed his trust in science and focused his criticism on superstition.

And yet it would be a profound misunderstanding to characterize Conring as a secular intellectual. The enlightenment for which he called arose directly from the desire to contain religious violence. That shaped its character. Neither the violence nor its religious motivation would simply disappear. Instead they

<sup>75</sup> "Imo fiet, ut affectuum purus mentis oculus clare perspiciat caligantem nunc virio nostro veritatis solem ... ." *Opera*, 1: 127.

were translated into a modern idiom designed to remove them from contention without at all forsaking their religious core. Henceforth society would be devoted to the pursuit of justice, truth, and reason. Henceforth people were going to be free to hold whatever religious views they liked. But people could never be allowed to hold the view that their identity as members of the political community depended on their religious views. That was something quite different from just one other kind of permissible confessional belief. That would have undermined the order that Conring hoped to bring about and threatened the very reason of the Enlightenment with madness and insanity. That was, in short, the modern equivalent of heresy.

One may of course legitimately wonder what to call the belief that religious belief can vary independently of a person's ability to play a constructive role in the political community. One may call it secular on the grounds that it separates politics from religion, particularly confessional religion as practiced in early modern times. One may also call it religious on the grounds that it constitutes a first principle of social order that can neither be deduced from reason nor proven by empirical observation. The same goes for its opposite. But however such a belief ought to be classified, Conring was very clear about the target against which it was directed: "mindless superstition" (*inanis superstitio*) particularly if it took forms approaching "the furors of Jewish zealots" (*furiores Judaicorum zelotarum*).<sup>76</sup>

It should therefore come as no surprise that Conring regarded the pursuit of science and political unity as matters commanded by Christian faith itself. He did not hesitate to draw on St. Vincent of Lérins's classic definition of the Catholic faith in order to define exactly what he had in mind when he spoke of the sunlight of the truth:

Once affects no longer cloud the mind's eye, it will see clearly the sunlight of the truth, on which our vices now cast darkness, so that all of us shall embrace that which is truly Catholic, that is, what has been believed everywhere, always, and by all.<sup>77</sup>

The scientific truth that Conring advocated was Christian to its very core. His reliance on the ancient fathers of the church was more than antiquarian. He insisted that science was joined to Christian virtue.

<sup>76</sup> See above, p. 338 and n. 67.

<sup>77</sup> Imo fiet, ut affectuum purus mentis oculus clare perscipiat caligantem nunc vitio nostro veritatis solem, utque omnes id amplectentes quod vere καθολικόν est, h.e., quod ubique, quod semper, quod ab omnibus est creditum. *Opera*, 1:127. Cf. Vincent of Lérins, *Duo Commonitoria*, Patrologia latina, ed. J. P. Migne (Paris, 1846), 50: 640: In ipsa item Catholica Ecclesia magnopere curandum est ut id teneamus quod ubique, quod semper, quod ab omnibus creditum est. Hoc est etenim vere proprieque catholicum, quod ipsa vis nominis ratioque declarat, quae omnia fere universaliter comprehendit.

Religious zeal is bitter and lacks science. I mean the kind of science that is first of all chaste, then peaceful, equitable, obedient, full of mercy and good fruits, without deceit and not in the least bit insincere. We pursue the truth, but we mature with charity. That kind of science constrains anger. It is kind. It does no wrong, it is not puffed up, it does nothing dishonorable, it does not seek its own advantage, it does not get irritable, does not contemplate evil, has trust in everything, has hope for everything, and sustains everything.<sup>78</sup>

Science went into battle against religious superstition. But the difference between science and superstition was not at all that only superstition drew on oracles. Both drew on oracles. Both claimed religion in support. The difference was that only the "oracles of prudence" (*prudentialia oracula*) spoke the truth. The truth was that no human being was qualified to judge, because each human being wore a mask that hid one's true identity from all but God. Whoever denied that truth, maintaining that human beings were defined by their confessional belief, was afflicted by a terrible disease, blind to the light of reason, inciting religious war and Jewish zealotry. Victims of that disease had lost the means to yield voluntarily to reason. They deserved, for their own good and that of the community, to be gently restrained.

There is therefore a darker side to Conring's vision. Conring explicitly held out the hope for restoring Germany to a fully Christian form of unity, and explicitly opposed it to the example of the Jews:

What if sweet speech were to bear such fruit that Rehoboam and Jeroboam, Juda and Israel, Jerusalem and Samaria would exist no longer in our midst? What if the wall between us were to come down and we, who have the same blood and share the same commonwealth, were to have the same Christ as well, and the wounds that our disputes have inflicted on his body were to heal, and his tunic, which even military furor was once ashamed to rend, but which we have torn into innumerable pieces, were to be repaired? ... For since the church is the soul of the commonwealth, the commonwealth can be said to be contained in the church with no less truth than it was once denied by Optatus of Milevis in another sense.<sup>79</sup>

<sup>78</sup> Zelus iste zelus amarus est, et carens scientia: illa saltem, quae primum quidem casta est, deinde pacifica, aequa, obsequens, plena misericordia et fructuum bonorum, absque disceptatione et minime simulata. Veritatem sectemur, sed adolescamus prorsus cum charitate. Illa vero iram cohibet, benigna est, non agit perperam, non inflatur, non agit indecore, non quaerit quae sua sunt, non exacerbatur, non cogitat malum, omnia credit, omnia sperat, omnia sustinet. *Opera*, 1: 126.

