THE EMPIRE OF HUMAN NATURE
MACHIAVELLI'S APPEAL TO THE ANCIENT REPUBLIC AND
MONTESQUIEU'S CRITIQUE OF IT

by

James Frederick Loucks III

A thesis submitted in conformity with the requirements
for the degree of Doctor of Philosophy

Department of Political Science

University of Toronto

© Copyright by James Frederick Loucks III, 2000
The author has granted a non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of this thesis in microform, paper or electronic formats.

The author retains ownership of the copyright in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

L’auteur a accordé une licence non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de cette thèse sous la forme de microfiche/film, de reproduction sur papier ou sur format électronique.

L’auteur conserve la propriété du droit d’auteur qui protège cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

0-612-53849-4
Abstract
The Empire of Human Nature:
Machiavelli’s Appeal to Antiquity and Montesquieu’s Critique of It
Ph.D.
2000
James Frederick Loucks III
Department of Political Science
University of Toronto

This dissertation explores how Machiavelli and Montesquieu’s contrary conceptions of human nature lead to radically divergent political prescriptions. Montesquieu intends to liberate the modern world from the legacy of antiquity, particularly Roman antiquity, because ancient republics violated human nature and thus were inexorably caught in a cycle of empire, corruption, and decline. Montesquieu takes aim at Machiavelli, who argues that the ancient Roman republic best accommodated human nature.

For Machiavelli, there is a bestial element within human nature—characterized by the desire to dominate others, and selfishness—that cannot be exorcized, but that must be disciplined if political order is to exist. The Roman republic represents the perfect disciplining, harnessing, and expression of this bestial element. The Romans, by pursuing empire without and establishing free institutions within, created a republic of unparalleled power and enviable longevity while at the same time turning otherwise selfish humans into citizens. Although Rome eventually fell, its fall exposes the limits of political order. To elevate human nature, as political order does, is both a difficult and a temporary feat. Thus, Rome’s decline does not discredit its incredible success.

Montesquieu acknowledges tension between natural human passions and political
order. However, he believes that Machiavelli made cardinal errors both in identifying these natural passions, and in believing that the Roman republic accommodated them. Republics do not forge unity through the modification and expression of the primordial desire to dominate. Rather, republican institutions themselves create this desire, which humans do not naturally have. Montesquieu contends that republics must squelch individuality, which is at the core of human nature, and prevent the satisfaction of all natural passions in order to produce the unity of purpose necessary to their existence.

The quintessence of virtue, the "spring" of republican government, is the suppression of these passions. The sacrifice of one's dearest interests, one's individuality itself, can be vindicated only through empire. But empire leads to the republic's self-destruction, as the fruits of empire swiftly erode the conditions necessary for virtue to flourish. To imitate Rome would be to violate human nature once again, subjecting humans to a form of government that is both violent and unstable. A new politics, based upon both the individual's natural passions and commerce, the "spirit" of modernity, is Montesquieu's alternative to the ancient republic.
To Dad, Nicki, Susan, and the memory of Mom
Abbreviations

In-text citations of Machiavelli and Montesquieu are abbreviated as follows. Unless otherwise noted, citations are from the editions listed below.

Machiavelli


Montesquieu


Table of Contents

Introduction . . . 1

Part I: Machiavelli's Appeal to Antiquity

Chapter 1 From Beast to Citizen . . . 10

Chapter 2 Beast, Citizen, and Empire . . . 64

Part II: Montesquieu's Critique of Machiavelli and Antiquity

Chapter 3 Laws and Passions . . . 128

Chapter 4 The Dialectic of Virtue . . . 174

Chapter 5 Empire and Despotism . . . 214
Introduction

“When I turned to antiquity, I sought to capture its spirit in order not to consider as similar those cases with real differences or to overlook differences in those that appear similar” (SL Preface, p. xliii).

The histories of Greek and Roman antiquity, which all educated men of the eighteenth-century studied from an early age, taught them to admire “all those heroic virtues we find in the ancients...” (SL 3.5, p. 25), and the mode of government that had created them. Ancient republics once produced citizens who were capable of unbelievable self-sacrifice, steadfastness, and courage as they contended for the supremacy of the world. Virtue, the willingness of the citizen to put the glory of his homeland above his own dearest interests (SL 3.5, p. 25), inspired wonder in moderns, who were just beginning to speak the self-interested language of “manufacturing, commerce, finance, and even luxury” (SL 3.3, p. 23). To many of Montesquieu’s contemporaries, the world seemed to have lost its vitality, nations their power, and politics its ability to create citizens. Not to Montesquieu. From the opening pages of The Spirit of the Laws, Montesquieu intends to liberate the modern world from the legacy of antiquity. Montesquieu attempts to convince his contemporaries that republics, and the virtue that animated them, belong to a past that is less admirable than it appears through the eyes of historians; it is both impossible and foolish for moderns to imitate them. While “manufacturing, commerce, finance, and even luxury” may be less glorious means
of maintaining government and establishing national prominence, they are undoubtedly superior to the virtue of the ancients because they are more natural.

In coming to these conclusions, Montesquieu must refute not only the most respected historians of antiquity, but also Machiavelli, a political theorist who exalts ancient statecraft. While Montesquieu is convinced that the imitation of ancient republics, if it were possible, would bring only disaster, Machiavelli maintains that imitating the ancients, to wit, the Romans, is the only salvation for a world mired in chaos and corruption. When Machiavelli surveyed the recent history and current state of his native Italy, he saw civil discord, tyranny, sedition, suffering, corruption, and perhaps worst of all, weakness. The petty ambitions of all, coupled with political and martial ineptitude among Italy's political elites, had rendered his beloved patria prostrate before any foreigner who wished to oppress and humiliate her. This sad state of affairs, he believed, was the direct result of the worst, and most enduring, characteristic of human nature run amok. When political order is in decline or disintegrates altogether, the desire to dominate—expressed as both the drive to oppress others and the selfish desire for pre-eminence—seizes control of humans. In this condition, they are incapable of the collective effort and trust necessary to found or maintain any kind of state. Politics must discipline and direct the desire to dominate if humans are to emerge from disorder.

Without underestimating the immensity of the task, Machiavelli exhorts his countrymen to re-order themselves by imitating the political and military examples of ancient Rome, the history of which furnishes the necessary remedies for modern social and political maladies. Human nature has never changed, for it is impossible that “the sky, sun, the elements, men, were changed in motion, arrangement, and power from what
they were in antiquity" (D 1 Preface, p. 191). For Machiavelli, the crucial difference between Renaissance Italy and the Roman republic was that statecraft had changed, not human nature. The Roman republic represents the perfect disciplining, harnessing, and expression of otherwise destructive passions. Rome, by pursuing empire without and establishing free institutions within, created a republic of unparalleled power and enviable longevity while at the same time turning otherwise "wicked" men into citizens.

Machiavelli believes that Romulus' transformation of men into citizen-soldiers was essential to Rome's foundation, and it is the necessary first step in the establishment of any political order at any point in history. Warfare directs the most violent manifestations of the desire to dominate against enemies, while forging a sense of nationhood. This collective purpose and identity is the necessary foundation of the internal republican institutions through which citizens govern themselves for the good of the whole, elevating themselves above the selfish creatures they once were. A republic must pursue empire to ensure that its citizens maintain the discipline and common identity that are the foundation of its free institutions. Empire is also the vehicle through which a well-ordered republic spreads its superior political order—institutions, laws, and civilization itself—by vanquishing and assimilating those with inferior orders.

In contrast to the citizen-soldiers epitomized by the Roman republic, the unfortunate inhabitants of degenerate or disintegrated states are the victims of their own undirected, violent passions. Each person's desire to supersede all others leads to bloody civil conflict. People in such a condition are in danger not only from those who might otherwise be their fellow citizens, but also from other states that are well-ordered. For Machiavelli, a state either conquers others for its own stability and glory, or it is
dominated and conquered. Thus, politics has one of two extreme possibilities. Either human beings can be organized into well-ordered, glorious republics like Rome, or they are doomed to suffer the oppression and humiliation of Machiavelli’s Italy.

The extreme bipolarity of political possibilities—heavily-armed republics pursuing empire, or corruption, civil war, and foreign domination—makes “moderation” in politics impossible. Human affairs cannot exist absent bloodshed and arms. The blood the prince must spill, if only at first, to establish or re-establish order, the violence with which even a well-established state must be forced back to liberty, the inevitability of decline, all speak to Machiavelli’s deep conviction that human nature itself is inimical to political order. Moreover, to fight the ever-possible onset of political disease, the body politic must remain vigorous through both wars of conquest and a constant purging of venomous “humors” from within. A state, even a well-ordered one like Rome, will eventually collapse. The best humans can do is to organize themselves, whenever possible, into imperial republics based upon Rome’s institutions and policies, and hope for the best. Human nature demands that we become citizen-soldiers; security and longevity demand that we attack other states through expansionary war. To wish for peace and moderation in human affairs is to ignore the immense degree to which human nature circumscribes political possibilities.

Montesquieu acknowledges Machiavelli’s discovery of an eternal truth of political life: the tension between natural human passions and political order. States must alleviate this tension by shaping and accommodating human passions that, if unadulterated, preclude political and social life. However, according to Montesquieu, Machiavelli made a cardinal error both in what he identified as natural passions, and in
believing that the Roman republic accommodated them. Montesquieu draws his conception of human nature from the principles of science. He believes that this basis gives him a vantage point that is superior to Machiavelli's. History may tell us about human beings, and what is possible from politics, but unless we understand the essence of human nature—which is ahistorical and eternal—we will be mistaken when we call this or that state or human behavior "natural." Montesquieu believes that his conception of human nature is correct because he can truly show why republics like Rome collapsed and offer an alternative to these republics, an alternative that produces power, security, and longevity without having a logical or necessary termination.

For Montesquieu, the individual's pride, his desire to distinguish himself, to monopolize the "advantages of society," are unquestionably at odds with the basic requirements of political order. This is the "state of war" that emerges when humans enter society, a war that must be halted by human reason through the institution of government. Although he acknowledges tension between the individual and political order, Montesquieu denies that humans naturally possess a visceral need to dominate others. Thus, he denies the necessity of the extreme politics from which Machiavelli believed there was no escape.

Republics do not forge unity through the modification and expression of the primordial desire to dominate. Rather, republics themselves create the desire to dominate that Machiavelli identifies as an absolute bar to "moderate" politics. Montesquieu contends that republics must squelch individuality and the satisfaction of all natural passions in order to produce the unity of purpose that is vital to their very existence. The quintessence of virtue, the "spring" of republican government, is the suppression of these
passions. When virtue is well-established, it fosters secular zealotry among the republic’s citizens. The sacrifice of one’s dearest interests, of one’s individuality itself, can be vindicated only through the glory of the republic, that is, through empire. In other words, the suppression of the individual, necessary for humans to establish and maintain republican government, leads them to destroy all others outside it. It leads just as surely to the republic’s self-destruction, as the fruits of empire swiftly erode the conditions necessary for virtue to flourish. Far from ending violent conflict, as politics must, republics exacerbate it by intensifying the vehemence and the means of conflict. In the republics of antiquity, humans, peace-loving (SL 5.14, p. 63) as well as self-loving, were transformed into brutal murderers. They “conquered without reason, without utility. They ravaged the earth in order to exercise their virtue and demonstrate their excellence” (OC 2, p. 210). In so doing, they created the extreme politics, and the cycle of rise and decline, from which Machiavelli believed there was no reprieve.

According to Montesquieu, Machiavelli was limited by his historical perspective; combining the history of Roman ascent and decline with the disorder of his own Italy, he understood politics only in the context of war and strife. Human nature is flexible, in that political institutions and historical circumstances can have a profound effect on human behavior and aspirations. In the ancient republics, institutions turned humans away from their natural passions, forcing them to act against their own nature. But as strong as these institutions are, they cannot triumph over what is, for Montesquieu, the core of human nature: the individual’s desire to satisfy his own passions for distinction, security, and felicity. Nature cannot be denied forever; thus republics must fail in their efforts to deny humans their natural passions. Humans have never been inclined to love their country
more than themselves because they love themselves more than anything else. For Montesquieu, humans have always been self-loving. His analysis of the necessary decline, and consequent rejection, of ancient republics is founded upon this eternal aspect of human nature. But he perceives additional political and cultural phenomena that render the return to ancient virtue distasteful as well as self-destructive. His was a time in which the individual was burgeoning; the “spirit” of modernity was manifesting the heretofore hidden primacy of the individual. Instrumental to this burgeoning of the individual was the emergence of what Montesquieu calls “commerce,” with its new political, social, and economic arrangements. For Montesquieu, the idea that moderns will “die for Rome,” will sacrifice themselves for the good of the state of their own accord, seems preposterous. Equally preposterous is the idea that modern individuals, who have tasted the comforts of life, would willingly renounce them, as Montesquieu insists they must if they are to live in austere conditions that were, in his opinion, the foundation of ancient republics. Montesquieu sees unfolding before him a world in which people want to succeed as individuals, to flatter their own vanity, to set themselves apart from their fellow citizens. They are incapable of virtue—Montesquieu hastens to call it *political virtue* (SL Foreword, p. xli)—which is the precondition of republican government (SL 3.2, p. 21). Montesquieu must convince his contemporaries to reject Machiavelli’s call for a return to Rome and the virtue, empire, and glory it produced. The Roman republic, which appeared to accommodate and elevate human nature, actually truncated human possibilities and led to destruction. Most of all, he must convince them that by following the spirit of antiquity—by pursuing glory, empire, and virtue—they will not only fail, but will miss an incredible and rare opportunity to erect a new kind of
political order that is built on the twin foundations of human nature and the spirit of the modern age. It is Montesquieu's attempt to close the door on Machiavelli and republican antiquity, so that he may open the door to a new political vision, that I shall tell in what follows.
Part I: Machiavelli’s Appeal to Antiquity

Chapter 1

From Beast to Citizen

Introduction

For Machiavelli, human nature is the primary obstacle to the formation of political order. Political order is exceedingly difficult to establish and impossible to maintain in perpetuity because humans are inherently selfish, violent, and bent on domination. Yet human nature is also an opportunity for the rare individual, the heroic political actor, to create order out of this seemingly unpromising material. The prince must make humans ready for the introduction of order by temporarily disciplining their destructive, primordial nature. Only then can he introduce or reintroduce laws and institutions. The harsh, deceitful, and, according to conventional standards, cruel methods used by the prince to restrain the worst effects of human nature are advocated by Machiavelli because no alternatives exist. The prince himself, and the methods by which he must establish order, are not the end, but the beginning. The goal of the prince is to establish a state that can outlive the prince himself. This is possible only through the introduction of “modes and orders” through which those whom the prince reduces to obedience learn to govern themselves. The desire to dominate, which must first be subdued by the prince, must later be incorporated into the prince’s political vision, for it can never be eliminated from human nature. The prince must harness the desire to dominate, transforming it from the chief obstacle of order into an ingredient of state-building. The founders of great peoples
accomplished this by arming their citizens and creating a citizen-army. The soldier is the prelude to the citizen for Machiavelli. Once men have experienced the fruits of order, and have learned how to vent their desire to dominate on enemies outside the state, the prince can establish the institutions and laws by which the people can eventually govern themselves. Whenever possible, the prince must also establish a religion and use it to ensure not only obedience, but also the citizens' acceptance of his innovations.

For Machiavelli, the only form of government that can last a long time, that can arrest disorder for an extended period, is a republic; the exertions of the prince come to nothing unless, through his efforts, a republic is established. It is the only kind of stable political order that can last well beyond the death of its founder. Among all republics, Rome, by understanding the necessities human nature imposes upon governance, endured in the face of nearly insuperable obstacles. In the next chapter we shall explore the institutions of the Roman republic—the only state, in Machiavelli's view, that understood that political institutions should be constructed according to the dictates of human nature. Machiavelli's conception of human nature prepares us for the necessity of following Rome's imperialism, and of imitating the internal institutions which allowed Rome to grow great, and to resist corruption. The extreme difficulty of establishing order—the violence with which the "beast" in human nature resists it, the violence the prince must employ to beat it back—prepares us for his belief that even the best republic, Rome, had to succumb to corruption eventually. As with all human institutions, success is measured by staving off disorder for as long as possible, with the knowledge that eventually disorder, ushered in by a resurgence of the "beast" in human nature, will triumph. Rome enjoyed freedom, glory, and empire for a long time. Imitating Rome is the best hope for
a world mired in corruption. But before Rome's internal and external orders can be imitated, someone must first imitate Romulus.

