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The Influence of Carlo Sigonio’s ‘De Republica Hebraeorum’ on Hugo Grotius’ ‘De Republica Emendanda’

Abstract: Carlo Sigonio’s De republica Hebraeorum (Bologna, 1582) was an important treatise examining the institutions of the ancient Israelite state. In studying this work, we come to realize that it should not be considered merely as an erudite treatise. It raises and addresses significant political issues. It adds to the array of political models available in the sixteenth century by placing the Hebrew state on the same footing as other ancient polities considered exemplary models for developing political thought, such as Athens, the Roman republic, and Venice. Evidence of the pivotal role of Sigonio’s work can be found in its influence on Hugo Grotius’ De republica emendanda, a work in which the Dutch lawyer directly draws on Sigonio’s model of the Israelite state and applies it to the Dutch republic. This paper will contribute a perspective on when, why, and how interest in the political institutions of the Hebrews became a central concern in the emergence of modern European political thought.

The second half of the sixteenth century saw a birth of scholarly interest in the Hebrew political model, but this development cannot be attributed to any single cultural factor. Frank Manuel notes that “before the seventeenth...”

century, there was great reluctance to turn the narrative parts of the Old Testament into a consecutive secular story or to analyze the institutions of the patriarchal age, the period of Moses’ rule, or the kingships of the first and the second commonwealths, as if they were states with histories similar to those of other nations....”

According to Manuel, the conceptual apparatus that was applied to the history of the Hebrews in early modern thought was the same as that applied to the annals of Greek and Roman history. This resulted in the narrative sections of the Old Testament being transformed into a secular historical continuum in which Jewish political structures are portrayed as having undergone a pattern of development similar to that found among other nations.

In this context, scholars have maintained that the earliest works in what might be termed the genre of “Hebrew Republic literature,” particularly Corneille Bertram’s *De politia iudaica* and Carlo Sigonio’s *De republica Hebraeorum*, had no particular political meaning and were not especially significant for the political ideas they put forth (as compared with Petrus Cunaeus’ *De republica Hebraeorum*). That said, scholars who studied these works and came to these conclusions did not extend their research to other books (such as the *Vindiciae contra tyrannos* and Théodore de Bèze’s *Du droit des Magistrats*), which, in the same period, used biblical themes to legitimate particular political aims. Research on constitutionalism and the right of resistance in the sixteenth century has also not considered the connection between these theoretical developments and contemporary works on Jewish political institutions, or tracts produced by Huguenots. This despite the fact that the latter are principally characterized by their reflection on law, on assemblies, and on the power of magistrates.

The idea that a distinction is to be made between two types of literature—one antiquarian, the other political—is based upon an approach

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that considers it much more important to study the Hebrew sources and their use in the development of the *Respublica Hebraeorum* as a literary genre than it is to analyze them for their political meaning. This approach considers *De politia Iudaica* and *De republica Hebraeorum* useful for studying the development of Hebrew learning in the early modern era but not as important works of political theory. This is in line with Manuel's more general interpretation, and his particular definition of antiquity. The idea that the political use of the Hebrew model emerged only in the seventeenth century, when authors such as Grotius and Cunaeus wrote specifically on the connection between the Hebrew state and the Dutch Republic, neatly follows.

Within the limitations of the present study, we cannot analyze the entire issue. It will be sufficient to argue that by the late sixteenth century, cultural interest in the Hebraic tradition had become pivotal. The antiquity and sacred authority of the historical experience of the Hebrews became grounds for legitimating standpoints and furthering causes. Some used Hebraic sources to confirm ancient traditions (political, juridical, theological, philosophical), while others employed them to legitimize new ones. The origins of this process can be located either in the “ideological” notion of the *prisca theologia*, which can first be found in the second half of the fifteenth century and developed in different disciplines in the sixteenth, or in the diffusion of Calvinism, in whose chronicle of salvation Jewish history played a decisive role.3

Carlo Sigonio’s *De republica Hebraeorum* (Bologna, 1582), which analyzes the religious and political institutions of the ancient Israelite state, is a good example of this development, and it suggests that all works of this genre must be interpreted not only in light of the sources they employ, but also as political, juridical, or philosophical tracts, in line with the author’s intentions.4 Sigonio (ca. 1523–1584) was one of the most important historians of Greek and Roman institutions in his time. He was well known throughout Europe for his rigorous historical-philological method. Over the course of his career he also wrote on ancient rhetoric and the history of Bologna and medieval Italy.5 Noteworthy, too, is his

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4 C. Sigonius, *De republica Hebraeorum* (Bologna, 1582) (henceforth, *DRH*).

collaboration with Gabriele Paleotti, archbishop of Bologna and one of the most important cardinals working for Church reform in the post-Tridentine era.