<sup>79</sup> Quid, si et in nobis dulcis sermo istum fructum pariat? Ne videlicet amplius et in nobis sit Roboam et Jeroboam, Juda et Israel, Hierosolyma et Samaria; sed intergerino pariete confracto, qui unius sanguinis uniusque simus reipublicae etiam unius simus Christi, coalescentibus vulneribus, quae ejus corpori dissidia nostra inflixerunt, et reparata ejus tunica quam militaris furor olim scindere erubuit quidem, nos autem innumeras in partes divisimus. ... quippe quum anima quasi reipublicae sit Ecclesia, adeoque non minus vere dicit possit, rempublicam in Ecclesia esse quam vere id olim alio sensu negavit Optatus Milevitanus. *Opera*, 1: 127.

Surely the form of science and Christianity to which Conring subscribed was novel. No doubt the disassociation of religious belief from political life helped put an end to religious war and made way for the creation of political communities that no longer needed to define themselves in terms of Christian confessions and that were even capable of promoting, or at least permitting, the integration of the Jews. But none of that eliminated religious passion from those battles with superstition into which the oracles of prudence led the modern state, much less religious tension between Christians and Jews.

In sum, the preface to Aristotle's *Politics* that Conring wrote in 1637 shows nothing more clearly than the logic by which the desire to restore the unity and power of Germany from the great damage it had suffered from religiously motivated violence resulted in the translation of an old form of religion into a modern one. The old form was confessional Christianity. The modern was the worship of science, reason, and the state. What that modern religion required its adherents to believe remained uncertain for some time to come. But that should be no reason to blind us to the ambiguous relationship that it established between truth and power. Conring's insistence on freeing the person from a politically debilitating identification with confessional belief was liberating for the moment. But it offered no guarantee that the justice of that liberation would never be used to sanction the exercise of force in ways possibly more unfettered, and therefore more tyrannical, than force used explicitly in the name of Christ.

This goes some way towards explaining the conflicting judgments about Conring's religious views. Erik Wolf is entirely right to observe that Conring no longer shared the religious commitments of preceding generations. But he is thoroughly mistaken in concluding that Conring had no genuinely religious commitments at all. They just happened to be commitments of a different kind. Inge Mager is equally right to point out that Conring's religious commitments need to be taken seriously. But she misses the mark when she says that Conring lacked a theological "Gesamtposition." Not to have such a position *was* Conring's position. Stolleis, it seems to me, has it exactly right: Conring's pursuit of science is impossible to understand apart from his ideas about God, nature, and theology. Precisely how Conring's confessional writings helped to promote the new combination of science and politics with Christianity remains to be investigated in detail. But that they did so by placing a religious sanction on the line dividing confessional belief from science and politics should now, I hope, be clear.

In retrospect, perhaps the most intriguing historical detail about the preface to Aristotle's *Politics* may well consist of the princes to whom Conring dedicated it over the course of its career. In 1637 he dedicated the original to Duke William of Brunswick-Lüneburg. In 1654 he republished it in his book on the boundaries of the German Empire and dedicated it to the Great

Elector Frederick William of Brandenburg.<sup>80</sup> And in 1677, four years before he died, he included it in his revised edition of the *Consultatio Catholica* and dedicated it to Frederick, son of the Great Elector and future King Frederick I of Prussia.<sup>81</sup> He made a point of repeating his worries about the unity of Germany, and expressed the high hopes he placed on the rulers of Brandenburg because of their exemplary ability to maintain political unity while allowing for religious diversity.<sup>82</sup> In and of themselves, those dedications can hardly bear the weight of much historical interpretation. But seen in the right light, they point directly to the conjunction of science with religious toleration and the rise of the modern state that used to shape European history and may, for better or for worse, not yet have lost its power.

<sup>80</sup> *De finibus imperii Germanici libri duo* (Helmstedt, 1654), pp. 3–6 of the unpaginated front matter; reprinted in *Opera*, 6:373; cf. Goebel's remarks in *Opera*, 1: vii–viii.

<sup>81</sup> *De pace civili inter imperii ordines religione dissidentes perpetuo conservanda libri duo*, 2nd edn (Helmstedt, 1577 [1677]), pp. 3–10 of the unpaginated front matter; reprinted in *Opera*, 2: 468–9.

<sup>82</sup> *Opera*, 2: 468.