**I. Human Nature: Unpromising "Matter" for Political Order**

Machiavelli's political philosophy documents the rich, paradoxical, and even contradictory impulses that comprise his understanding of human nature. As Dante Germino has noted, "For Machiavelli, the psyche is a field of contending passional forces, and the inherent instability of politics has its roots in man's psychological instability. Man's unquiet psyche oscillates between the contrasting inclinations and passions of love and hate, fear and courage, the desire for tranquility and the urge for adventure, inertia and activism, dread of the novel and eagerness for change..." (Germino 1972, p. 66). If we take Machiavelli's reflections on human nature as a whole, however, a clear and unflattering picture emerges. The manifold flaws human beings exhibit stem from their egoism. Humans\(^1\) are "a sad lot" who are unwilling to keep their promises if there is the slightest utility in breaking them (P 18, p. 66); they are "ungrateful, fickle, dissimulations, apt to flee peril, covetous of gain..." (P 17, p. 62). No matter how well they are educated, nor how virtuous their parents and fellow citizens are, they are easily corrupted (D 1.42, pp. 90-91) and will abuse power whenever the opportunity presents itself because of their "malignity of spirit" (D 1.3.1, p. 15).

Humans are ambitious. Their ambition leaves them discontented, no matter how little or how much they have. Ambition "is so powerful in the human breast that it never

\(^1\) Throughout the dissertation, the terms "man" and "human" will be used interchangeably.
abandons them at whatever rank they rise to. The cause is that nature has created men so that they are able to desire everything and are unable to attain everything" (D 1.37.1, p. 78). The things all humans desire and few are able to attain are the scarce goods that are honored and pursued in every society: glory, honor, dominion, and property (D 1.37.3, p. 80). The most fundamental expression of human ambition is the primordial urge to dominate others (D 1.1.4, p. 8). The egoistic lust for domination and power, which cannot be exorcized, but only controlled, is the primary reason for conflict between humans. It inhibits the formation of states, leads to domestic turmoil once they are formed, and is the primary cause of war between states (Wood 1972a, p. 40). And is the ultimate cause of the corruption of even the best regimes.

In Machiavelli’s thought, human nature sets the limits of political success and directs the imperatives of political organization. His starting point—egotistical, ambitious, and brutal human beings bent on domination—stands in stark contrast to thinkers of both classical antiquity and Christendom, who (by and large) held that humans were naturally inclined toward the formation of political organizations. In Machiavelli in Hell, Sebastian de Grazia contrasts Machiavelli’s belief that humans are naturally hostile to the common good and inclined toward their own selfish desires with the doctrines of Aristotle and Aquinas. According to these two thinkers, humans are driven by nature to form political organizations which have the common good as their natural goal; therefore, humans are naturally inclined toward the common good (de Grazia 1989, pp. 268-9). According to de Grazia, Machiavelli is much closer to Augustine’s view of man as an essentially wicked sinner who must be kept “on the path to salvation” by the constant threat of punishment, and it is the role of the state to provide
such punishments. Machiavelli, of course, does not limit the role of the state to the
punishment of sinners, but his conviction that humans knowingly and constantly subvert
the common good, unless they are constrained to behave otherwise, is at the core of his
political thought.

In our philosopher's world, men do not have an inherent impulse toward the
common good. Quite the reverse. These wicked and unruly men are not just a
few: they comprise mankind. Their nature originates in some kind of fall, and
they are henceforth set in motion by appetites or passions, abetted by mind or
reason, and directed toward various evils in all extensions and forms. In turning
“against God” Niccolò declaims in the “Exhortation,” man “transforms himself
from rational animal into brute animal . . . from angel into devil, from master into
servant, from man into beast”—we can characterize this new human nature as that
of rational brutes. (de Grazia 1989, p. 269)

Turning aside the question of whether Machiavelli believed that original sin or man’s
primordial nature is responsible for their essentially anti-social behavior, it is clear that
the “beast” in humanity is the primary obstacle in the formation of states. Before
political order is possible, the “beast” must be tempered so that humans can form or
invigorate a society. It is the prince, “one man alone,” who must effect this change.

The lust for domination constitutes the bestial half of human nature. Man is a
composite creature, half man and half beast (P 18, p. 65), and in the absence of political

---

2 For an interpretation of Machiavelli's “Exhortation” that supports de Grazia's
argument that Machiavelli believed in original sin, see Dante Germino's “Second
Thoughts on Leo Strauss’s Machiavelli.” For the contrary view, see Harvey Mansfield’s
“Strauss's Machiavelli.”
order, the beast reigns supreme. Those who lack order experience only humiliation, death, and destruction. Lacking a well-ordered government, they are dominated by those whose orders are good. United, armed, and disciplined, the soldiers of a state can unleash their bestial desire for domination more effectively than those who are dispersed and lack order: it is organization united with force that yields strength and security. The egoistic desire to dominate makes it difficult for humans to order themselves, but in the absence of order, they are vulnerable. “Only man is born devoid of all protection; he has neither hide nor spine nor feather nor fleece nor bristles nor scales to make him a shield” (CW 2, p. 772). Political order, which humans must struggle to establish and maintain, provides them the only means of protection from “beasts.” As de Grazia has stated, the core of Machiavelli’s philosophy consists of these two precepts: “First, men are rotten-hearted by nature. Second, either they will move toward the common good or they are lost” (de Grazia 1989, p. 270).

The role of the prince is to “move them toward the common good,” to create order from the chaos of anarchy, corruption, or foreign domination. The men he praises most highly in The Prince are founders of new peoples and new states: Moses, Theseus, Cyrus, and Romulus (P 6, p. 21). They all “became princes by their own virtue” and were favored by fortune only in that they found there peoples “slaves and oppressed,” “discontented” and “dispersed” (P 6, p. 21-2). Because the people the founders led lived without political order, Machiavelli calls the people “matter,” to which Moses, Cyrus, Theseus and Romulus “could introduce what form they liked” (P 6, p. 21). The only thing fortune granted these mythical heroes was the opportunity to give new orders to
peoples who lacked public order. Their "virtue" supplied them with the means to accomplish this arduous task.

All of Machiavelli's archetypal founders are quasi-mythical characters. Moses, Cyrus, Theseus and Romulus are godlike. "Even when the legend is of an actual historical personage, the deeds of victory are rendered, not in lifelike, but in dreamlike figurations; for the point is not that such and such was done on earth; the point is that, before such and such could be done on earth, this other, more important, primary thing had to be brought to pass..." (Campbell 1956, p. 29). Order was non-existent prior to their advent. The prince bestows order upon humans, which, like Promethian fire, allows them to live truly human lives. Just as civilization cannot exist in the absence of fire and arts, it cannot be born without political order.

The "primary thing" the founders did was to modify human nature—to the extent that this is possible. For Machiavelli, human nature has certain basic elements.

---

3 For an interesting treatment of Machiavelli's reliance on such characters as his archetypal founders, see Isaiah Berlin's essay, "The Originality of Machiavelli."

4 The prince cannot completely alter human nature; he must use his virtù to subdue and rechannel the violent, anti-social elements of human nature so that he can create new political institutions. Those institutions must continue to battle these elements while also incorporating them. The eternal, anti-social attributes of human nature force the prince to employ the methods Machiavelli advocates; they make institutions and policies based on the Roman republic necessary. The prince cannot simply make human beings whatever he wants them to be. However, the people are "matter" in the sense that they live in the complete absence of state power, or they live in a state that is thoroughly corrupt. The founder begins anew, creating institutions that will govern his people not only for his own lifetime, but throughout the life of the state he creates. He is not constrained by laws and institutions that already exist, for his aim is to create a completely new order either ex nihilo or by crushing the old, corrupt state. Once a state exists, reformers are needed to return it to its ancient ways, i.e., its original foundation. Although this requires the work of men with uncommon virtù, unlike the prince, the purpose is to return to old orders, not
particularly man's dual nature of half man and half beast (p. 18, p. 65). Princes find men in their primordial and destructive natural condition and, through the construction of military, civil, and religious institutions, they shape human nature so that the destructive elements are used to strengthen order rather than to subvert it. Human nature is not fundamentally changed in this process; rather, man's natural impulses are disciplined and given ends that edify the political order. When men lack political order, the impulses natural to man yield only disorder, civil war, and chaos. Man's primordial nature is never eliminated, and because of this, disorder will always triumph over order eventually. But when human nature is modified by a wise prince, men become capable of some modicum of discipline, compromise, and co-operation: elements that are essential to any civilized existence (Wood 1965, p. lxxv). The founder disciplines the feral part of human nature and creates institutions to sublimate the remaining vitality and energy of human passions. He establishes the rudiments of a civilization that will become great through the work of future generations. The founder does not execute a fully conscious plan or blueprint. Rather, through striving, creative action, he imposes his will upon the "matter" of human nature. It is Machiavelli's task to show through systematic reflection what the founder does intuitively.

The first step a founder must take on the road to establishing a state is to reduce men who lack order to obedience. The bestial half of man, where the impulses that

\[\text{to create new ones.}\]

\[5\] Machiavelli's belief in the ephemeral nature of all regimes will receive extensive treatment in the next chapter, when I discuss Machiavelli's understanding of the Roman republic's fall.
militate against political order are strongest, must be restrained and guided so that men are capable of becoming citizens.

You . . . must know that there are two kinds of fighting: the one with laws, the other with force: the first is proper to man, the second to beasts: but because many times the first does not suffice, it is expedient to recur to the second. Therefore, it is necessary for a prince to know well how to use the beast and the man. That part was taught to princes covertly by the ancient writers, who write that Achilles, and many other princes, were given to Chiron, the centaur, to be nourished that he might raise them under his discipline. To have as a preceptor a half-beast and half-man means nothing other than that a prince needs to know how to use both natures; and the one without the other is not durable. (P 18, p. 65).

The ancient authors were "covertly" teaching their readers that the prince must understand the whole of human nature—the beast which must be governed by force and the man who may be governed by laws. The men Moses, Cyrus, Theseus, and Romulus found were like beasts, as are men everywhere and at all times who live either without a state or in a state that has become corrupted.

Machiavelli exhorts the "new prince," the man who must either establish or re-establish order where it has fallen into decay or has completely vanished into anarchy, to follow the examples of the archetypal founders. All of them have followed very much the same path to achieve greatness that transcends mortality, a path that was ordained by God himself (P 6, p. 21). But the situation from which Cyrus emerged as prince seems to
have more in common with the new prince than that of Theseus and Romulus. Cyrus found the Persians “discontented with the empire of the Medes” who had grown “soft and effeminate” because of a long peace. Princes like Cyrus have the dangerous task of establishing new institutions where others already exist. They must found a new political order by first overthrowing the existing order, which will have as its partisans all those whom the existing regime favors.

Romulus and Theseus faced a somewhat different challenge: the complete absence of either order or civilization among the peoples they formed into nations. Theseus finds the Athenians “dispersed.” Romulus, himself born in the wild and suckled by a she-wolf, personifies the wildness that must be tamed as a prelude to political order. He established a new settlement and made it “a place of asylum for fugitives” (Livy 1971, p. 42). Once he had assembled a band of “homeless and destitute folk,” Romulus “proceeded to temper strength with policy and turned his attention to social organization” (Livy 1971, pp. 42-3). Theseus found the inhabitants of his homeland lacking order, easy prey for all those who wished to conquer them. Machiavelli explains in Book I of the Discourses that humans, when they are “scattered,” are driven to establish a state for their mutual defense, either by themselves or by “someone among them of greater authority”

---

Moses is a special case for Machiavelli. In his discussion of Moses in chapter 6 of The Prince, Machiavelli wants his readers to understand that the violent and iniquitous methods he counsels for attaining power, methods that are necessary for founding an enduring political order, were counseled by God himself. When one considers how Romulus, Theseus, and Cyrus founded kingdoms, Machiavelli says, “they will appear no different from those of Moses, who had so great a teacher” (P 6, p. 22). Acts which most people would consider evil were commanded by God and undertaken by Moses to establish a temporal homeland for the Israelites. I shall discuss Moses below in the context of the importance of religion to Machiavelli.
Humans enter into society, Machiavelli reasons, to escape the anarchy which is both natural and deadly. Natural because humans are driven by anti-social impulses that, prior to the work of the prince, cannot co-exist with political order. Deadly because they must fear both, others in the state of anarchy and those who, having been formed into a nation by a prince, can prey on the dispersed and unorganized.

II. The Mission of the Prince

Whenever a state is founded, the founder must rely upon force, first to seize power, then to insure the adoption of his orders. Romulus needed to make himself obeyed by people who were more like beasts than men. As David Ingersoll states, “The ‘stick’ will be much more effective than the ‘carrot’ in handling such people” (Ingersoll 1968, p. 592). In order to temper the beast in human nature, founders and the “new princes” who follow their examples are compelled to employ a deft combination of fraud and force. They must establish their power and use it to direct the destructive aspects of man’s nature to constructive ends. The new prince Machiavelli addresses in chapter 6 of The Prince (perhaps the new prince he hopes will restore order to Italy) is encouraged to “enter upon the paths beaten by great men” like Machiavelli’s archetypal founders, for even though their feats will not be as great as those who first modified human nature to accommodate political order, they must still imitate their methods (P 6, p. 20). New princes too must use deception and their own arms to restore order to a nation that has become disordered through corruption, conquest, or the natural and inevitable degeneration of political institutions. New princes should rely upon their own virtue, as did Moses, Cyrus, Theseus, and Romulus. Having their own arms is a sign of their virtue.
(P 6, p. 22). The dangers inherent in trying to restore order when corruption has set in, or to destroy old orders to erect new ones, require that a prince be the head of his own army, first to protect himself from other men, then to exact obedience when he introduces new laws. For "nothing is more difficult to transact, nor more dubious to succeed, nor more dangerous to manage, than to make oneself chief to introduce new orders" (P 6, p. 23).

The means by which the great founders tempered man's feral nature, and which Machiavelli exhorts other new princes to imitate, were often bloody, treacherous, and required breaching established moral codes. Machiavelli gets his reputation as a teacher of evil and a supporter of tyranny because of his enthusiastic advocacy of these methods. But such methods are justified because the prince who wants either to establish or re-establish order has no choice. When no order exists, or when the existing institutions are rotten through and through, the strongest possible medicine is necessary to remedy the situation. Hegel, reflecting on Machiavelli, writes:

"Gangrenous limbs cannot be cured with lavender water. A situation in which poison and assassination are common weapons demands remedies of no gentle kind. When life is on the brink of decay it can be reorganized only by a procedure involving the maximum of force (Hegel, in Wood 1972a, p. 52)."

If political order were in accord with human nature, such extreme measures would not be needed to establish states; maintenance and renewal would come easily. But men are only half men; they are also half beast. The bestial half of man, that which must be restrained by force, cannot be eliminated. Therefore, it must be restrained at the beginning of a new political order, and when a state that is careening toward corruption must be re-ordered, that is, when the laws are not sufficient to make men obey. The
aggressive impulses inherent in all humans are channeled by the prince so that, instead of attacking one another indiscriminately, they learn to respect their fellow citizens and to attack only those who are outside the state.

New princes must be prepared to bridle the beast by “steel,” a point Machiavelli makes clearly in his discussion of the Roman emperor Pertinax (P 19, p. 72). The lesson to be drawn from his fate is the necessity of reducing a state’s powerful men to obedience before trying to change its orders. For they benefit from the old, corrupt orders and will not cede power without a struggle, even when the new orders are for the public good, as were those instituted by Pertinax. “And here must be noted that hatred is acquired through good works as well as through nasty ones; and therefore, as I said above, a prince who wants to keep a state is often obliged not to be good” (P 19, p. 72). When the powerful in a state are corrupt, they can be satisfied only through a continuation of corruption. Reordering the state, thus making it good once again, requires using force and fraud. In other words, it requires that one not be good.7

Fraud is sanctioned by Machiavelli because a new prince often will lack the power to re-order the state right away. Pertinax was hampered by his inability either to secure himself from the army or to win the support of other powerful factions who might protect him. Therefore, a new prince must use both deception and force adroitly in order to eliminate those who stand in his way, as Septimus Severus did in becoming Roman emperor. Although Machiavelli censures his use of power once he had obtained the state,

---

7 Whether the prince who does evil must actually be evil, whether a good prince is obliged to do only good acts, and related issues will be discussed below.
a new prince must imitate the means by which he acquired it (P 19, p. 76). In short, one must employ the natures of the lion and the fox when one is attempting to seize power. The fox is one of the “masks” the beast wears; playing the part of the fox will allow the new prince to use deceit and trickery to move into a position of power. Very rarely is it possible for a private individual to gain power without employing “nefarious and iniquitous means” (P 19, p. 76). But while chicanery alone may place a prince on the throne, as it did for Cyrus, it cannot keep him there without the use of force, which is natural to the lion. Through the example of Severus, Machiavelli demonstrates the necessity of being alternatively like the fox and the lion when the situation demands it, as it always will when a state lacks order (P 18, p. 69). Severus at first showed no ambition of being emperor, and Julian was too late to check his power when Severus marched on Rome, intimidated the Senate, had himself declared emperor, and put Julian to death. Then, when he realized that two other men, both of whom had their own armies, had designs of being emperor themselves, he tricked one into “sharing” the title with him so that together, they could unite to destroy the power of the other. This having been accomplished, Severus turned on his partner “and took from him his life and his state” (P 19, p. 79).