Owing to his prowess in classical studies, some scholars have assumed that Sigonio’s work on ancient Israel was a scholarly exposition of biblical archaeology. Others have seen it as forming part of a larger cultural project, guided by Paleotti, in which the history of Christianity was to be presented in a single outline from the sin of Adam to the salvation of Christ. However, if we read the text carefully, we can discern elements that are characteristic of European political thought in the late sixteenth century and that lead us to reconsider the work of the Italian historian on ancient Israel.

In the first place, Sigonio does not limit himself to a straightforward and simple presentation of the political institutions of the Hebrews as he finds them depicted in his sources. For example, he rejects Josephus Flavius’ definition of the ancient Israeliite state as a “theocracy.” Instead, he highlights another passage, in which the Jewish historian defined post-Mosaic government as an aristocracy.

This understanding, chosen from multiple interpretations available to him, radicalized Sigonio’s stand on the politics of ancient Israel. He argued that if the ancient Israeliite state, which was founded by God with the law given to Moses, was aristocratic, then the subsequent shift to...
monarchy under Saul amounted to the Hebrews’ rejection of their foundational law, and thus of God himself.

It is important, at this juncture, to stress that Sigonio analyzes the Hebrew polity within the framework of a strictly Aristotelian system. His definitions are precisely those provided by the Greek philosopher. At the end of the third book of the *Politics*, interestingly, Aristotle posits that the best government would follow a “nomocratic” model in which the law would govern and the state would be administered by the wisest men.⁹

According to Sigonio, monarchy is the worst political form, because it is based on the will of one person who is not answerable to the law. In light of this, it is easy to understand Sigonio’s opposition to absolutist positions in sixteenth-century political thought that exalted the image of a king, who is solutus legibus. The precise target of Sigonio’s opposition can be identified as Jean Bodin. Bodin, in two works, the *Methodus* (1566) and the *République* (1576), used the same source, namely, the history of the Jewish people, to exalt the monarchic model in its extreme form.¹⁰

To this discussion, which was pertinent and even urgent in the sixteenth century, Sigonio added a second interesting element, namely, the meaning of “the law.” He rejected Aquinas’ schema, in which Hebraic law is divided into coerimonialia, iudicalia, and moralia, with only the last having binding authority on Christians.¹¹ Instead, Sigonio appears to have been aware of, and to have participated in, a particular current of contemporary juridical thought known as *Mosaische Recht*.¹² This trend, which emerged in Germany at the beginning of the Lutheran Reformation, attributed “forensic” meaning to Mosaic law. Such a meaning was still deemed valid in the sixteenth century.¹³

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¹¹ Sigonio writes: “Quod cum ita sit, nemo tamen omnium contra dubitat quin multo illorum industria humano generi utilior atque ad commendationem posteritatis illustrior futura fuerit si, quod ipsi humano ingenio ac studio adumbrare conati fuerunt, id ipsum ab initio singulares ac precipua summi Dei cura ac sapientia expressum fuisse intellexisset, atque ita ad eius unius iuris, quod ille statuisset, rationem et ipsi sua sive in formanda, sive in administranda civitate consilia convertisset” (*DRH*, f. [*2v]*).


Mosaische Recht could take one of two forms: Its more radical exponents affirmed that Mosaic law should override every other legal code. Others, less radical, thought that the law handed down by God ought to be compared with other juridical systems of the ancient world, primarily those of Greece and Rome, in order to demonstrate that it had the status of a fons. According to these authors, the foundational position that Jewish law assumed in legal history, and the legitimacy of employing it as a source, stemmed from its being both the most ancient and given directly by God.\textsuperscript{14}

A third characteristic of Sigonio’s analysis is his representation of the respublica as a three-tiered structure.\textsuperscript{15} The first level is single towns, with their principes, or leading citizens, and courts; the second is made up of tribes; whereas the third consists of the entire people. The most important of these is the third tier, which includes the main institutions of the respublica: the supreme magistrate, the supreme senate, the supreme court. The institutional structure of the second level was that each tribe had a princeps under whom were situated the chiefs of the families. In addition, each tribe had its own senate. At the lowest level, each town had its own senate, magistrates, and court in which civil cases could be brought and criminal trials held.

This division is one of Sigonio’s great innovations. It guides his analysis of the parts of the state and their interrelationship. Within this overarching scheme, Sigonio focuses on the juridical system, composed of the local courts and the central court in Jerusalem. In fact, this Italian historian tended to assume that codified law was the basis of the Hebrew state and, therefore, to analyze the judicial functioning of this ancient state with particular attention, just as he had previously done with the ancient polities of Rome and Athens. Indeed, Sigonio devotes many pages to descriptions of the local courts and the connections between them. The Great Sanhedrin, the juridical heart of the state, is, of course, emphasized.

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\textsuperscript{14} See P. Pithous, Mosaycarum et Romanarum legum collatio ex integris Papiniani, Pauli, Ulpiani, Gaii, Modestini, alienorumque veterum iuris auctorum libris ante Iustiniani Imp. desumpta (Basil: Thomam Guarinum, 1574); F. Raguellus, Leges politicae ex Sacrae iurisprudentiae fontibus haustae, collectaeque et ob commodiorem usum ad formam Iustinianei codicis digestae, ac per titulos, editique perpetui seriem concinnatae. Quibus in gratiam lectoris adiecitimus, Leges xii tabularum, etiam ipsas vetustissimas (Frankfurt, 1577); H. Stephanus, Iuris civilis fontes et rivi, Iurisconsultorum veterum quidam loci, ex integris eorum voluminibus ante iustinianae aetatem excerpti (Basil, 1580).

\textsuperscript{15} “Est porro illud quoque tenendum, rempublicam Hebraeorum quodammodo tripartitam fuisse: una enim fuit, quae universum populum, idest xii tribus, complexa est; altera, quae singulas ipsius populi tribus, tertia, quae singulas singularum tribuum civitates” (DRH, p. 27).
Sigonio uses it to construct a comparison between the Hebrew state and that of the Romans, the Greeks, and the Venetians.

In studying all of the elements contained in Sigonio’s *De republica Hebraeorum*, we come to realize that this work should not be considered merely as an erudite treatise. On the contrary, it places specific political questions on the table and adds to the array of political models available in the sixteenth century by putting the Hebrew state on the same footing as the main exemplars of political thought: Athens, the Roman Republic, and Venice. Sigonio went as far as to construct a genealogy of polities wherein the Mosaic aristocracy was the source of those that followed it, and it even served as the main *exemplum* for successive *republicae.* In doing so, however, he did not follow the scheme that he had used for his other works, and one finds that *De republica Hebraeorum* reflects very differently on politics from what may be derived from the ideal of the mixed constitution presented in Sigonio’s previous books. Sigonio’s Hebrew republic is built upon a strongly antimonarchic aristocratic model, in which the magistrates and the law play a decisive role.

It seems that Sigonio did not seek, in the work here under consideration, to present a “scientific” model of the Hebrew state, despite his awareness that the history of the Hebrews was just emerging as a subject of political debate. Neither was he introducing the Jewish political model into the European political debate. Both Bodin, in numerous passages of the *Methodus* and the *République*, and the Calvinist theologian Bertram in *De politia Iudaica*, had analyzed this subject. The former used the ancient state of the Jews to legitimize monarchy: the latter built a mixed constitutional model through which he confirms the main points of Huguenot political thought: the pivotal role of the law, the representative assemblies, and their power. These two authors utilized Hebrew history to legitimate their positions within the political debates of their times, and Sigonio seems to do the same. The antimonarchic feelings and the exaltation of the law, of the aristocracy, and of the local magistrates are intimately connected with the contemporary European debate

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16 “Neque enim aut Solon, aut Lycurgus, aut Charondas, aut Plato, aut aliquis eorum alius, qui populos institutis et legibus instruxerunt, rempublicam Hebraeorum, quod ex eorum liqueat monumentis, cognitam habuerunt, quae tamen omnium non solum antiquissima, sed etiam praestantissima fuit, quippe quam ardens praesentis ipsius Dei consilium verbumque descripsit. Et perspecta diligenter ac tradita mirifica ad vitam constituendum ornamenta atque ad sacras litteras intelligendis allatura praesidia fuit” (*DRH*, f. [*2v*]).