When a prince’s power is not securely held, when the state is suffering from a lack of order, such means, nefarious and iniquitous though they may be, are a prerequisite to any good work he wishes to do. But the cruelties do not stop there for the new prince. Machiavelli praises Severus, Cesare Borgia, and Agathocles for their methodical use of cruelty on those who were in a position to threaten them once they had established themselves. Obtaining power and securing it are two separate enterprises that call for the
same means. Once the prince is able to exercise political power alone, he must establish his position through violence: the beast has yet to be subdued. Agathocles used cruelty well: "in one stroke, out the necessity of securing oneself" (P 8, p. 38). It is often the hideous and severe nature of the punishments, more than their number, that secures a prince from his enemies at the beginning of his reign. There is a psychological process that requires a prudent use of violence and spectacle. Severus "stunned and stupefied" the people, rendering them obedient despite the cruelties they suffered on account of him. Borgia likewise left the people "at once satisfied and stupefied" when, after his agent Remirro d’Orco committed numerous crimes on his behalf, Borgia "had him placed in the piazza at Cesena in two pieces" (P 7, p. 29-30). It is the measured and strategic ferocity of men like Agathocles, Severus, and Borgia that silences all opposition to their rule.

What these men did was establish their rule on the surest of foundations: fear. The bestial side of man’s nature that predominates when a state is poorly ordered is capable of being savage, ambitious, and obstinate, but fear can and does keep it in check, thereby allowing the prince's new orders to do the work of civilizing men. Men are moved, Machiavelli says, by two primary motivations, love and fear. Love, even when it is genuine, cannot be controlled by the prince. Men are capable of love, and their love can move them to do admirable things. But the prince should not count on the love of his subjects to protect him from malice, "for love is held by a chain of obligation which, because men are wicked, is broken at every opportunity for their own utility; but fear is secured by dread of punishment that never forsakes you" (P 17, pp. 66-67). Fear is built upon a rock-solid foundation: self-interest, and the attachment one has to one's own life.
The prince can control the fear of his subjects through punishments and the threat of punishments, and therefore he can control his subjects themselves—as long as he can avoid making himself hated in the process. Machiavelli counsels all princes to make themselves feared, and he draws a contrast between Hannibal and Scipio to establish the wisdom of his advice. While Scipio was leading the Roman forces in Spain, his soldiers rebelled against him. “This arose from nothing other than his excessive mercy...” (P 17, p. 68). One of Hannibal’s greatest feats, according to Machiavelli, was his ability to use “inhuman cruelty” to maintain control of his motley army. Hannibal was able to keep his army disciplined and obedient despite the fact that they were comprised largely of mercenary soldiers from many nations who had little attachment to the Carthaginians’ cause other than monetary reward, and had campaigned for years on foreign soil (P 17, p. 67). Scipio’s men were all Romans when that nation was at the height of its virtue; they were serving under a Roman captain and facing the possible destruction of their own fatherland. The ability of Hannibal to maintain order in the face of so many obstacles provides an excellent lesson for the new prince, who will have similar problems. Hannibal’s men were united to him by a tenuous bond, as are the new prince’s partisans at the beginning of his reign (P 6, p. 24). The possibility of disorder, rebellion, and conspiracy is great, and the prospect of undying loyalty is small in both cases. Therefore, a prince must rely on the threat of imminent and cruel punishment, to keep men obedient. Of course, for the threat to be credible, a prince must act cruelly, at least often enough for men to know that he is not bluffing. By establishing a reputation for cruelty, a prince can secure himself in adverse circumstances.
Machiavelli limits the prince’s use of cruelty by warning that when it is poorly used it results in hatred. When the prince uses cruelty with discrimination, that is, when he uses it only at the beginning of his reign to secure himself from enemies, cruelty is well used. The men who are punished in swift and spectacular fashion serve as a warning to others who might wish to oppose the prince. But when the prince uses cruelty “lavishly” instead employing an “economy of violence” (Wolin 1960, p. 220), when he threatens the lives of men who are willing to “go along” in order to be secure in their persons and property, he makes himself hated. Fear of the prince’s cruelty is transformed into desperation (Wolin 1960, p. 222). Instead of hastening to obey the prince’s commands, their fear that they may be the next to be arbitrarily dispossessed or disemboweled leads them to revolt against him. They become willing to face the danger of eliminating the prince because their downfall appears to be more certain the longer he remains in power. Machiavelli counsels princes and generals to avoid putting their enemies into desperate situations, for the sheer will to survive can inspire men to brave and overcome dangers they would not otherwise overcome (D 3.12, pp. 246-49).

However, if the prince is willing to use cruelty to shock men into submission, to use it at the beginning to establish himself, and subsequently only when necessary to keep men in fear, he can gain respect and avoid being hated, “because being feared and not hated can go together very well” (P 17, p. 62).

Finally, the imperative to use treachery and cruelty, fraud and force are united in Machiavelli’s maxim that a new prince must have “authority alone” if he is successfully to establish new modes and orders from the beginning of a state or when it is “reformed altogether anew outside its old orders” (D 1.9.2, p. 29). Possessing a monopoly of power
is an existential fact of founding because the erection of new institutions precludes the plurality of opinion. Because it is necessary for a prince to hold power exclusively to order or reorder a state, Machiavelli is willing to forgive actions that would ordinarily be heinous crimes in pursuit of that goal, and he encourages his readers to forgive them (D 1.9., pp. 29-30). Romulus had to kill his brother Remus and consent to the death of his partner in order to found Rome.

Machiavelli’s princes, as part of their virtù, innately possess the ability and the drive to order states that other men lack. If ordinary men take part in the process of state-building, the creative genius of the prince is blunted by the input of others, making the foundation of a great political order impossible. “For as many are not capable of ordering a thing because they do no know its good, which is because of the diverse opinions among them, when they have come to know it, they do not agree to abandon it” (D 1.9.2, p. 29). Men only “come to know” and embrace the new orders when the prince, having created them, enforces them through the measured violence we have discussed above. As our discussion of the foundation of Rome under Romulus will show, the prince, in ordering the state, must produce results quickly for his act of founding to bear fruit. Once men see the benefits of living according to his laws, the prince can begin to govern more by the laws themselves than by force. Only then can the government be entrusted to the “children” of this founding father; only then is his glory and the long, glorious life of the republic, the best kind of state possible.
III. Good Men, Evil Means

Machiavelli understands that good men must at times employ evil means—fratricide, treachery, cruelty, to name but a few. Thus, he distinguishes between evil men and the evil that good men are sometimes forced to do. His founders are good men who know how to use evil: their use of evil is vindicated by the results that flow from it.\(^8\) Men are to be blamed for their use of evil when the ends to which evil means were put are unworthy. We can distinguish an evil man from a good one not by the means he uses to establish order, but what he does once order is established.

Although their actions are cruel according to conventional morality, by establishing order founders are rescuing their people from suffering on a grand scale. Machiavelli praises cruel, violent, and fraudulent measures not because he is an advocate of violence and cruelty in themselves, but because a stable state cannot be formed or reformed without them. Romulus kills his brother and his colleague in order to found Rome, but is excused. A “wise understanding” will perceive the imperative of undivided authority for new princes and therefore will never “reprove anyone for an extraordinary action that he uses to order a kingdom or constitute a republic. It is very suitable that when the deed accuses him, the effect excuses him; and when the effect was good, as it was with Romulus, it will always excuse the deed” (D 1.9.2, p. 29). *The deed accuses.* It was what Romulus did “for the common good and not for his own ambition” that *excuses*

---

\(^8\) As we shall see, Romulus is the founder who earns Machiavelli’s highest praise because he established a republic that pursued empire and attained glory. The establishment of order is a necessary step in the foundation of such a republic, but order itself is not the *telos* of politics.
Machiavelli maintains that the best effects must necessarily come from the best causes (D 1.4.2, p. 17). The founding of an enduring republic such as Rome, therefore, cannot have rotten beginnings because its future glory is the result of the founder's virtue (D 2 Preface, p. 123).

Machiavelli's founders, such as Romulus, are not morally corrupted by their use of evil. Driven by necessity, they do what must be done to obtain power, to secure it, to order the state, and to enforce those orders. The founders Machiavelli praises deserve eternal glory because they were "violent to mend" rather than "to spoil" (D 1.9.2, p. 29). Their use of violence was edifying, and edification, or at least the attempt to edify, is the exculpating factor.⁹ Machiavelli implies that God approves of such means, since God instructed Moses in the arts of "violence and arms;" men like Romulus and Cyrus, who were forced to commit otherwise infamous crimes to obtain power "alone," did not proceed differently than did Moses "who had so great a teacher" (P 6, p. 21). If God sanctions the use of treachery, deceit, violence, armed force, and the other "extraordinary" means Machiavelli counsels, it is because a well-ordered state is the only path to mundane salvation for men.

Agathocles, unlike Romulus and Cyrus, is censured by Machiavelli for killing his own citizens, betraying his friends, and being "without faith, without pity, without religion" (P 8, p. 33). Romulus is a great founder while Agathocles, guilty of "infinite iniquities" and other crimes, is denied a place among great men because Agathocles

---

⁹ Machiavelli does not blame those who use evil means prudently, yet do not attain success, if they were using such means for good ends. Thus, although neither Cesare Borgia nor his fictionalized hero Castruccio Castracani succeed in establishing political order (much less republics), Machiavelli praises their means and their efforts.
seized power for his own benefit and not for the benefit of his city, Syracuse.\footnote{Machiavelli's thoughts on Agathocles are very complex. Machiavelli castigates Agathocles, but he regards the Sicilian as a master in the techniques of violence. For more on Machiavelli's understanding of Agathocles, see Harvey Mansfield's \textit{Machiavelli's Virtue}.}

Machiavelli says explicitly that one should not excuse deeds done for the sake of accumulating personal power without providing the foundations for an enduring and glorious state (D 1.9.2, p. 29), and that we can discern which deeds merit exculpation by their effects. The deeds accuse Agathocles, but the effect does not excuse him.\footnote{We shall see below that the founder must turn his subjects into citizens capable of self-government. He does this by turning them into soldiers, which disciplines their desire for domination and teaches them the benefits of order. Once he has made soldiers of his subjects, he can then turn them into citizens by teaching them to govern themselves, and by erecting political institutions that will provide for law and order once the founder is gone. Agathocles was not killed by his senate because he did not establish a republic. He did not render himself politically obsolete because he did not establish orders that could survive him. He did not teach his people to govern themselves. Thus, he is not excused.}

But the deeds in both cases are very much the same, as are the first steps any man must take to establish order where disorder reigns.

There can be no doubt that Machiavelli approves of the evil actions men like Agathocles and Severus did to become princes. Machiavelli approves of them because they are necessary first steps for establishing order; he praises Agathocles and Severus for committing them because they are difficult. Agathocles displayed "virtue in overcoming dangers, and the greatness of his spirit in bearing and overcoming adverse things" (P 8, p. 33). Severus knew how to use the lion and the fox, masks which are necessary for a new prince to know and to utilize (P 19, p. 73). In his famous chapter in the \textit{Discourses}, "On Conspiracies," Machiavelli shows that the things a prince must do to win and order the
state require constancy and courage, not merely a will to do evil. When Alexamenus the Aetolian was about to murder Nabis, tyrant of Sparta, “Titus Livy says these words: ‘And he himself gathered his spirit, confused by the thought of so great a thing.’ For it is impossible that anyone not be confused, even though of firm spirit and used to the death of men and putting steel to work” (D 3.6.15, p. 229). A prince does not require an appetite for evil if he is to discipline the beast, but he does require virtù to commit evil actions.

While Machiavelli praises the resolve Agathocles and Severus exhibited on their way to power, and the skill with which they employed evil means, he does not laud them because they are evil, nor does he imply that only an evil man can use such means. Giovampagolo, tyrant of Perugia, was undoubtedly an evil man. Yet when he had the chance to “crush his enemy [Pope Julius] at a stroke and enrich himself with booty,” he was unable to do it. “Nor could one believe that he had abstained either through goodness or through conscience that held him back; for into the breast of this villainous man, who was taking his sister for himself, who had killed his cousins and nephews so as to reign, no pious respect could descend” (D 1.27.1, p. 62). While Giovampagolo did not shrink from murdering his own family to become tyrant, he was at heart a coward who could not kill the unarmed pope when he had the chance. Had Giovampagolo killed Pope Julius, he would have been “the first who had demonstrated how little is to be esteemed whoever lives and reigns as they do”; thus, “he would have done a thing whose greatness would have surpassed all infamy . . .” (D 1.27.2, p. 63). The act of killing the pope would have been worthy of esteem, as would Giovampagolo himself. Because he failed to do
such a great thing when he had a golden chance, he is merely a petty man worthy of contempt because his cruel and immoral actions were put to petty ends.

At bottom, this is the same criticism Machiavelli levies against Agathocles and Severus. These men used violence effectively. They were excellent generals, fearless men who were able to overcome great hardship, and they became princes of their respective states. But greatness eludes them because they failed to make good use of their hard-won authority. Under Severus, the Roman people were “weighed down” by their emperor and despoiled by their soldiers (P 19, p. 73). just as they had been under previous emperors. After murdering the chief citizens of Syracuse, Agathocles is able to rule that city uncontested and succeeds in expelling the Carthaginians from Sicily; nevertheless, he leaves no significant historical legacy. He is yet another prince of Syracuse, with no permanent or excellent mark of his rule.

Machiavelli takes it for granted that humans will always suffer cruelties. They will be assassinated, tortured, slaughtered, and suffer hardships of every kind because human nature is violent and chafes against political order. He demands, however, that history have something to show for this suffering: at least some nations must attain the heights of stability, prosperity, and above all, glory. The princes Machiavelli praises are good, even though they employ evil means, because their reigns produce such nations. As George Sabine states, “Machiavelli set his prince the task of fighting the devil with fire, but there was at least a largeness of aim and breadth of political conception in the prince’s villainy which were lacking in the equal villainy of the prince’s opponents” (Sabine 1973, p. 326). When the “largeness of aim and breadth” that is at the heart of the prince’s use of “villainy” is absent, one is left with only villainy. Severus, and
Agathocles were better than ordinary men in that they had the virtù to overcome difficulties and to dispatch those who stood in their way; they were just like ordinary men in their crass egoism.

The ultimate end of politics is to build a state that, for as long as possible, is able to provide an ordered life for men, leading ultimately to civilization (Kontos 1972, p. 84). Only through a well-ordered republic can men find protection from others, security in their persons and possessions, and the means to vent effectively their ambitions for power, plenty, and glory. Eventually, the ambition of men will topple the state; disorder, caused by the bestial, primordial half of human nature, will prevail. But the role of the prince is first to discipline the beast in man, and then to erect enduring political institutions that will continue to control it, though it can never be eradicated. The violence and treachery the prince is forced to employ can be justified for Machiavelli only when the prince aims to found a state for the common benefit. “It is on such grounds that those who engage in politics only in order to achieve personal power and tyrannize others do not qualify in Machiavelli’s terms as great men” (Kontos 1972, pp. 84-85). When a man’s only aim is to seize power for his own private ambitions, his crimes, like those of Agathocles and Severus cannot be excused.