17 C. Bertram, *De politia Iudaica, tam Civili quam Ecclesiastica, tam inde a suis primordiis, hoc est, ab Orbe condito, repetita* (Geneva: Vignon, 1574); Lazzarino Del Grosso, “Respublica Hebraeorum.” See also Bartolucci, *La repubblica ebraica*, pp. 21–65.
to which Bologna was not indifferent, as the town's political class was engaged in an ongoing struggle with the central power of the Papal State. Sigonio’s thesis was strongly attacked by the ecclesiastical censors in the 1580s, and soon his work on ancient Israel disappeared from Catholic countries. Its second edition appeared only in the early eighteenth century. Elsewhere in Europe, however, this work was well known, with at least eleven editions of it appearing between 1583 and 1701. Not merely an editorial success, it actually influenced numerous seventeenth-century European authors.

In 1964, a previously unknown manuscript by Hugo Grotius was discovered in the National Library of Vienna. This early treatise, most likely written in 1598–1600, represents the first political work of the Dutch jurist. It is entitled De republica emendanda and attempts to compare the Hebrew political model to that of the United Provinces.

Grotius' portrayal of the respublica Hebraeorum is extremely interesting, both in his emphases and in the many points of similarity between

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19 The work was edited by two Italian scholars, Ludovico Antonio Muratori and Filippo Argelati, who broke the reigning silence by publishing the complete works of Sigonio. Sigonius, Opera Omnia. See note 5 above.

his portrayal and Sigonio’s. The main points of similarity can be grouped and examined under the following headings: Hebraic law, the form of government of the Hebrews, and the structure of the Hebrew state.

Regarding the first of these, Grotius writes that the Hebrews received a law from God that concerned itself both with divine worship and with civil life. Sigonio used the same words when he stated that the law was composed of two parts: religious and civil. The erudite Dutchman goes on to posit that, as regards religious law, contemporary Christians still partially obey the same laws as the Jews did, as well as those set by Christ, where the latter are both easier to observe and more explicit. As for secular law, according to Grotius, it cannot be derived in the same manner. It does, however, represent a very good fons, both for the Dutch and for the Hebrews. On the one hand, it refers to the eternal rules of justice and wisdom, which are obscurely contained in nature and clearly set forth in Scripture. On the other hand, the civil laws of the Hebrews provide a model that may be emulated, especially where there are parallels between their society and our own today, such as the resemblance between the federation of Dutch states and the federation of tribes.

Grotius’ definition approaches that of Sigonio as well as the thinking of those jurists who traced Greco-Roman law to the Mosaische Recht. I would like to note, in addition, that the idea of comparing different ancient legislative traditions, and of seeing that of the Hebrews as the source of the others, was not eccentric. In the same years Grotius wrote, another work on this subject, entitled De iurisdictione Iudaeorum, Graecorum, Romanorum, ecclesiasticorum libri quatuor, was published.

Returning to De republica emendanda, the second point of comparison relates to the form of government. Here, too, Grotius appears to follow Sigonio’s analysis and assumes that the best government of the ancient Israelite state was an aristocracy. Referring to Aristotle and to the

21 “Populus Hebraeus a Deo leges habuit tum ad cultum suum, tum ad vitam civelem pertinentes” (DRE, p. 70). “Haec igitur lex per Moysem a Deo data duo precipue capita est completa, vitam religiosam et disciplinam civelem” (DRH, p. 16).

22 “Leges et nos de cultu divino habemus partim easdem, partim per Christum et faciliore et explicatores. Leges quidem civeles non eodem modo accepinus, sed optimus earum fons non minus noster est quam illorum. De perpetuis iustitiae et prudentiae regulis loquor, quae in natura obscure, in scriptura clare continetur. Ipsae quoque civiles hebraeorum leges, quatenus res illorum a nostris rebus non discrepant, imitandae nobis proponuntur” (DRE, p. 70).