IV. The Prince as the Founder of a Republic

The new prince who establishes order from disorder or corruption has taken but the first step in establishing a durable state. For Machiavelli, a republic, not a principality, is the best state. As Norman Jacobson tells us, the prince’s ultimate purpose for Machiavelli is to pave the way for republican government, making himself
expendable in the process. The prince is, in Jacobson’s words, a “deadman” (Jacobson 1978, p. 43), in the sense that, if he is successful, the prince is ‘consumed’ or made obsolete by the political education he gives to his people and the institutions he erects. The prince has prepared his people for self-government, he has forged or re-invigorated a state, and he can attain glory only if his people are capable of governing themselves without not only his assistance, but also his presence. A new prince, even a founding prince like Moses or Romulus, is a tool of national unity, to be cast away when he has done the bloody work of nation-building. According to Jacobson, Machiavelli, in advising the prince, writes the script and directs him. Machiavelli’s prince cannot survive the rigors of the parts he must play. The prince is essential to the establishment of order, “Yet when he is done with the founder, Machiavelli will cast him aside, without remorse, in favor of ordered politics and legitimate government... The Prince extends an invitation to the founder; The Discourses instruct the citizens in the maintenance of an ordered society. And in The Discourses the citizens are urged to kill the founder of their nation if that is necessary to save it” (Jacobson 1978, p. 44). The prince is “killed” by the people in a figurative sense for Machiavelli because the prince cannot remain with his people once they are capable of governing themselves through the institutions he has created. Machiavelli does not tell the prince that he must martyr himself, but the prince must withdraw, Jacobson reminds us, once he has completed his mission.12

---

12 Although the prince is ‘consumed’ by his own success, Machiavelli does not say so explicitly. Thus, although Livy makes it clear that Romulus is killed by the Roman senate (Livy 1971, p. 51)—the very institution that Romulus created so that his people could participate in Rome’s government—Machiavelli does not mention Romulus’ murder. If he is successful, the prince, as a prince, cannot survive, but Machiavelli does not demand conscious self-sacrifice from his prince. Rather, Machiavelli stresses the
Machiavelli denies that the founder, or a prince who re-orders a state, must either be forced to relinquish power or to die once his work is completed. On the contrary, it is the tyrant, not the prince, who is likely to suffer a violent death as a result of his exertions. Censuring Caesar, Machiavelli says he could have re-ordered Rome without losing power or his life: "If one who wishes to order a city well had of necessity to lay down the principate, he would deserve some excuse so as not to fall from that rank; but if he is able to hold the principate and order it, he does not merit any excuse" (D 1.10.6, p. 33). The founder must remain in power to establish the institutions that will make the newly acquired order more permanent. As Ingersoll writes, "Machiavelli's insight consists of showing how the individual political actor, in the process of maximizing his personal goals, can establish institutions and laws which benefit men in general" (Ingersoll 1968, p. 596). The primary reason men like Machiavelli's founders were so rare is that, unlike the great majority of men, they understood that true power and glory consists not of tyrannizing one's people, establishing ephemeral rule over them, but in founding a political order that will bring them security and prosperity for generations. By doing this, a founder also ensures his own security and prosperity, in stark contrast to the tyrants who litter the pages of history, murdering their countrymen and being murdered in turn by them (D 1.10.5, pp. 31-33).

Founders like Romulus are the fathers of their nations. They create a unified nation out of a ragtag group of people first by instilling fear and respect, then by imparting discipline through their orders. Through the institutions they create, founders (posthumous) glory the prince will have if he founds a republic that not only endures but grows great long after he dies.
put their stamp on all future generations that live by their laws. Founding itself is a gradual process because the founder must teach his subjects to become citizens. The institution-building phase requires vision and skill, not merely ferocity. Men need the prince not only to subdue the beast in man, but to structure institutions that will allow men to be governed by laws instead of by the sword alone. Men are simply not ready to govern themselves as soon as the prince is done “stunning” and “stupefying” men through violence. They need the prince to order them, to put them on the path to self-government. They will not go there on their own.

However, the prince’s mission does not end in a principality, however excellently governed, but in a republic. Machiavelli says, “Thus, it is the safety of a republic or a kingdom to have not one prince who governs prudently while he lives, but one individual who orders it so that it is also maintained when he dies” (D 1.11, p. 226). The government must move from one man alone to a government of many; wise founders like Romulus understand this intuitively, and prepare for many to care for what only one man, acting alone, could bring into being. The founder must order his state well enough that those he governs can see the benefits of his rule. Only then will they obey the laws willingly, allowing the prince to forgo government by force. The people’s loyalty to the founder and to the laws increases when the benefits of his rule are tasted, and they will agree to uphold the laws he created (D 1.9.2, p. 29). In fact, their ability faithfully to maintain the orders given to them by the prince moves Machiavelli to say that the people “without doubt attain the glory of those who order them” (D 1.58.3, p. 118). This, of

13 Below we shall examine the reasons why a republic, rather than even a well-ordered kingdom, is more likely to continue after the death of its founder.
course, is how the founder attains glory: by "ordering laws, forming civil lives and ordering new statutes and orders" (D 1.58.3, p. 118) that are of such excellence that they create a nation the greatness of which is realized long after his lifetime. For this to occur, the founder must teach them how to govern themselves. This requires that they be able to treat him without the deference that a founder deserves. They must be able to learn from him and to disagree with him from time to time, in preparation for the time when he is no longer there to guide them. In other words, Romulus needed to become a mere man once he had engaged in the god-like creative act of founding the state. As a founder, as a god, Romulus must depart. But once his republic attains the heights of glory, he will be revered once again as a god.

V. Founding a Republic: Force, Orders, and Religion

We can see how inimical human nature is to political order in Machiavelli's portrayal of the prince and the incredible, even contradictory, attributes he must possess. Human beings are wicked, selfish, violent, and love to dominate others for their own benefit. These traits, the beast within human nature, make it incredibly difficult for political order to exist: if this were not true, state-building would not require so much violence connected with so much wisdom. It would not require the talents of a man who is good, but willing to use evil; who knows precisely how to use violence "to mend"; and

14 Moses, Machiavelli implies, cannot join his people in the promised land because if he did, it would not be the promised land. Once the Israelites were fit to govern themselves, once Moses had transformed them from slaves into citizens, he had to withdraw.
most difficult of all, who possesses political vision. This vision must be united with the ability to guide and constrain human nature through two principal means: arms and gods.

The founding prince understands that the greatest glory and the highest achievement consist in making himself expendable by turning his subjects into citizens, which he does by first making them soldiers. Because Romulus was “armed with prudence and with arms” (D 1.19.4, p. 53), he was able to implement his vision, one that would at once provide the people with the discipline necessary for living in a state and with the protection the state alone can provide men. Romulus was a soldier and a statesman. “... Machiavelli has placed statecraft and generalship in juxtaposition. The reason is obvious: both are creative arts concerned with molding raw material in the form desired” (Wood 1965, p. liv). The behavior of men, the transition from the beast to the man, must come through laws. By being armed himself, Romulus ensured that the Romans, fearing him, would obey him. As a general, Romulus was able to teach men the discipline of being a soldier that is prior to, yet similar to, the discipline of being a citizen. Both are founded upon the necessity of following established rules, and the understanding that punishments necessarily follow the breach of rules (Wood 1965, p. lxxiii). An army composed of citizens must be at the core of all republican institutions. Only when citizens first learn discipline through arms can they begin to understand the advantages of laws. In creating citizen-soldiers, the prince transforms selfish, violent men who lived without order into men who are capable of doing on their own what the prince had done. Continuous armed struggle teaches men to restrain the destructive effects of their inherent violence by disciplining and directing their violence through warfare. Violence is vented, and at the same time, men come to appreciate order. This is
the key point for Machiavelli. Men can only be taught to obey the laws when they have been taught to be soldiers. This is true not only in the beginning, but long after republican government has been established. As soon as men cease to be soldiers, they become incapable of being citizens. Romulus turned a group of fugitives and slaves into an army. Then, and only then, could he create the institutions that were the foundation of Rome’s republican government.

Romulus understood an important fact that many princes motivated by the same desire for power and glory fail to grasp. To achieve power and glory that lasts beyond one’s death, it is necessary to share power once one has established the state.

Understanding that principalities in which one man alone holds absolute authority are of short duration, Romulus established a senate “with whom he took counsel and by whose opinion he decided” (D 1.9.2, p. 29). In sharing power with the senate and by creating other institutions, Romulus paved the way for republican government (1.9.2, p. 30).

Romulus also ensured that the Romans would continue to be governed by good institutions well beyond his departure. “Great men, in effect, become ‘great’ because the states they erect are capable of resisting decline” (Ingersoll 1968, p. 596). Machiavelli says that after Romulus, “no ancient order was innovated by the Romans, except that in place of a perpetual king there were two annual consuls”¹⁵ (D 1.9.2, p. 30). The changes

¹⁵ The Romans did require further institutional innovations in order to become a republican government. The tribunate, as we shall see, was the sine qua non of the Roman republic’s success. Likewise, the office of the dictator was an institution without which the Roman republic could not have endured for so long. Machiavelli’s main point, however, is that the institutions of Romulus were at the core of Rome’s subsequent republican government, and therefore Romulus was responsible for Rome’s enduring republican order.
he made were not yet sufficient for the stability of Rome because, although Romulus furnished the Romans with arms and institutions, he omitted religion. Because Romulus had shared power with the Senate, however, that body could choose a successor who would introduce and nurture religion, so that "there was never so much fear of God as in that republic" (D 1.11.1, p. 34). Romulus gathered men together and taught them fear, discipline, and law. Numa's religion completed the transformation from beasts to men that Romulus had begun.

Although Rome had Romulus as its first orderer and has to acknowledge, as daughter, its birth and education from him, nonetheless, since the heavens judged that the orders of Romulus would not suffice for such an empire, they inspired in the breast of the Roman Senate the choosing of Numa Pompilius as successor to Romulus so that those things omitted by him might be ordered by Numa. As he found a very ferocious people and wished to reduce it to civil obedience with the arts of peace, he turned to religion as a thing altogether necessary if he wished to maintain a civilization; and he constituted it so that after many centuries there was never so much fear of God as in that republic, which made easier whatever enterprise the Senate or the great men of Rome might plan to make. (D 1.11.1, p. 34)

Numa understood that it would be difficult to keep men who were hard and ferocious in a state of political order for long. Romulus had taught them to appreciate order, but there was still too much violence in the Romans. Religion made them more governable. Religion, when it is well used, restrains and curbs man's desire for domination within the state, making political order possible without constant recourse to violence. "For where
fear of God fails, it must be either that the kingdom comes to ruin or that it is sustained by fear of the prince, which supplies the defects of religion. Because princes are of short life, it must be that the kingdom will fail soon, as his virtue fails” (D 1.1.4, p. 35).

Violence can only deter the ambitious, destructive aspect of man’s nature when there is a prince who knows its proper use, that is, as long as the threat of punishment is imminent for those who break the laws, and does not weigh too heavily on those who obey them. In the absence of religion, the weakness or death of a prince immediately awakens the ambition of men. Ambition flourishes—and disorder with it—in the absence of a credible threat of punishment. Coercion is not a reliable basis for establishing a state because its application cannot be constant. Although coercion is necessary to awe men, it is not edifying. Numa’s religion gave them gods, superior beings who, like the prince, could confer benefits or punishments. Religion controls men by mesmerizing them, making them fear and respect something that they cannot see but can be brought to feel.

When a people is religious, they fear God more surely than they fear the prince because god can punish transgressions that are not detected by any earthly authority. Furthermore, religion can thwart the very presence of dangerous passions before they become disruptive and warrant punishment. Perhaps Voltaire best captures what Machiavelli means when he says: “What other control can be found for greed, for secret and unpunished misdeeds than the idea of an eternal master who sees and judges even our most intimate thoughts?” (Voltaire, in Wolin 1960, p. 197, fn.).

Religion is an important method of social control, especially when religious dogma reinforces the laws of the state. It encourages men to self-legislate, to force themselves to obey the laws because they fear the punishment of God. This makes it
possible for the public order to be less heavy-handed. The threat of punishment must be constant, but when men follow the laws out of fear of God rather than the naked threat of coercion by the prince, the people will obey them more willingly and surely. The prince can exact obedience while at the same time avoiding being hated, because they fear God more than the prince. And even though the "will of God" can often be harsh, nobody hates God.

Numa made religion serve the needs of the state. Religion can make men follow their leaders not because they agree with them, but simply because they are being led by those with "knowledge of the divine", by agents of God. Numa fooled the simple country folk, of which Rome was constituted, into believing that he communed with the gods; thus, the people were willing to accept his new religion. And most importantly, he created religious institutions that reinforced Romulus's political institutions. Religion made the people accept both innovations.

And truly there was never any orderer of extraordinary laws for a people who did not have recourse to God, because otherwise they would not have been accepted. For a prudent individual knows many goods that do not have in themselves evident reasons which can persuade others. Thus wise men who wish to take away this difficulty have recourse to God. (D 1.11.3, p. 35)

Numa needed recourse to religion "because he wished to put unaccustomed orders in the city and doubted whether his own authority would suffice" (D 1.11.2, p. 35). Religion is another method of control that can complement others. The importance of religion to political success, and of Numa to Rome's success, is evident in the praise Machiavellilavishes on Romulus' successor. At one point in the Discourses, he proclaims that Rome
is more indebted to Numa than to Romulus himself (D 1.11.2, p. 35). Machiavelli changes his judgement, claiming that it was Romulus, rather than Numa, to whom the Romans are more indebted because he was armed (D 1.19.2, p. 53). But Machiavelli’s point is that neither Romulus’ arms, nor Numa’s religion, is sufficient in themselves to establish a republic. Ideally, a prince should combine the arms and institutions of Romulus with the religion of Numa (Kontos 1972, p. 92).

For Machiavelli, religion must always serve politics. It cannot exist outside of politics, for, like arms, the primary use of religion is to control men. Unlike arms, it does not rely on the fear of physical violence, but the fear of eternal damnation: the only force that can be more effective that the fear of death itself. However, Machiavelli clearly states that religion cannot exist independently of the function of the founding prince, who as a prelude to religion, must awe men with arms before they can be awed by gods. This is why he ultimately rejects the notion that the Romans owed more to Numa than to Romulus. Unarmed, Numa could never have made the Romans soldiers, and therefore, he could not have taught them the rudiments of citizenship. Numa’s religion was possible only because the arms of Romulus, a “strong prince” who relied “on war” paved the way for the establishment of religion (D 1.19.2, p. 53). “I conclude, therefore, with this discourse: that the virtue of Romulus was so great that it could give space to Numa Pompilius to enable him to rule Rome for many years with the arts of peace” (D 1.19.3, p. 53). Numa relied upon peace; he could not have been successful as an “unarmed prophet” unless the arms of Romulus had paved the way (D 1.19.4, p. 53).

The Romans needed Romulus, “an orderer of a civil way of life” (D 1.19.1, p. 52), in the beginning of the city. Romulus’ fierceness, bellicosity, and generalship made the
Romans an orderly nation. Numa was then needed to soften the Romans, allowing them
to place less emphasis on their ferocity, and more on the modes needed to live together
among one another in peace within the city. But Machiavelli believes that after Numa,
Rome needed another king that “was similar in ferocity to Romulus and more a lover of
war than of peace” (D 1.19.1. p. 52). Numa’s reign was long and peaceful; had the
Romans not required significant softening in order to become citizens, the long peace
might have corrupted them. There is no doubt that they needed another warlike king
after Numa, one who would save Rome from the degeneration and effeminacy that peace
necessarily brings. Romulus is the founder to whom the Romans are most indebted
because Romulus was an armed prince, while Numa was an unarmed prophet:

From all this princes who hold a state may find an example. For he who is like
Numa will hold it or not hold it as the times or fortune turn under him, but he who
is like Romulus, and like him comes armed with prudence and with arms, will
hold it in every mode unless it is taken from him by an obstinate and excessive
force. And surely one can estimate that if Rome had chanced upon a man for its
third king who did not know how to give it back its reputation for arms, it would
never, or only with the greatest difficulty, have been able to stand on its feet later
or to produce the effects it produced. (D 1.19.4, p. 53)

Had another Numa grabbed the reins of power, the Roman republic might have died in its
infancy. But because the senate chose the kings, another Numa was unlikely. After
Romulus, the senate understood that the Romans needed to be ruled by a man who could
use religion and the “arts of peace” to make the Romans more inured to a civil way of
life. After Numa, they selected another strong prince, one who could restore the military
arts. The key to Rome’s success, and to Romulus’s glory as a founder, is that he “entrusted to many” what he himself had created. The senate chose the kings that were appropriate to the city’s needs at that time. One can draw a comparison between the ability of the Roman senate to choose which man would be king during Rome’s early years and the consular elections after the kings were expelled.

The senate chose a Numa when he was needed, and after Numa selected Tullus, “who by his ferocity regained the reputation of Romulus” (D 1.19.3, p. 53). Similarly, the Romans elected Fabius Maximus when they needed a consul who, by means of his prudence and caution, could resist Hannibal when the Carthaginian invader was at the height of his power. Then, when Hannibal was weaker and the time for decisive action had come, the republic elected Scipio, who quickly ended the war with Carthage. Because the senate chose the kings, instead of a hereditary system, Rome was more likely to have the right leader at the right time. And it was Romulus’ innovation, the senate, that made this possible.