23 Ioac. Stephanus, De iurisdictione Iudaeorum, Graecorum, Romanorum, ecclesiasticorum libri quatuor, 2nd ed. (Frankfurt, 1604).

24 Lea Campos Boralevi wrote: “With regard to these former works, the author of the De republica emendanda added two important issues: firstly he defined the Jewish
classical republican tradition, the author of the *De republica emendanda* assumes that the best government is neither monarchical nor democratic. It is, rather, a government midway between these extremes, in which the *optimates* hold the *auctoritas* and people conserve their *libertas*, that is, their autonomy and freedom from tyranny.\(^25\)

Let us look more closely at what Grotius means. Our author finds such a political middle way in the history of the Mosaic state. He quotes a passage from Josephus’ *Antiquitates* in which the Hebrew historian, in reporting Moses’ words, exalts aristocracy as the only form of government capable of maintaining God’s authority over the people.\(^26\) Grotius, unlike Sigonio, adds one more element. He tries to demonstrate that God himself dissuaded men from adopting democracy. In that context, Grotius quotes a passage in which Moses warns the Jewish people not to

Commonwealth as a theocracy, using the definition to be found in Flavius’s *Contra Apionem.* Campos Boralevi, “Classical Foundational Myths of European Republicanism: The Jewish Commonwealth,” in Martin Van Gelderen and Quentin Skinner, eds., Republicanism: A Shared European Heritage, vol. 1: Republicanism and Constitutionalism in Early Modern Europe (Cambridge: Cambridge University Press, 2002), p. 257. As we have seen, Sigonio had rejected this definition. By using the word “theocracy,” Grotius wanted to stress the role of God as legislator. He describes the government itself, though, as an aristocracy: “Et haec quidem de divino imperio pro ratione instituti satis. Nunc de humano videamus” (*DRE*, p. 78). Hence, we can define Grotius’ model as an aristocracy and not a theocracy.


reproduce the form of government it had while wandering in the desert, because it was based on will rather than on law.\textsuperscript{27} Despite this difference, the connection between the two authors is clear. Sigonio and Grotius both maintain that \textit{imperium} and \textit{auctoritas} were in the hands of the aristocracy, while people, even if they conserved their \textit{libertas} and their participation in public life, never governed directly.\textsuperscript{28}

It is Grotius’ conception of the structure of the Hebrew state that most clearly demonstrates his dependence on Sigonio’s work. As we have seen, the Italian historian maintained that the ancient Hebrew state was divided into three parts: the people, the individual tribes, and towns.\textsuperscript{29} Grotius presents the same outline, even if he inverts the order of its components.\textsuperscript{30} Following Josephus, Grotius first describes the town, which is headed by a seven-man executive. He adds that it appears there were intermediate councils with a larger number of councilors (\textit{senatores}) and that major decisions were submitted to their judgment. These seven prominent men were invested with executive power and managed daily affairs. The courts fell under the competence of a committee selected from among the members of the council, together with the seven \textit{principes}, or “leading men” and assessors, who were called \textit{grammatoisagogeis} (scribes). These leading men, Grotius writes, were the \textit{decadarchi}, \textit{pentecontarchi}, and \textit{hecatontarchi}, named according to the number of men they were to command. The last element in this scheme

\textsuperscript{27} “Democratiam damnasse Deus per Mosem illis verbis creditur: ‘Ne facite secundum ea quae nunc facimus singuli, quod in oculis suis rectum videtur. Nondum enim quietis locum ingressi estis’ et quae sequuntur. Nam illa locutione, ‘facere quod cuique in oculis suis bonum videtur,’ popularem ferme licentiam Hebraismus exprimit” (\textit{DRE}, p. 82).

\textsuperscript{28} Sigonio writes against the democracy: “Quoniam vero respublica Hebraeorum omnino popularis non fuit, verum aut optimatium aut regia, ut supra dictum est. Propterea populus haud magnas admodum in illa opus habuit, cum in aristocratia senatus, in regno rex prevaluerit. Quod si quid nervorum aut maiestatis in populo fuit, maxime post deletum babylonico exilio regnum id fuit, tum cum populus Assamoneos Principes sibi ascivit et rempublicam graeco more constituit” (\textit{DRH}, p. 241).