Although the institutions of Romulus, particularly the establishment of the senate, made it possible for Rome to last beyond its founder’s death, Rome was not durable until it expelled the kings. At the end of Book 1, Chapter 19, Machiavelli reveals why a principality is less stable and less likely to endure than a republic: “So while it lived

16 For Machiavelli, hereditary principalities are unstable because, although the prince has a recognized right to rule, the virtue of the father does not guarantee the virtue of the son. If a ruler’s offspring are inadequate, weak, savage, or imbecilic, the kingdom must suffer through the new king’s reign. Principalities where accession happens by adoption are much more stable because the prince can select his successor in a way that he cannot select his natural offspring. For a further discussion of Machiavelli’s disdain for hereditary principalities, see Sheldon Wolin’s Politics and Vision, pp. 199-201.
under the kings, it bore the dangers of being ruined under a king either weak or malevolent” (D 1.19.4, p. 53). There are two primary reasons why, among historical regimes, a republic is more stable than a principality. First Machiavelli believes that power, when it is held by one man for an extended period of time, is likely to corrupt him. He praises the Romans for replacing the king with two consuls who were elected each year because the short amount of time and the limited mandate made great usurpations of power unlikely. The kings were expelled when Tarquin, derisively named “The Proud”, became “malevolent,” abusing his power. Tarquin’s son, Sextus, raped Lucretia, and the acute sense of their servitude under this king inspired the people to rise up against him (Livy 1971, pp. 98-101).

Second, even if a prince remains uncorrupted by his power, the times may change quickly. If a prince is unable to change his character and manner of proceeding with the times, the state may fall to ruin. Some princes are fortunate because their character happens to be just what the times call for. For instance, “Pope Julius II proceeded impetuously in every affair of his, and he found the times and conditions so congruent to his way of proceeding that a happy end always resulted” (P 25, p. 93). But because men are unwilling to depart from modes that have given them success in the past, they often fail when the times change.\footnote{One of the few exceptions to the inflexibility of princes is Ancus, the fourth Roman king, who succeeded Tullus. He was “gifted by nature” in that he could govern successfully using either peace or war, a rare trait. Rarer still, he was able to change his mode of governing: “First he set out wanting to hold to the way of peace, but at once he recognized that his neighbors esteemed him little, judging him effeminate. So he thought that if he wished to maintain Rome, he needed to turn to war and be like Romulus and not Numa” (D 1.19.3, p. 53). Precisely because so few men are similarly “gifted by nature,” a principality is inferior to a republic, which has recourse to men whose tempers suit the}
47

had either of these two men been king of Rome instead of consul, Rome would have been lost. Scipio was victorious partially because he was a great general, but also because the time was right for a young, impetuous man to take the fight to Hannibal. Had he been consul when the times demanded the delaying tactics of Fabius, he would most likely have been defeated, and Rome with him. Fabius Maximus, although a great general, could not have defeated Carthage because he would not have known the right time to go on the offensive, and in fact, he staunchly opposed Scipio’s plan to attack Carthage (D 1.53.4, p. 107; Livy 1965, pp. 550-56). A principality must endure the rule of one man, regardless of whether he is well suited to the times; a state can easily fall when its prince and its times are mismatched. Both Fabius Maximus and Scipio would have failed as kings during the war with Hannibal, and Rome would have been lost. In a republic, however, the citizens can draw upon men of different talents as the times demand now a ferocious and warlike man, now a prudent one, now a rash one.

It becomes apparent as Machiavelli fills in the details of Rome’s early history that the armed man always has the possibility of enduring, whereas the unarmed man, regardless of his virtues, is always deficient because he lacks arms. Rome did need Numa’s religion, but it would have been far better if either Romulus had brought religion to the Romans along with his severity and order, or if Numa had blended severity and order with his religion. “Thus, neither Numa, who relies too much on chance, nor Romulus, who is deficient in prudence, though not as much as Numa, is to be imitated. What is exemplary is the combination of valor and prudence. Neither Numa nor
Romulus achieved such a combination. Yet Machiavelli points more favorably to Romulus" (Kontos 1972, p. 92). Romulus' deficiency, the omission of religion, can be corrected more easily than Numas negligence of arms and war. Machiavelli admits that it is more difficult to teach men to use arms when religion is lacking (D 1.11, p. 35), but he states explicitly that religion without arms is sure to fail; hence his scorn for unarmed prophets (P 6, p. 23). For when a state is unarmed, it is at the mercy of Fortune. Recalling the ferocity of Romulus, Rome's neighbors were reluctant to attack; had they waged war on Rome, it would have fallen under its second king.

Moses is the only founder who was able to impart order among his people and at the same time establish a religion. Moses was an "armed prophet"; using violence at God's command, he was able to free the Israelites from bondage in Egypt. Like Numas, Moses was followed because the people were convinced that he had a privileged relation with the divine. Unlike Numas, Moses convinced his people of this privileged relation through the use of arms. When the Israelites saw that Moses, apparently through the violent means God counseled, had freed them, they feared God and were willing to follow Moses. "Thus the Lord saved Israel that day from the hand of the Egyptians; and Israel saw the Egyptians dead upon the seashore. And Israel saw the great work which the Lord did against the Egyptians, and the people feared the Lord; and they believed in the Lord and in his servant Moses" (Exodus 14.30). The Israelites, at one and the same time, learn to fear God and the prince; moreover, they fear God because of his destruction of Egypt, because of God's "arms." Moses is important to Machiavelli not only because he makes himself obeyed through both arms and religion, but because he does all the things a new prince should do with this dual authority: he kills "infinite men" who
opposed his vision out of jealousy (D 3.30.1, p. 280), and he founds a new homeland for his people “with violence” (D 2.8.2, p. 144). Surely religion played a great part, for Moses had the authority to kill those jealous of his power and to turn his people from slaves into soldiers through his appeal to religion. But Moses’ appeal to religion required the prior, successful use of arms. And in “searching” for the promised land, Moses turned former slaves into a nation capable of both winning itself a homeland and governing itself through warfare. Through Moses, politics and religion are unified for the defense and augmentation of the nation. Moses, too, has his deficiency. Although he knew how to use both arms and religion, he must have lacked the ability to impose good orders because Israel never becomes a republic, nor does it establish an empire, but is gradually reduced to a small fraction of its dominion (D 1.19.2, p. 52).

Ultimately, religion must buttress the republic, which alone can provide for man’s earthly protection and prosperity by strengthening their attachment to it. The sanctity of the Roman oath guaranteed their military discipline and their obligation to the city even in desperate times. The senate used religion to awe the plebs when tumults threatened to ruin the republic, much to the dismay of the tribunes (D 1.11.2, p. 34). The auspices were used to make the Romans obstinate and courageous in war. And their gruesome sacrifices made them accustomed to blood and slaughter (D 2.2.2, p. 131). But religion itself cannot substitute for arms and political institutions; it can only supplement them. And as good laws depend on good arms (P 12, p. 45; D 1.4.1, p. 21; 3.31.4, p. 283), it is clear that for Machiavelli, arms are the true foundation of the state. For “states are not

---

18 Romulus’ success in conquering enemies and establishing the republic without an appeal to God makes his virtù all the more amazing. Nevertheless, Machiavelli is clear
held by carrying rosaries” (HF 7.6, p. 1345), but through force. Religion is important, but unless one’s religion is coupled with the holding of the sword rather than the rosary, the religion is harmful to the state.

Machiavelli lauds the Romans for their religion because it had the effect of guiding man’s bestial passions as well as restraining them. In a sense, Numa’s religion complemented human nature. As we shall see in the following chapter, the bestial half of human nature compels men to vent their aggressive impulses by attacking other nations. Because there existed, and still exist, no “princes” beyond the national level to keep man’s ambition in check,¹⁹ wars of domination, Machiavelli believed, were an eternal part of the human condition. For a state to survive, it needed to conquer enemies and lord over them. Knowing this, the Romans used religion to make men hardened towards violence, and most importantly, to believe that they were destined, by the will of the gods, to conquer the world.

Machiavelli makes the importance, when feasible, of manipulating religion abundantly clear when he discusses the Romans’ use of Numa’s paganism. The strength of the republic was integrally tied to the depth of religious sentiment among the people. Thus, Roman statesmen and generals were careful to honor religion and foster belief in it. By a judicious manipulation of religious rites, the generals convinced the soldiers that victory was imminent: “nor would they ever go on an expedition unless they had

¹⁹ The Holy Roman emperor acts as an international prince for the Austrians, Germans, and Swiss. Nevertheless, Machiavelli finds the historical circumstances that give the emperor “so much reputation among them that he acts as a conciliator for them” (D 2.19.2, p. 173) unique and impossible to reproduce.
convincing the soldiers that the gods promised them victory” (D 1.14.1, p. 41). But although the Romans acted against their religion when necessity dictated, they took care never to flout it, but to make it appear as if the sacred rites had been followed. The Romans, even while interpreting religion to favor their cause, “turned it around with means and modes so aptly that it did not appear that they had done it with disdain for religion” (D 1.14.2, p. 41). Like the corrupt churchmen, Machiavelli does not believe that the Roman elites genuinely believed in the religion. But the truth or falsity of the religion is beside the point. Religion itself is an important tool, and if used properly, it can ensure the unity of the state and the goodness of the people. “All things that rise in favor of religion they should favor and magnify, even though they judge them false; and they should do it so much the more as they are more prudent and more knowing of natural things” (D 1.12.1, p. 37).

The Roman generals, prudent men, used the presence of strange natural events to embolden the soldiers by declaring their occurrence a portent of victory, as in their victory in the long siege of Veii (D 1.13.1, p. 39). When people are religious, they are willing to believe that God is with them; it is an important psychological edge that allows the people to overcome obstacles that might otherwise deter them (D 1.13.2, p. 41). And as a means of ensuring the acceptance of wise policies, religion has no peer (D 1.11.3, p. 35). Religion was also essential to the resolution of several dangerous class disputes. It could not settle the worst of them; as we shall see in a later chapter, in the tumults over the Agrarian law, the patricians used religion to “temporize,” but the passions involved were so high that religion and other delaying tactics could not settle the issue. Even
though the people's tribunes were not fooled by the manipulation of religion by the senate, the people often were; this made them easier to govern\textsuperscript{20} (D 1.13.1, p. 39).

But religion is only an effective tool in the hands of governors when the people believe the religion. When they do not, appeals to religion are met with appropriate cynicism and fail to move the people. This most often happens when religion is corrupted by the "powerful." The "foundation" of the ancient pagan religions was the responses of the diviners and oracles, and religion was maintained among the people when the responses of the oracles were seen as genuine. "As these later began to speak in the mode of the powerful, and as that falsity was exposed among peoples, they became incredulous and apt to disturb every good order" (D 1.12.1, p. 37). It is when religion became \textit{corrupt} and when the corruption was exposed that the people lost their religion and became difficult to govern. "Thus, princes of a republic or kingdom should maintain the foundations of the religions they hold; and if this is done, it will be an easy thing for them to maintain their republic religious and, in consequence, good and united" (D 1.12.1, p. 37). It is important to stress that Machiavelli believes that republics should

\footnote{Harvey Mansfield (Mansfield 1979) and Vickie Sullivan (Sullivan 1992) argue that for Machiavelli, religion ultimately failed the Romans because the patricians were not \textit{always} successful in fooling the plebs by means of religion. Because religion only sometimes served to defuse political controversy or to allow the patricians to decide important issues in their favor, the argument goes, it is "ineffective" (Sullivan 1992, p. 113). But Machiavelli does not expect appeals to religion to triumph in every circumstance; religion was one among many ways to help the consuls and senate govern the people. The tribunes, the elected guardians of the people's interests, were wise to the senate's manipulation of religion, and exposed it continually (D 1.13 p. 39-40). Nevertheless, in many circumstances "for fear of religion the plebs wished to obey the consul rather than to believe the tribunes" (D 1.13.2, p. 40). Thus, far from being ineffective, the appeal to religion was often successful \textit{despite} the tribunes' opposition, in large measure because the Roman people were "terrified" of religion (D 1.13.1, p. 39).}
maintain the foundations of the religions they hold *regardless of what the religion may be*, as long as the religion can serve effectively its political function. The important thing is that the people be religious; it is less important which religion they subscribe to, because religion can always be interpreted and used by those who govern. When the foundations are not maintained, when those who guard and propagate religion corrupt it, religion will be lost, and with it, goodness and unity.

**V. Christianity: Weakness Through Corruption**

One might argue that the Romans were able to use religion to buttress the state, whereas Christian princes cannot, because Christianity changed human nature, making men more inclined to suffer their beatings that to inflict them upon others. In other words, perhaps Christianity "tamed the beast" within humans, transforming them from creatures with an innate desire to dominate into placid creatures who eschew earthly attachments to the republic, to glory, indeed to their own well-being, for the rewards of the Kingdom of Heaven. Moreover, perhaps Christianity has made men good: not merely content to turn the other cheek, but to love their oppressors. If Christianity has caused such a fundamental transformation in man's nature, Machiavelli's entire political project is in peril. Men who have forever abandoned the glory of this world for beatitude in the next cannot and will not imitate ancient virtue. Leo Strauss poses the problem as follows:

Modern men do not believe that ancient virtue can be imitated because they believe that man now belongs to a different order of things than formerly or that his status has been miraculously transformed. ... Modern men regard the imitation of antiquity not so much physically as morally impossible. They believe
that the ancient modes and orders ought not to be imitated: they have been taught to regard the virtues of the ancients as resplendent vices or to reject the concern of the ancients with earthly glory in the name of Biblical demands for humility and charity. It is not therefore sufficient for Machiavelli to exhibit specimens of ancient virtue; it is incumbent upon him to prove that the virtue of the ancients is better virtue. To prove that ancient virtue can be imitated and ought to be imitated is tantamount to refuting the claims of Biblical religion. (Strauss 1959, p. 86)

According to Strauss, Machiavelli must undertake a complete critique of Christianity, of the Christian's attachment to the City of God, in order to vindicate a return to earthly politics. In the same vein, Vickie Sullivan asserts that Machiavelli's intention is to put forth a new, temporal interpretation of Christianity "that will serve the earthly homeland" (Sullivan, pp. 39-40).

There can be no doubt that some aspects of Christianity are incompatible with the earthly will-to-power exhibited by the Romans. And there is also no doubt that Machiavelli would have preferred to inhabit a world in which Numa's paganism held sway. Nevertheless Machiavelli, like the Roman senate he so often praises, "always took the less bad policy for the better" (D 1.38.2, p. 81) and held that a Christian religion that was interpreted by strong men and liberated from the corrupting influence of the papacy was compatible with virtue. Above all, he does not believe that Christian doctrine had made men weak by transforming them into placid lovers of their fellow men who renounced the things of this world. Christianity is nothing more than an example of religion ill-used. Machiavelli did not believe that Christianity had softened men's hearts
through religion alone; rather, it was the institutions of the Roman Church, backed by earthly power, that corrupted men and ruined their virtue. Far from strengthening the state, the Church’s abuse of religion brought Italy both moral decay and political disunity. Machiavelli is neither forced to repudiate nor radically to reinterpret Christianity because the corruption of the Church and its political ambitions, not Christian doctrine per se, ruined Italy and fueled his critique of the Christian religion.

The Roman Church, in manipulating religion to serve its own selfish, ignoble ends, was contemptuous of it, in contrast to the ancient Romans who interpreted religion for the good of the republic and “with means and modes so aptly that it did not appear that they had done it with disdain for religion” (D 1.14.1, p. 41). The popes flouted religion by their “wicked examples,” and the people themselves, mimicking their religious leaders, became irreligious, especially in Italy (D 1.12.2, p. 38). In light of Machiavelli’s condemnation of the Church for making Italians irreligious, it is difficult to sustain the argument that Christianity had made men and the world good, that it had made the imitation of the ancients “morally impossible” because of a transformation in their natures. On the contrary, Christians in Machiavelli’s Italy behaved with as much self-interest and violence as men always have, but because they lacked good orders and religion, because they were corrupt, they were unable to put their bestial drive to dominate to any effective use.\footnote{George Sabine characterizes the state of politics and morality in Machiavelli’s Christian Italy as follows: “Cruelty and murder had become normal agencies of government; good faith and truthfulness had become childish scruples to which an enlightened man would hardly give lip-service; . . . profligacy and debauchery had become too frequent to need comment; and selfishness, naked and unadorned, need only succeed to supply its own justification” (Sabine 1973, pp. 316-17).}
Any appeal to God in Italy, Machiavelli implies, would be met with appropriate
cynicism. This is true even though the “renewal” of Christianity by the Dominican and
Franciscan friars had maintained the power of the Church despite widely acknowledged
corruption. The people may be willing to suffer the political power of the Church, but
they cannot be moved by religion to go to war, to sacrifice themselves, or for any worthy
purpose. As we have seen, the Romans could use religion to insure the acceptance of
new orders, to defuse political controversy, and generally to help govern more effectively.
And the Samnites had recourse to religion as “an extreme remedy” when all else failed.
The Samnites were in dire danger of losing their liberty to the Romans, having been
defeated numerous times in battle. But their attachment to their liberty led them to try
one final time to secure themselves against Rome. “[T]hey knew that if they wished to
win it was necessary to induce obstinacy in spirits of the soldiers, and that to induce it
there was no better means than religion. . . .” (D 1.15, p. 43). Although the Romans once
again triumphed, because the Samnites were religious, an appeal to religion was effective
in hardening the resolve of the soldiers to protect their republic. “This testifies in full
how much confidence can be had through religion well-used” (D 1.15, p. 44).