\textsuperscript{29} “Est porro illud quoque tenendum, rempublicam Hebraeorum quodammodo tripartitam fuisse: una enim fuit, quae universum populum, idest xii tribus, complexa est; altera, quae singulas ipsius populi tribus; tertia, quae singulas singularum tribuum civitates” (\textit{DRH}, p. 27).

\textsuperscript{30} “In Hebraico populo tria sunt genera corporum speciem reipublicae praeferentia. Minimum corpus est unaquaque civitas; medium tribus, quae plures continet civitates; maximum ex ipsis tribubus constans imperii Israelitici communitas” (\textit{DRE}, p. 92). Here, Grotius seems to refer specifically to Sigonio’s description. Grotius writes that each part of the \textit{respublica} is a \textit{corpus} that does not cover all the elements considered indispensable to establishing the republic. Sigonio, on the other hand, calls the three parts \textit{respublicae}. 
was the assembly of the people, which was consulted regarding serious matters affecting the town.31

This model comes directly, point by point, from De republica Hebraeorum. Each town had its own senate and an assembly of the people. According to Sigonio, as in Grotius’ work, the judges were elected from among the councilors, and the courts were composed of the principes and grammatoisagogeis. In the same way, the leading men of the town were defined as chiliarchi, hecatontarchi, and so forth, according to the number of men they commanded.32

Regarding the tribe, Grotius maintains that the leading men were the Phylarchi, or principes tribus, and under them were the leading men of the families, or Patriarchi. There was also a senate at the tribal level, because, Grotius writes, he had read that there were “elder men of the tribe of Judah.”33 In the same way, Sigonio writes that the second respublica, that of the tribe, was composed of principes tribuum, called phularkoi, and principes familiarum, who were under the first one and were called patriarchi. He also presumes a senate at the level of the tribe, quoting biblical references to the seniores Iudae. On this point as well, the connection between the two texts is very clear.34

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31 “Civitati, ut Iosephus docet, septemviri praeerant, sed ita ut appareat plures fuisset senatores quorum suffragio maiora consilia permettebantur et credibile sit penes septem illos principes exequendi decreta ius fuisset et quotidiam rerum administrationem. Judicia penes selectos ex isdem senatoribus una cum principibus et adsessoribus, qui grammatoisagogeis dicti videntur, fuisset reperio. Et hi sunt qui decadarchi, pentecontarchi, hecatontarchi atque ita deinceptes appellantur ex numero eorum quibus praepositi erant. Praeterea in gravissimis deliberationibus plebem quoque habitum comitus advocatis exemplis apparebat” (DRE, pp. 92–94).


33 “Eadem propemodum in tribu unaquaque fuere. Erat primo phylarchus, hoc est princeps tribus, et sub illo patriarchae familiarum princeps. Fuisset et senatum credibile est, quia seniores Iudaei legitimus” (DRE, p. 94).

34 “Secunda respublica principes tribuum et familiarum complexa est, de quibus deinceptes disserendum est. Principes autem tribuum fuere, qui singulas tribus duxorunt,
The next element that Grotius discusses is the system of town courts. Quoting unspecified *digesta talmudica*, he writes that appeals of a sentence passed by a certain township were, as a rule, brought before a college of judges gathered from a neighboring township. This system indicates a kind of court of justice at the tribal level.\(^{35}\) This supposed quotation from a talmudic source does not, however, come directly from a Jewish source. It is, rather, taken from Sigionio’s work. Not knowing Hebrew or Aramaic, the Italian historian took his description of the system of town tribunals from a work of religious controversy, Pietro Galatino’s *Opus de Arcanis catholicae veritatis*. This text, published in 1518, contained translations and summaries of extracts from the Talmud. The equivalent passages in Sigionio and Grotius make the same point in their analysis. Both repeat the information relayed by Galatino, as a comparison of the texts makes perfectly clear.\(^{36}\)

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\(^{35}\) “Ad iudicia quod attinet, a civitatis alicuius sententia ad consessum iudicum ex proximis civitatis congregatum provocari solitum Digesta Thalmudica persuadent; hoc ergo velut tribule auditorium fuerit” (*DRH*, p. 94).

\(^{36}\) “Talmudistae vero rem ita actam esse prodiderunt. Qui ius poscebant, primum ad iudices suae civitatis adibant, quibus non audientibus ad propinquioris accedebant. Quod si ne illi quidem aures praebuissent, tum ad iudices hierosolymitanos se conferebant, qui duabus in portis sedebant. Inde ab eis sine iuxta quidem voti sui comites facti fuissent, ad concilium confugiebant, quod sanhedrin appellabant” (*DRH*, p. 252). Sigionio’s quotation of Galatino is:


Let us turn now to the description of the central institutions of the Hebrew state in *De republica emendanda*. Grotius assumed that these included a popular assembly (*comitia*), a senate, and a *princeps*. The Dutch jurist writes that the leaders of the people could undertake nothing without consulting the senate, which possessed *suprema potestas*.37 Sigonio, referring to the same passage in Josephus, assumed the very same thing, thus confirming the aristocratic nature of the Israelite state.38

There are other analogous points in the two texts. Grotius assumes that the people’s assembly was empowered to take part in reforms of the public order, in matters of religion, in the election of the *princeps*, and in the decision to wage war.39 Sigonio wrote that this assembly was convened for three reasons: to listen to the law given by God and to offer prayer, elements included in Grotius’ first point; to elect magistrates (judges, kings, and *principes*); and to decide to initiate or participate in wars.40 As we can see, the two texts are more closely related than can be explained by a hypothesis that their authors relied on common sources.

When it comes to the power of the *principes*, Grotius writes that their main tasks were to convocate the people’s assembly on the authority of the council; to preside over the council in matters of public order; to exercise the privileges of the sovereign pontiff in sacred matters; and to act as supreme commander in time of war. He adds a polemical note against the monarchy, assuming that the kings usurped many other rights. But here we are examining the lawful position of a regularly chosen *princeps*, Grotius adds.41

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37 “Cumque ex divina lege principi nihil agere licuerit nisi de senatus consilio, ut Iosephus in legisbus expressit, consequens est senatus supremam fuisse potestatem” (*DRE*, p. 96).

38 “Assedere hi in urbe metropoli summo reipublicae principi, atque ab eo adhibitit una cum principibus populi de summa rerum consilia inierunt. Unde Iosephus illud retulit ex lege: ‘Nihil agat rex sine pontificis ac sine senatorum sententia’” (*DRH*, p. 244).

39 “Populi igitur comitis res plane maximas tractas conventi: reformationem publici status et religionis, electionem principis, belli suspicionem” (*DRE*, p. 96).

40 “Convenire autem consuevit populus tribus de causis: ad audiendum, ad orandum et ad agendum” (*DRH*, p. 238). “Ad agendum autem convenerunt duabus causis, una creandis judicis, regis et principis, altera iubendi aut gerendi belli” (*DRH*, p. 239).

41 “Principis officium fuit senatu auctore conventum populi habere, senatori praesidere in iis ad statum publicum pertinebat, nam in sacris summi sacerdotis id fuisse videtur,
Sigonio, as we can easily imagine, gives the *principes* the same prerogatives, focusing on their judicial function. As we shall see, Grotius does the same in a passage on the Sanhedrin. The Jerusalem senate, Grotius tells us in *De republica emendanda*, had two functions: the first political, the second forensic. This senate was founded by Moses, at God’s instruction. Its composition, of senators and priests, was derived by Grotius and Sigonio from the Bible and the writings of Josephus. Of even greater interest is just how the Dutch jurist uses the Hebrew sources. He assumes that, according to the Talmud, this council was empowered to interpret divine laws and to enforce new ones. In fact, this body controlled public affairs, not only in the days of kings and *principes*, but even when there was no king or *principes*.

Grotius adds that there were lesser courts, of three members for minor lawsuits, and of twenty-three for major ones. Only the Great Sanhedrin, however, could judge the *principes*, the high priest, and the tribe. Grotius does not take all of these elements directly from Jewish sources. Once again, they come from secondhand sources, especially from another passage of Galatino, which Sigonio also quotes.

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42 “De potestate vero populi convocandi et senatus habendi atque ad utrumque quae e republica videbantur, agendi, observatio obscurior est. Quoniam autem id ius et Moises et Iosue ante Iudices et reges post Iudices habuerunt, propterea et eo Iudices instructos fuisse, credibile est…. Omnia certe bella, quae Iudicum temporecontigerunt, ipsi iudices, tanquam summi duces, administrarunt, non tamen belli suscipiendi arbitrium habuerunt” (*DRH*, p. 280).