Machiavelli’s Italy, by contrast, lacked the good government that religion can
facilitate. Like all peoples whose religion has been corrupted, Italians have become
“incredulous and apt to disturb every good order” (D 1.12.1, p. 37). And despite routine
humiliation and assaults from foreign armies, Italians, unlike the Samnites, could not use
religion “well” to muster any defense of their state. This can be attributed, in large
measure, to Italy’s “lack” of religion, meaning the corruption of religion by the Church.
“If such religion had been maintained by the princes of the Christian republic as were
ordered by its giver, the Christian states would be more united, much happier than they are. Nor can one make any better conjecture as to its decline than to see that those people who are closest to the Roman church, the head of our religion, have less religion" (D 1.12.1, p. 37). It is the Vatican that has corrupted religion, and that corruption—not the doctrines of the Christian religion—must bear the most blame for the aforementioned weakness. As a "spiritual" institution, "Italians have this first obligation to the church and to the priests that we have become without religion and wicked" (D 1.12.2, p. 38).

Machiavelli undoubtedly deplores a religion that has "placed the highest good in humility, abjectness, and contempt for human things" (D 2.2.2, p. 132). Formulated and disseminated in this way, Christianity does force the pious (if there be any) to choose between the patria and paradise. However, it is the "cowardice of men who have interpreted our religion according to idleness and not according to virtue" and not the religion itself that is responsible for this heavenly orientation. A "judicious" reader of the Bible will understand that God does not deny men recourse to the means necessary to establish, maintain, enlarge, and defend their temporal homelands (D 2.2.2, p. 132; D 3.30.1, p. 280). Although Machiavelli argues that The Bible is consistent with "the exaltation and defense of the fatherland" (D 2.2.2, p. 132), unlike Hobbes and Locke, he does not engage in an elaborate reinterpretation of the Bible, citing chapter and verse, to convince his readers that Christian doctrine supports his political program.²² Instead, he

²² Machiavelli is not one to quibble about theological issues; he does not engage in a sustained critique of Christian doctrine. Nor does he grapple with the problem of how Christianity, or Christ himself, "conquered" Roman paganism. We shall see that Montesquieu offers an interpretation of why Christianity gained a foothold in Rome, but Machiavelli has little to say on the issue. What he does say implies that it is the misinterpretation of Christianity "according to idleness and not according to virtue"
use examples from the Old Testament of the Bible, which Christians have never repudiated, to show that God not only permits, but also commands men to use arms to secure themselves a temporal homeland. Thus, while Vickie Sullivan is perhaps correct to say that the Sermon on the Mount does not portray Christ as “a likely redeemer of earthly kingdoms and republics” (Sullivan 1992, p. 39), this criticism is beside the point for two reasons. First of all, the Sermon on the Mount does not sanction the exploitation and oppression of the people by the clergy, yet the Church, with the help of the Franciscans and Dominicans who “re-ordered” it (D 3.1.4, p. 212), did precisely this, particularly in Italy. The specifics of Christian doctrine did not stop the Church from using religion for its own selfish aims. As J. A. Gunn aptly states, “For all Machiavelli’s feelings about the debilitating effect of Christianity, it seems odd to expect him to accuse the Renaissance Papacy of rendering worldly gain illegitimate” (Gunn 1972, p. 279).

Coupled with the inability of cities destroyed by the Romans “to put themselves back together or reorder themselves for civil life except in very few places” that has caused the weakness of the modern world (D 2.2.2, p. 132). Machiavelli does not say that Christianity caused the inability of cities to reorder themselves. In Machiavelli’s New Modes and Orders, Harvey Mansfield offers an interesting interpretation of how Machiavelli documents, and attempts to overcome, the defeat of Rome by Christianity. A centerpiece of this interpretation is Machiavelli’s discussion of the three lines of the Roman battle order, which is described by both Livy and Polybius. For Mansfield, Machiavelli’s treatment is intended to reverse the outcome of “the most important battle the Roman people fought with any nation... the one they lost with Christianity” (Mansfield 1979, p. 237). However, Machiavelli’s text in Book 2, chapter 16 of the Discourses is quite faithful to both Livy’s account (Livy 1982, pp. 167-68), and to Polybius’ description of the Roman mode of battle (Polybius 1962, pp. 476-78). Thus, it is difficult to understand how Machiavelli’s account of the Roman battle line, in which he follows pagan authorities, provides Machiavelli with the means to “attack” Christianity (Mansfield 1979, p. 238).

Moses (D 1.1.4; 1.9.3; 2.8.2; 3.30.1) and David (D 1.19.2, p. 52; 1.26.1, pp. 61-2) used “violent” and “very cruel” means to establish and maintain their states. Clearly, God approves.
Secondly, Machiavelli uses an example from his own times to show that it was the Church's use of Christianity, not Christianity itself, that had spread weakness. Christianity could be, and was, interpreted according to virtue by Italy's own enemies. Consider Machiavelli's praise of the Germans and the Swiss, Christian nations who were nevertheless strong and committed to defending their states. He says of the Germans that their "goodness and religion" were comparable to that of the ancient Romans. Reminiscent of the "conspiracy of republics very armed and obstinate in defense of their freedom" (D 2.2.2, p. 132) by whom the Romans were confronted, in Germany "many republics there live free, and they observe their laws so that no one from outside or inside dares to seize them" (D 1.55.2, p. 110). The Swiss "live according to the ancients as regards both religion and military orders" (D 1.12.2, p. 39, my emphasis). When Machiavelli says the religion of the Germans and the Swiss is like that of the ancients, he does not mean they are pagans; he means that they have not been corrupted by the papacy the way France, Italy, and Spain have. And their uncorrupt brand of Christianity is wholly compatible with a vigorous civic life, an attachment to the patria, and good arms. To add further weight to the argument that it is the Roman Church's corrupt brand of Christianity that has created disorder and weakness, Machiavelli says that if the "Roman court" itself were sent to the Switzerland, "one would see that in little time the bad customs of that court would make more disorder in that province than any other accident that could arise there at any time" (D 1.12.2, p. 39). The examples of the freedom, the religion, and the arms of the Germans and Swiss makes it difficult for Machiavelli—or his readers—to believe that Christianity itself is responsible for the decline in order he sees in his native Italy, especially when he explicitly blames the "Roman court."
The Germans and the Swiss interpreted Christianity in such a way that believers were able to love and defend their temporal homelands without having to sacrifice their religious beliefs. These examples go much further toward demonstrating the viability of a virtuous Christian state than could any "new interpretation" of Christianity. The important point is that Christianity, like Roman paganism or any other religion, can be interpreted to permit "the exaltation and defense of the fatherland" (D 2.2.2, p. 132). The content of a religion is secondary to the primary and only legitimate function of religion for Machiavelli: its use to support the state, and to control men for the sake of the state's stability, defense, and glory. What the religion actually teaches is relatively unimportant because political elites can always modify the religion to suit the situation at hand, as we saw above with regard to the Romans' manipulation of auguries. The people are easily confused when it comes to generalities and abstractions (D 1.47, p. 96). Their opinions are often "false in judging great things" (D 2.22, p. 179); they are easily satisfied with appearances, even when reality completely contradicts them (P 18, p. 67). Substantive critiques of religious doctrine run counter to the nature of the multitude, giving those who govern a wide berth to use religion for bolstering national strength and unity.

If the Roman Church made Italy weak through corruption, its failure to play effective power politics rendered Italy prostrate. The "Roman court" has not spared Spain and France, who with Italy "make up the corruption of the world" (D 1.55.3, p. 111). These nations are nevertheless able to subject Italy to "every sort of ruination" because each of them is united under one prince. Thus, Italians owe the Church a special "obligation" not shared by any other European state: "This is that the church has kept and keeps this province divided" (D 1.12.2, p. 38). Italy lacked a single, unified sovereign,
without which "no province has been united or happy" (D 1.12.2, p. 38) because the Church was powerful enough in temporal affairs to prevent another power from seizing the whole of Italy, while it was not powerful enough to unify Italy itself.

Unable to suppress its desire for temporal power, the papacy was equally unable to satisfy it by means of "virtue," meaning its own arms. Instead, it hired mercenary forces and called in foreign armies when its dominion had been threatened. In fact, Machiavelli traces the origin of both division in Italy and the introduction of "foreign arms" to the Church in the time of Italy's rebellion against the Holy Roman Empire. The people of the large cities took up arms against the nobility, which, with the support of the emperor, had oppressed them. The Church, with an eye towards increasing its temporal power, supported the people against the nobles, and the people eventually became "princes" of these cities. "Hence, since Italy had almost fallen into the hands of the church and a few republics, and since the priests and the people did not have knowledge of arms, they began to hire foreigners" (P 11, p. 52). Machiavelli takes pains to demonstrate that the Church did not support the people because of justice or religion, but "to give herself reputation in temporal affairs" (P 11, p. 52). As a result, the Church had a hand in the destruction of the nobility and with it, the loss of military independence. From that time, Italy had to rely almost exclusively on the two kinds of arms that Machiavelli says can never bring victory, and eventually always bring defeat: mercenary and auxiliary troops. It is the Roman Church that is most to blame for the neglect of the military arts, and Italy's subsequent enslavement to foreigners. Machiavelli's political project, the restoration of national glory through a return to ancient virtue, did not require
a new religion or a repudiation of Christianity. It required the elimination of corruption: political, martial, and moral. It required a prince.

VI. Conclusion

Human nature struggles against the confines of political order. Selfishness, violence, and lust for domination make the foundation of political order as rare as men who, while human like all others, possess vision, skill, goodness, the ability to use evil, knowledge of arms and religion. Even the founder who deserves the most glory, Romulus, did not possess all of the attributes a founder needs to render the "matter" of human nature capable of receiving the "modes and orders" that alone can vindicate humanity. After revealing the necessity of imitating the founding princes—of using evil, violence, and cruelty, of combining the roles of the general, statesman, and priest—Machiavelli demonstrates the necessity of imitating the Roman republic. If men are to emerge from the corruption and disorder in which they are mired, he believes, they must turn to Rome. Machiavelli makes it clear that political order is fragile; once it is established, it is a crime to squander it. Rome's imperial policies and its internal orders provide humans with the best chance of maintaining order, staving off corruption for as long as possible, and achieving the heights of human possibilities: glory and civilization. For Machiavelli, Rome exemplifies both the heights of success and its limits. To Rome we shall now turn.
Chapter 2

Beast, Citizen, and Empire

Introduction

Living in a city that enjoyed republican government only briefly, Machiavelli marveled at Rome’s longevity. Living in a nation that was constantly overrun by any prince who possessed a few good troops, Machiavelli admired Rome’s power. Rome possessed both, longevity and power, while Florence and Italy lacked them, because the Romans understood how to harness the beast within man. Rome accommodated and managed the destructive elements of human nature—self-interest, the desires to dominate and to acquire—using them to create and maintain a secure, prosperous republic and a glorious empire while other republics were ruined by these same elements. Florence, by allowing these elements to subvert its orders, fell almost as soon as it had begun. Men must imitate both Rome’s empire and its internal orders if they are to erect stable, durable, and glorious states that are capable of elevating above their lowly, wicked natural condition. The failure to imitate Rome could only result in the perpetuation of insecurity and corruption that plagued his city and nation.

Rome’s imperial project demonstrates the necessity of Machiavelli’s favorite maxim: good laws are impossible without good arms. As we have seen, the bestial side of human nature needs to be restrained and disciplined before political order is possible. By turning “slaves and fugitives” into soldiers, Romulus taught the Romans the value of submitting to authority. They followed his orders and understood the importance of organization. For order to subsist, this discipline must continue; Machiavelli is adamant
that citizens must always be soldiers, and soldiers citizens. Soldiers need war, and Rome's pursuit of empire assured it a constant succession of enemies to fight. Apart from preparing men for citizenship, and ensuring that they remain citizens, war is necessary to vent the bestial desire for domination. If men do not have enemies outside the state, they will find enemies within it. They will kill and despoil one another, destroying the republic's modes and orders while making themselves easy targets of a unified force that has controlled and directed the desire to dominate. Through empire, a republic directs this desire outward, thus allowing its citizens to kill and dominate others, which nature drives them to do. Moreover, through an ordered existence in a well-regulated army and success in war, citizen-soldiers actually come to love their form of government and their fellow citizen-soldiers because they receive immense benefits. They despoil other nations and grow rich; they make the republic powerful; they attain prestige and glory. In short, empire transforms the desire to dominate—which is the cause of the failure of states, which can lead men into selfish and self-destructive behavior—into the foundation of free government. Those who want to establish an enduring political order, to prevent the beast within human nature from destroying a state in its infancy, must imitate Rome's imperial designs.

Machiavelli understands the dangers inherent in expansion, which troubled both ancient authors and his contemporaries, leading them to conclude that Rome's imperial designs and its internal institutions should be avoided rather than imitated. However, to avoid expansion is to court disaster, to rely upon Fortuna rather than one's own strength. Expansion provides republics with the best means of both defending themselves and of harnessing their own citizens' desires for domination and dominion. The bestial desire to
dominate is most powerful in relations between states. No state can prevent being attacked by its ambitious neighbors; it must be prepared for war or it will perish. But because human nature drives the desire for expansion, states must be prepared to expand as well as to defend themselves. Through his critique of Sparta and Venice, Machiavelli shows why it is not only more glorious, but also more prudent, to pursue empire rather than eschewing it. Even if a republic’s orders can’t survive a program of expansion, even if its laws prohibit it, it will eventually succumb to the desire for empire because this desire is natural and irresistible. A republic will either be prepared to expand, with institutions designed to profit from expansion, or it will perish. Security and longevity, long associated with small, stationary republics, is the province of imperial republics alone. For empire to bear fruit, a republic must proceed like Rome did in acquiring and maintaining it.

We must remember that Machiavelli is an imperialist because he is a republican. Empire was a necessary element of Rome’s internal orders, which Machiavelli believed were the best of any republic at managing the eternal conflict between the two humors: the great and the people.\(^1\) The two humors exist in every city, and ultimately, they

---

\(^1\) In Rome, Machiavelli’s model of how humoral conflict can be managed by wise institutions for the benefit of the state, the *popolo*, the “people,” were referred to as the plebeians, and the *grandi*, the “great,” as the patricians. I shall use the terms *popolo*, “people” and “plebeians” interchangeably. With regard to the *grandi*, I shall use the terms “great,” “nobles,” and “patricians” interchangeably, again following Machiavelli. As we shall see, Machiavelli does not regard all members of the Roman plebeian class as having the “popular humor.” Because the prerogatives of the patricians were steadily eroded, plebeians were eventually admitted to the highest honors of the city, including the consulate. Nor are all patricians driven primarily by the overwhelming desire for command. However, Machiavelli generally uses the terms *grandi* to describe the humor with extraordinary ambition and ability, and *popolo* to describe the more modest, conservative disposition of the popular humor.
constitute the foundation upon which an enduring political order must be erected. The
grandi, the cunning, wealthy, and well-born, exhibit different characteristics and pose
different challenges for a legislator than the popolo; the great are driven by an excessive
desire for power and domination. By training, they possess superior martial and political
skills. With their relatively small numbers, they are more able to collaborate, control the
government, and oppress than the popolo, whose ordinary abilities lead them to desire
above all else, to be free from oppression. The apparent dichotomy between the
characteristics of the two humors has led some commentators to believe that for
Machiavelli there are two kinds of men who have two separate natures. But while the
two humors display different characteristics, they share the same bestial nature that is
inherent in all human beings. Thus, within Rome, there was a constant struggle for
supremacy between the great and the people. Machiavelli believes that this struggle, far
from destroying Rome as many commentators have claimed, was the key both to Rome’s
empire and its longevity as a free state. Empire gives vent to the desire to dominate on
those outside the republic’s walls, but without a political system that manages the
ambition of the two humors, a republic is doomed.