De hoc vero tribunali acturus primum omnia, quae a Talmudistis dicuntur, exponam, deinde, quid ipse apud sacros scriptores legendo competeterim, addam. Sic igitur variis locis illi: “Tempore Moisis de iussu lxx seniores aeate proiecti ac scientia probati delecti fuerunt, qui ipsius Moisis in populi regimine coadiutores essent, ad quos et omnes legis, difficultates declarare ac definire et in rebus gravibus et causis arduis iudicarre pertinebat…. Quorum collegium sceptrum
Grotius ends the first part of his work by exalting the aristocratic model and downgrading the monarchical one, and only after again emphasizing the tripartite structure of the Hebrew state, he introduces the comparison between it and the young Republic of the United Provinces.

Let me now summarize the main thrust of my argument in three points:

1. The young Grotius clearly depends directly upon Sigonio’s *De republica Hebraeorum*. This relationship is borne out not only by Grotius’ traceable use of Sigonio’s sources, but also by the young Dutchman’s adoption of the Italian historian’s precise politico-institutional model of the Hebrews, understood to be based upon three elements: law, aristocracy, and “federalism.” We have no “external” evidence that Grotius read Sigonio’s work, but *De republica Hebraeorum* was well known within the intellectual milieu out of which Grotius’ work emerged. Justus Lipsius, Johan Boreel, and Petrus Cunaeus all knew Sigonio’s work very well, and it was, in fact, at the same time (in 1602) that Althusius published his *Politica*, which used Sigonio’s scheme. Undoubtedly, then, Grotius had the opportunity to read *De republica Hebraeorum* and use it for his analysis.

The relationship between the works of Sigonio and Grotius here under consideration represents continuity between the two phases of the *republica Hebraeorum* tradition: the “antiquarian” and the...
“political.” It is well known that Dutch political thought was not entirely original and that it appropriated different traditions, such as “French Huguenot theories of resistance, Machiavellian republicanism, Cartesian psychology, and Hobbesian philosophy.” Grotius compares the Hebrew and Dutch models not only because Jewish studies flowered in the Netherlands, but also, and principally, because he found legitimacy for this comparison in a tradition that had already employed the Hebrew model in comparative political thought. Sensitivity to these questions allows us to understand why Grotius took De republica Hebraeorum as his model and used its elements to legitimate republican and constitutional thought.

2. Both Sigonio and Grotius quote postbiblical Jewish sources, and it was commonly the case that they cited these sources second-hand or even third-hand. Our two authors are not interested in a close study of Jewish political thought and its literature. They are mostly intent on framing biblical history in a strong Aristotelian outline that served to exalt the superiority of the Mosaic republic through classical political language. In other words, just like Bodin and Bertram, Sigonio and Grotius use Hebrew history to legitimate their own political ideas, demonstrating that the Jewish political tradition can be read with a classical vocabulary and have theoretical import.

3. In his introduction to De republica emendanda, Arthur Eyffinger assumed that it would be worthwhile to analyze the impact of the Jewish model on Dutch publicists, in the same manner that E.H. Mulier had done with the “Venetian Myth.” Eyffinger added: “Particularly with respect to the interrelation of Pagninus, Sigonius, Bertram, and Cunaeus and the influence of early authorities like Arias Montano and Maimonides on these respective authors.” I would like to underline the importance of De republica Hebraeorum for political thought in seventeenth-century Europe. As stated, Sigonio’s book was not only a publishing success in northern Europe; it was a success in terms of its influence on the ideas of the authors who followed him. The three elements presented here, which Sigonio first highlighted in his model of the


46 DRE, p. 46 n. 100.
ancient Hebrew state, served as a reference point for all the scholars who, like Grotius, analyzed this subject. Hence, *De republica Hebraeorum* must be borne in mind when studying the circulation of the Israelite model in the political literature of the early modern era. It was a work that traveled extensively. It was born in Bologna, amidst the darkness of the Counter Reformation, passed through numerous towns in northern Europe, such as Leiden, Frankfurt, Emden, and London, and in the end it reached the private library of a person who may well have had some interest in the problems analyzed by Sigonio, namely, Thomas Jefferson.47

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