Empire was necessary for the popular humor to obtain enough political power to
resist the more ambitious nobles: a republic must employ the people in “important
things.” If the grandi has no need of the popolo, it can deny the latter political power,
and the people will have no leverage to demand it. Because they wanted to pursue empire
from the very beginning of the republic, Rome’s patricians realized that they needed the
people for the “exaltation and defense” of the patria. Moreover, as Rome’s empire grew
larger, ever greater numbers of plebs were necessary to maintain it. Armed, numerous,
and cognizant of the contribution their arms made to the power and glory of Rome, the people demanded a share of political power and the nobles could not resist them. Empire also allowed the great, who were the generals and statesmen of the republic, to direct their desire for domination against men outside the republic instead of their fellow citizens. While other states may have suffered the effects of Rome’s wrath, its own orders were made more secure. And because republics select the best men as leaders during times of war and danger, Rome’s program of universal empire ensured that the best always held the offices and enjoyed the honors they demanded. Perhaps most importantly, the two humors shared a strong attachment to the republic and its orders because both contributed to Rome’s glorious empire. Knowing that Rome’s empire, and all the great things that came with it, depended upon the maintenance of its republican government, the two humors kept their struggle for control of Rome within the bounds of the laws.

By pitting the ambition of the grandi against the ambition of the popolo, the Romans allowed the two humors to vie for domination in such a way that neither humor could win the contest and seize the state. For stability to arise from this contest, each humor must have a share of political power large enough that it can resist the encroachment of the other. Rome alone perceived the fundamental need to counteract the ambition of the grandi—which poses the greatest threat to the safety of any political order—with the ambition of the popolo. The grandi, represented by the consuls and the senate, were opposed by the tribunes, the people’s representatives. The opposition between the two humors created stability in Rome because the excesses and desires of each humor were stymied by those of the other.
For this opposition to produce stability, however, a republic must establish policies that allow the hatred between the two humors to be released or otherwise minimized so that humoral conflict can be kept within the laws designed to manage it. A republic must be especially careful of "men who live ambitiously." Although the grandi as a whole are driven by an excessive desire to dominate, Machiavelli holds that a select few desire command above all else. These men are most dangerous to a republic's safety because their ambition can lead them to attempt to seize power. The surest method for them to come to power is by exploiting the hatred of the people for the nobles. With the might of the people behind him, an ambitious man can easily crush the republic's nobility, whose desire to dominate actually makes them a bulwark against tyranny. To remain free, a republic must punish would-be tyrants "excessively" and spectacularly. At the same time, it must provide the select few, those with the rarest ability and ambition, a way of venting their ambition for the good of the state.

More than mere stability, the clash of ambitions, which was established and maintained by Roman institutions, led to laws that favored the common good even though each humor was concerned primarily with its own good. Ancient philosophers and many of Machiavelli's contemporaries believed that a republic could only serve the common good if citizens subordinate their own interests to those of the patria. Self-

---

2 While all men are ambitious, Machiavelli is particularly concerned about what he alternatively calls "men who live ambitiously in a republic" (D 1.46.1, p. 95) and "great and rare men" (D 3.16.1, p. 254). Most men of both humors care more for property than for honors and offices (D 1.37.3, p. 80) but a select few covet only command and glory (D 1.16.5, p. 46), giving little thought to the goods for which most men compete. All men of the noble humor are characterized by a desire to dominate and by their great abilities, but these men possess superlative abilities and a more powerful passion to command. I shall refer to "great and rare men" as "ambitious men."
sacrifice, and the love of the republic which generates it, is for most commentators the quintessence of republican virtue. Some attribute this view of virtue to Machiavelli himself (Hulliung 1976, p. 145). While Machiavelli believes that man are capable of placing the republic before themselves—and when the republic is great and glorious like Rome was, they can be moved to the utmost pitch of self-sacrifice—a republic cannot rely upon the love of its citizens. Men are fickle and self-interested by nature; their ambition can lead them to destroy the republic, despite their love for it. Thus, a republic needs the institutions to control ambition and manage conflict between the two humors. Although citizens may stumble, these institutions attempt to protect them from throwing their freedom away in an attempt to satisfy their ambitions. Because each humor has a large enough share of political power, neither humor can oppress the other. Although each humor may temporarily triumph, the laws are made in favor of the common good rather than the particular good of either humor. Thus, the expression of self-interest, which political institutions cannot exorcize or suppress, is contained and mitigated within a framework of good institutions.³

³ For Machiavelli, although the political system as a whole is designed to achieve the common good, men are neither predisposed nor consistently able to set aside their own interests for the good of the republic. Thus, he rejects the notion that to be fully human, one must participate in a government that deliberates upon and tries to achieve the good of all. The tension between the interests of the individual and the needs of the state, a hallmark of modernity, is not in full bloom in Machiavelli. Nevertheless, his idea that human nature runs counter to self-sacrifice for the good of the whole is undoubtedly modern, as is his solution. When humoral conflict is managed through appropriate institutions, men, in attempting to satisfy their selfish passions, contribute to the stability and neutrality of the laws. The common good is the intended result of the political system, but it does not rely on the good intentions of the political actors. We shall see that Montesquieu believes that Machiavelli is guilty of an anachronism: he transposed a modern political system upon an ancient political and cultural milieu.
Essential to the success of this system is the continual re-emergence of a political actor who, through violent and spectacular executions of the laws, imitates the initial beatings the “beast” received at the hands of the founding prince. The reformer, the personification of the republic, must keep men in fear of the laws by executing harsh penalties for those who attempt to vent their appetite for power and glory at the republic’s expense. Imperceptibly over time, republics depart from their ancient laws and institutions, and must be brought back to them by a citizen with superior virtue, who slaughters the ambitious and corrects abuses. So persistent is the ambitious, bestial side of human nature that even the pursuit of empire abroad and wise institutions at home are not enough in themselves to preserve the state.

But for Machiavelli, neither empire nor the reformer can maintain the republic forever. Although Machiavelli occasionally tempts the reader with the prospect of a perpetual republic, he is clear that no republic, however well governed, can last forever. The project of empire-building can no longer sublimate, if you will, the bestial nature once a republic has conquered its rivals. Reformers, who must cure an increasing and ever-more complex series of ailments, cannot emerge often enough. Eventually, even its generals and its armies will lose their citizen spirit, attacking Rome with the fury with which they had, so often before, protected and augmented it. But Machiavelli does not lament Rome’s fate, nor does he find fault with the empire or the institutions that eventually fail it, because corruption is inevitable. Having reached the heights of success, Rome could no longer maintain itself. All things of this earth come to an end; Rome’s long and glorious life vindicates Machiavelli’s exhortation to imitate its external policies.
and internal orders. Its death proves nothing that humans do not already know: nothing lasts forever.

I. Empire: The Natural Goal of Republics

Machiavelli cannot repeat often enough that "the foundation of all states is a good military, and where this does not exist there can neither be good laws nor any other good thing" (D 3.3.1.4, p. 283). We have spoken of the prince's need to turn his subjects into soldiers before they can become citizens. Machiavelli believes that being a soldier in the republic's army accustoms the citizen to discipline, preparing him for living his life under the laws. But just as important, being a soldier allows the citizen to vent the desire to dominate on enemies of the republic instead of on his fellow citizens. Given that humans, by nature, are ambitious, selfish, and want to dominate others, the republic must provide its citizens with an outlet for these impulses. Otherwise, the result will be internal discord, sedition, murder, and a thousand usurpations that destroy the state's constitution.

Political order cannot simply suppress these drives; it must either harness them and control their expression or it will be ruined by them. It is the inability of almost all states to provide not only an outlet for these anti-social desires that causes them to become corrupt. As we shall see below, no state can last forever; the cycle of history, driven by the bestial half of human nature, makes this impossible. But republics can extend the cycle of history, and their lives as free states, if they allow their citizens to vent

---

4 See also P 12, p. 45; D 1.4.1, p. 16; D 1.21, pp. 54-5.
malicious humors that arise within the state through public accusations, and can harness the violent ambitions of their citizens by directing their violence against other states. Warfare sends the “beast” outside the republic’s walls, allowing the state to govern its citizens by laws rather than by sheer force inside its walls. Machiavelli makes this point clearly in Tercets on Ambition:

When through her own nature a country lives unbridled and then... is organized and established under good laws, Ambition uses against foreign peoples that violence which neither the laws nor the king permit her to use at home (wherefore the home-borne trouble almost always ceases); yet she is sure to keep disturbing the sheepfolds of others, wherever that violence of hers has planted her banner (CW 2, p. 737).

By going to war and conquering other peoples, the citizen-soldiers of a republic come to realize that through their combined efforts, they can not only vent their desire for domination, but also enrich themselves without killing and oppressing each other. Instead, they kill and oppress enemies, and make off with their possessions. The choice all states must make is whether to endure endless trouble at home, which cannot lead to anything but corruption and dissolution, or to “disturb the sheepfolds of others.” This is not a difficult choice, Machiavelli argues, because above all, the point of political order is to last as long as possible. But intermittent warfare is not enough to prevent the “beast” from making trouble at home. The desire for domination must be rigidly regulated within a state through the pursuit of empire.

For Machiavelli, the goal of all republics is “to enervate and to weaken all other bodies so as to increase its own body” (D 2.2.4, p. 133). Put a slightly different way,
republics hope to maintain their freedom while acquiring the wealth, lands and sometimes citizens that constituted the strength of the vanquished state. For Machiavelli, relations between states cannot be mutually advantageous. The chief way of “profiting” is to defeat your enemies in war (and constantly to find new enemies) and to seize their possessions. Republics exist not only to dominate, but to get rich; both dominion and wealth are needed to satisfy the immense ambition of its citizens. War is the primary means through which republics achieve this. Of course, a powerful nation is also a secure one, in which “riches multiply” in great number “both those that come from agriculture and those that come from the arts” (D 2.2.3, p. 132). But when Machiavelli says no nation has been ordered for “profit” as well as Rome, it is clear he means that conquest is the primary means of getting rich.⁵

The attachment of free peoples to their governments is so strong because freedom yields empire, and the wealth, power, and glory that go with it. Usurping authority within a state, oppressing one’s countrymen, stealing from them—these things not only destroy the state, but they are also petty. Oppressing, stealing, and gaining power on a grand scale, through empire, requires the unified effort of the entire republic, which makes each appreciate both his fellow citizens and love the republic and its laws. “It is an easy thing to know whence arises among peoples this affection for a free way of life, for it is seen

⁵ As we shall see, this is precisely Montesquieu’s criticism of both the Romans and his own France. Gaining wealth and power through conquest was, according to Montesquieu, an outmoded idea that betrayed underlying primitiveness. Montesquieu believes that commerce can allow nations that traded with one another to gain in strength and wealth at one and the same time. Nations can become mutually interdependent, to the benefit of each, through trade. War becomes a “cost” to both nations that reduces the wealth and power of both victor and vanquished, which is why Montesquieu hopes Europe will recover swiftly from the malady of “Machiavellism” in foreign relations.
through experience that cities have never expanded either in dominion or in riches if they have not been in freedom” (D 2.2.1, p. 129). That is, without freedom, they can no longer acquire and they can no longer dominate. As the desire to do these things is inherent in human nature, the defense of a free way of life is spirited. For those accustomed to contend for the good things, subordination to another power is worse than death, a conclusion supported by the “example of the Samnites” who fought the Romans desperately until they were almost wiped out (D 2.2.3, p. 132). Because republican government is most adept at gaining empire, at reducing other states for their own benefit, it is the only form of government that allows men to employ fully their aggressive and acquisitive nature for the good of the patria. Given that all men, and the states they constitute, seek domination and increase, only those states that are well-suited to these endeavors have a chance at survival.

All republics must be prepared both to defend themselves from their expansion-minded neighbors and to accommodate their own desires to expand. As republics are composed of men, they are driven by the same ambition to acquire, and like men, they must “acquire something new” to feel secure in what they possess (D 1.37.1, p. 78). Because they fear the loss of what they have acquired, humans do not feel they possess their property securely unless they are constantly increasing their holdings. The primary cause of warfare between states, Machiavelli says, is ambition, which kindles in human spirits the restless desire to accumulate: “From [ambition] arises the variability of their fortune; for since some men desire to have more, and some fear to lose what has been acquired, they come to enmities and to war, from which arise the ruin of one province and the exaltation of another” (D 1.37.1, p. 78). As Harvey Mansfield has aptly stated,
“Security comes only with acquisition, not with the enjoyment after acquisition but in the continuous acquisition of the world’s goods before one’s brother or neighbor can take them first or take them from you” (Mansfield 1996a, p. 238). As soon as a republic focuses exclusively on enjoying what it has acquired, it is easy prey both for its enemies and for the ambitious within its own walls.

Even though Machiavelli explicitly says that “Rome had as its end empire and glory and not quiet,” he denies that Romans’ ambition was the sole cause of their constant wars; many wars “arose from the ambition of their neighbors, who wished to crush them” (D 1.39.2, p. 84). The ambition of its enemies, a “conspiracy of republics” surrounding it in Italy and in “every least part of the world” (D 2.2.2, p. 132), forced Rome to choose either to conquer or be conquered. Rome was surrounded by well-armed, ambitious republics from its very beginning. Only by overcoming them, which in the case of the Samnites, but one of Rome’s Italian rivals, took forty-six years of warfare (D 2.2.3, p. 132), was Rome able to secure itself from their aggression. For Rome to flourish, it was forced to subdue its enemies.

For Machiavelli, a republic is adequately prepared for its defense only if it is large and powerful. In his prescriptions for selecting a site upon which to found a republic, he warns against choosing one with infertile land, even though it would have the advantage of forcing men to “be more industrious, less seized by idleness” and therefore allow them to “live more united” (D 1.1.4, p. 8). In short, internal peace is not enough; without the ability to expand, a republic cannot flourish, and it may not survive attacks from larger, more powerful states. “Since men cannot secure themselves except with power, it is necessary to avoid this sterility in a country and to settle in the most fertile places, where,
since [the city] can expand because of the abundance of the site, it can both defend itself from whoever might assault it and crush anyone who might oppose its greatness” (D 1.1.4, p. 8). There are several reasons for Machiavelli to claim that a republic must be capable of expanding, of becoming “great,” if it is to flourish. Primary among them is his belief that a small republic will be hard pressed to defend itself against an attack from a large, well-armed republic such as Rome. A small, well-armed republic with good defenses and no imperial ambitions cannot deter the attacks of ambitious, large states. Even when there is nothing of value to gain, a republic will attack another simply “to become master of it” (D 1.6.4, p. 22; 2.19.1, p. 173).

**Empire and Unity**

From its very beginning, Rome sought to harness the desire to dominate through the pursuit of empire, and to defend itself from equally rapacious rivals. Both require an ever-increasing number of citizens, all of whom must be armed. Rome’s imperial project led to a political system in which both humors were able to participate. The talents of both the great and the people were needed, allowing the great to vent their ambitions through command, and the people to gain political power, which led to the “perfection” of the Roman constitution. Most importantly, empire allowed the great to transfer their political and military skills to the people, which both strengthened Rome and contributed to its glory. Because all of Rome’s citizens were responsible for its increasing power and glory, both humors were united by their common project of empire building. This unity overcame the desires of both humors to usurp power within Rome, thus keeping their
conflict within the law. Indeed, empire was the necessary ingredient in Rome’s internal institutions and policies.

As we shall see, a republic must prevent its most ambitious citizens from seizing power by guarding against their designs to favor the people and by punishing them swiftly and terribly when they violate the republic’s laws. But constraining the ambition of the great is only half of the solution. In a well-ordered republic, the laws and institutions give citizens ample opportunity to serve their desire to dominate in ways that are consistent with the republic’s safety and power. In addition, the republic must reward them for their actions, so that they win glory and esteem not by tyrannizing their fellow citizens, but by leading them. Through a combination of punishments and rewards, a republic can guide the ambition of men away from the attainment of “private” power and toward the glory of public service—defined by Machiavelli as “counseling well,” and “working better in the common benefit” (D 3.28.1, p. 276). In such cases, the individual executes the will of the republic using the power and authority of the public institutions and gains fame only through works that make the republic, not the individual in question, powerful. Rome was ordered well, because “to reward whoever worked well for the public, it ordered triumphs and all the other honors it gave its citizens” (D 3.28.1, p. 277). Machiavelli does not expect humans to direct their own ambition. It is the institutions of the republic that direct it to either good or evil ends. War is necessary for a republic to put the ambitions of its citizens, particularly those nobles with the most ability and a desire for command, to good ends.

Perhaps the most important reason Machiavelli believed that wars of expansion were necessary for a republic’s internal stability is that when the state is threatened, or
when new rivals for its command emerge, men elect leaders with the most virtù. When a republic stops fighting, it begins to elevate to power great flatterers and entertainers rather than great generals and leaders (D 1.18.3, p. 50). “It has always been, and will always be, that great and rare men are neglected in a republic in peaceful times. For through the envy that the reputation their virtue has given them has brought with it, one finds very many citizens in such times who wish to be not their equals but their superiors” (D 3.16.1, pp. 254-55). This is an extremely dangerous situation for a republic because “great and rare men” who see their inferiors honored and themselves neglected seek to avenge themselves on the republic (D 3.16.2, p. 255). Thus, the republic will find “at home” the enemy it did not find abroad (D 2.19.1, p. 173). Republics that fight “only when necessity constrains them” cannot secure themselves from the problems associated with neglecting their most able men, “and disorder will always arise when that neglected and virtuous citizen is vindictive and has some reputation and connection in the city” (D 3.16.2, p. 255). Because the Romans engaged in constant warfare, they always had need of excellent men. Nearly as important, inferior men who clamor for command in times of peace disappear, as it were, when danger and difficulty abound (D 3.16.3, p. 256). Thus, the republic, as long as it is governed during war, is governed well.

Apart from the need to direct the ambition of “great and rare men,” war serves the purpose of postponing the onset of corruption. For Machiavelli, constant warfare prevents humans from slipping into idleness, which always precedes corruption. The idleness peace produces can make a republic “either effeminate or divided; these two things together, or each by itself, would be the cause of its ruin” (D 1.6.4, p. 23). Peace can make men effeminate particularly if it is prolonged; the military arts decline or are
forgotten entirely in the absence of an external threat. When men appear to have a choice regarding whether to subject themselves to the hard discipline of military orders, they are likely to neglect them. War prevents such complacency.

Like effeminacy, division is a result of peace. When choice abounds, humans do their worst; they must be constrained by necessity if they are to be good (D 1.3.2, p. 15). The bad effects of being temporarily freed from necessity are elucidated in a psychological tendency with which “ancient writers” were intimately familiar: “men are wont to worry in evil and to become bored with good” (D 1.37, p. 78). Machiavelli says that both of these “passions” give rise to conflict. When men do not fight “through necessity,” meaning that they are fighting to preserve their freedom or to extend their dominion, they are prone to fight “through ambition” at home. That is, quiet in the republic leads to an increase of conflict between the two humors. Throughout Livy’s account of Roman history, the plebeians became vocal in their demands as soon as a war was completed. The patricians used the threat of a new war to dispel the plebeians’ demands, usually for a relief of their debts, a greater share of the republic’s wealth, or political power. This gambit was continually exposed by the tribunes, and the Roman people gained political power by refusing to enrol in military service (D 1.3.1, p. 15). However, in the face of a genuine threat, the plebeians obeyed their commanders, often to the consternation of their tribunes. Thus, the Romans fought wars against their enemies and against internal division at the same time. It was only when Rome, having conquered its enemies, had a protracted peace that the humoral conflict could not be managed in part by the threat of war (D 1.18.3, p. 50). In times of war, contending parties put aside their
differences for the safety of the republic. In Rome, this is how humoral conflict was alleviated.

Rome, by pursuing empire, obtained a useful resource for managing humoral conflict, allowed the ambitions of its "great and rare men" to be vented by dominating external enemies of the state instead of its citizens, and insured that its most able men would attain the rank necessary to vent that ambition. And as corruption is associated with the relaxation of effort, with the belief that a people is secure, the readiness necessary for continual warfare impeded its advance. "Expansion," Neal Wood concludes, "seems to be the most viable means of preserving social solidarity and morale, and of strengthening the virtues of courage and endurance, and thereby holding corruption in check" (Wood 1965, p. lii). States that do not pursue empire cannot avail themselves of these means, and are more easily corrupted by effeminacy and division.

Equally important, Rome's commitment to expansion was the deciding factor in the creation of the tribunate and therefore of Rome's solution to the problem of humoral conflict\(^6\) (D 1.4.1, p. 16). The patricians, under duress, reluctantly granted the plebeians an institution strong enough to make them rivals for political power in Rome. The reason the plebeians had enough power to wrest such enormous concessions is that the Romans needed the plebeians to fill the legions. The nobles needed to "avail themselves of the

---

\(^6\) John Pocock argues that, according to Machiavelli, the internal orders of Rome had the unintended effect of making Rome a strong imperial power (Pocock 1975, pp. 195-96). But as we have seen, Rome actively pursued empire, and the people could never have obtained the tribunate unless the Romans had armed them for expansionary war. For these reasons, I agree with Anthony Parel's analysis: "It was because Rome wanted to be powerful externally that she developed free institutions internally" (Parel 1992, p. 133).
people in important things,” namely the pursuit of empire, and the plebeians obtained numerous concessions by refusing “to enroll their names to go to war, so that to placate them, there was need to satisfy them in some mode” (D 1.4.1, p. 17).

The plebeians were successful in gaining power not only because they were armed, but also because their numbers were constantly increased to provide more soldiers for the maintenance of its empire (D 1.6.3, p. 21; D 2.192, p. 174). Rome grew larger through “love and force”; it liberally extended citizenship to foreigners and sometimes compelled conquered peoples to become citizens, particularly those who had staunchly defended themselves from attack (D 2.3.1, pp. 133-34). These policies “gave the plebs strength and increase and infinite opportunities for tumult” (D 1.6.3, p. 21). The popular humor “had more part in the city, because it carried more danger in wars, because it was that with which its arms kept Rome free and powerful” and therefore it was not satisfied with having the tribunate, but demanded a share of honors and offices commensurate with its contribution to Rome’s power and glory. The senate masterfully temporized with the plebeians, but in the end, the plebeians obtained the right to serve in the highest offices of the republic, including the consulate and the censorship, paragons of the grandi’s political prerogatives. This, Machiavelli believes, was fitting, “for men cannot be given trouble without a reward” (D 1.60.1, p. 121). The tumults between the patricians and the plebeians, which appear to reveal disorder, actually signify well-ordered institutions that produce both stability and power: stability because the ambition of the nobles and the ambition of the plebs counteract one another; power, because the Roman plebeians, armed and ever-increasing, were the backbone of a Roman army that conquered and commanded its enemies. Machiavelli rebukes those who hold that Rome’s tumults betray
inferior orders because they fail to see that "if Rome wished to remove the cause of its tumults, it removed too the causes of expansion" (D 1.6.3, p. 21). Any republic that desires empire will be forced to "do everything as Rome did" (D 1.5.3, p. 18).

For Machiavelli, the discord between the patricians and plebeians in Rome, acrimonious though it was, was contained within the confines of the laws (until Rome was corrupted) because neither humor wanted to jeopardize the free institutions that had gained the republic so much wealth and power, and had made all citizens glorious because they were all Romans. It was also kept within certain limits because the people, as the main part of the army, had gained considerable military expertise. They were well-ordered by their commanders, and they internalized those orders so well that they were capable of fighting and winning without their commanders when forced to by necessity (D 3.33.1, p. 287). Because, until Rome became corrupt, the plebeians’ goal was to share in the honors the patricians were keeping for themselves, they sought to become equal with the patricians, rather than to beat them down. Thus, through the tumults, the plebeians were elevated more than the patricians were reduced, and Rome became stronger: "Through the people's victories the city of Rome became more excellent, because, along with the nobles, men from the people could be appointed to administer the magistracies, the armies, and the high offices; thus the latter acquired the same ability the

---

7 Among the "many" who criticized Rome’s internal orders were Plutarch, "a very grave writer" and Livy himself (D 2.1.1, pp. 125-26). They ascribe Rome’s greatness to fortune and good arms, which masked its alleged institutional defects. But, of course, good arms are the product of good institutions; for proof of Rome’s military excellence, one need only consider the warlike republics Rome conquered (D 2.2.2, p. 132), and the greatness of its empire. "Thus," Machiavelli says, "one should blame the Romans more sparingly and consider that so many good effects would not have emerged from that republic if not caused by the best causes" (D 1.4.2, p. 17).
former had, and that city, as it increased in excellence, increased in power” (HF 3.1, pp. 1140-41). The patricians yielded reluctantly, as we have said, but they could endure the encroachment of the people because they were able to understand that Rome’s glory was impossible without their participation not only in the legions, but in the magistracies. This realization did not make Rome tranquil. As we shall see, Rome’s internal institutions have, as their sole aim, the containment of humoral conflict. But the key is that Rome’s tumults were “ended by debating” and “terminated by law” (HF 3.1, p. 1140). Machiavelli freely admits that, eventually, humoral conflict ended Rome’s liberty (D 1.37.3, p. 80). However, the glory of the empire, and the participation of all of Rome’s citizens in it, tempered the rivalry between the two humors and allowed Rome to live free for hundreds of years.

_Sparta and Venice: The Necessity of Empire_

Machiavelli proves the necessity both of expansion and of imitating Rome’s institutions by comparing Rome with Sparta and Venice. According to John Pocock, Machiavelli selected Sparta and Venice because they were “the two republics endowed by literature with extraordinary longevity” (Pocock 1975, pp. 112-13). Neither Sparta nor Venice were ordered “to make a great empire” (D 1.6.3, p. 21) and thus neither gave their plebeians the opportunity to obtain political power. This allowed the Spartans and the Venetians to place “the guard of freedom” in the hands of the nobles, making them aristocratic rather than popular republics. For “the city that does not put its plebs to work in any glorious affair can treat it in its own mode. . .” (D 1.60.1, p. 122). Both Sparta and Venice managed their humoral conflict more “quietly” than Rome because the people
were denied political power and had no opportunity to obtain it, so that the nobles were able to govern the people without incident. Moreover, both possessed institutional safeguards to prevent the nobles from oppressing the people. The modes by which these two republics settled their humoral conflict appeared to Rome's critics to be superior: their domestic relations were not marred by "enmities" and "tumults" between the grandi and the popolo which provided the efficient cause of Rome's ruin. The absence of this conflict in Sparta and Venice, it seemed, allowed them to maintain their freedom longer (D 1.5.2, p. 18). Machiavelli tells us that the tranquility of Sparta and Venice was obtained the cost of vulnerability, however, because it required having a populace that was small in size, unarmed, or both. "If you maintain [the plebs] either small or unarmed so as to be able to manage it, then you cannot hold it or you become so cowardly that you are the prey of whoever assaults you" (D 1.6.3, pp. 21-2). Although these two republics appeared, to the untutored eye, to have better orders than Rome, their "quiet" did not allow them to expand when they were forced to do so by necessity.

The strength of Sparta, and the primary reason for its longevity, was its unity (D 1.6.2, p. 21). Sparta had few inhabitants, its citizens zealously followed the laws instituted by its founder Lycurgus, and most importantly, it refused to grant foreigners either land or citizenship. "Since they did not accept foreigners in their republic [the Spartans] had opportunity neither to be corrupted nor to grow so much that it was unendurable by the few who governed it" (D 1.6.2, p. 21). Governed by "a king and a small senate," the nobles could easily manage the plebeians (D 1.5.1, p. 20). Despite the fact that the people were armed and shared in the defense of the city, they did not wish to share political power because the nobles lacked the prerogative of greater wealth and
because the Spartan king used his authority “to defend the plebs from every injury” (D 1.6.2, p. 21). Lacking jealousy over wealth and not fearing injury from the nobles on account of the king’s protection, the people had no desire to rule. Thus, “the rivalry it could have had with the nobility was taken away” (D 1.6.2, p. 21). Sparta resisted expansion and therefore avoided the formation of a large and proud plebeian class that could demand political power.

Even though Sparta was “very armed and ordered with very good laws,” Machiavelli concludes that its institutions were fatally flawed because they were deliberately designed to keep Sparta small and insular. The wish to order a republic so that its numbers never increase is well-intentioned, but misplaced. Machiavelli admits that intercourse between a republic’s citizens and foreigners can engender corruption (D 2.3.1, p. 134; D 2.19.2, p. 175). He also states that a small republic with a fixed citizenry, if it could be maintained, “would be the true political way of life and true quiet of a city” (D 1.6.4, 23). For these reasons Lycurgus went to extraordinary lengths to maintain Sparta’s small size⁸ “so the city could never thicken with inhabitants” (D 2.3.1, p. 134). These provisions, in addition to the prohibition against annexing new territory, were specifically designed to prevent the Spartans from aspiring to empire. Nevertheless, they succeeded only in ensuring that the Spartans could not profit from empire, for despite his efforts, Lycurgus, according to Polybius, “left them in regard to the rest of Greece ambitious, eager for supremacy, and encroaching in the highest degree” (Polybius 1962, 2.3.1, p. 134).

⁸ Machiavelli writes, “Besides not admitting [foreigners] into marriages, into citizenship, and into other dealings that make men come together, he ordered that leather money should be spent in his republic to take away from everyone the desire to come there, to bring merchandise there, or to bring some art there. . .” (D 2.3.1, p. 134).
p. 498). This comes as no surprise to Machiavelli. Men, who are naturally inclined toward domination, can be expected to desire empire, particularly when they are ordered in a republic, for which empire is the necessary and appropriate end.

Sparta's arms, fortified by laws and customs that gave its soldiers a nearly inhuman contempt for death, were destined to gain Sparta an empire. However, its restrictions on extending citizenship made it impossible for Sparta to arm more than twenty thousand men (D 2.3.1, p. 134), a number with which it is often possible to conquer, but not to hold onto one's conquests:

... Since all of our actions imitate nature, it is neither possible nor natural for a thin trunk to support a thin branch. So a small republic cannot seize cities or kingdoms that are sounder or thicker than it. If, however, it seizes one, what happens is as with a tree that has a branch thicker than the stem: it supports it with labor, and every small wind breaks it. Thus, it was seen to happen with Sparta, which had seized all the cities of Greece. No sooner did Thebes rebel than all the other cities rebelled, and the trunk alone remained without branches. This could not happen to Rome since its stem was so thick that it could support any branch whatever. (D 2.3.1, p. 134).

---

9 As Neal Wood argues, "One of Machiavelli's assumptions, though it is never clearly articulated, is that an army tends to reflect the quality of the civil society of which it is a part. . . . A factional, corrupt society will put a feeble and undisciplined fighting force in the field. The army of a well-ordered polity will perform with spirit and efficiency" (Wood 1965, p. lxxii). This assumption is at the heart of Machiavelli's assertion that the cycle of regimes will not go on in perpetuity, as Polybius believed, because when a regime is in decline, it will become "subject to a neighboring state that is ordered better than it" (D 1.2.4, p. 13). Sparta was well-ordered with regard to the creation of good soldiers and martial spirit, but poorly ordered with regard to its small number of citizen-soldiers.
Sparta—small, insular, and tranquil—appears to some (and even the eyes of "grave" writers) to be a paragon of stability and longevity. However, Sparta's longevity was due more to good fortune than to good institutions. Had Sparta been forced to expand sooner, it would have fallen sooner. For all his adroit legislation, Lycurgus sought to suppress the deep, innate desire to dominate that compels men to seek empire, however much their institutions discourage it. Sparta's solution to the problem of humoral conflict made it impossible for it to expand its citizenry and retain the same form of government.

Aristocratic republics may be tranquil, and of all regimes, they may be best suited to "a true political way of life," but they are doomed. They can only exist as long as they can refrain from expanding. But because human nature and republican government itself are inclined toward expansion, a republic that is unprepared for it cannot be considered either stable or well-ordered, even if it is "very well armed" like Sparta.¹⁰

While Sparta can be blamed for fruitlessly attempting to resist the lure of expansion, the sin of Venice was just as deadly, and even more blameworthy. Venice desired empire, but pursued it with an even slighter foundation than Sparta. In Venice,

¹⁰ Thus, the choice that Mark Hulliung says that Machiavelli insists one must make "between a republic for 'preservation' and one for 'increase,' between Sparta and Rome, between a durable civic virtue without empire, and half as durable a civic virtue with empire, between eight hundred years of stationary Sparta and four hundred years of mobile Rome" (Hulliung 1983, p. 46) is not a choice at all. Machiavelli does not believe that one may choose between stability and empire because empire is the only means of achieving a truly durable stability, as opposed to Sparta's reliance upon Fortuna. As John Pocock states, "A republic which could avoid all contact with her neighbors forever might limit her arms and live in aristocratic stability for ever; but since this cannot be done, to reject expansion is to expose oneself to fortune without seeking to dominate her. . . The Roman path does not guarantee against ultimate degeneration, but in the present and foreseeable future—in the world of accidental time, in short—it is both wiser and more glorious" (Pocock 1975, p. 199).
the people were neither numerous nor armed. The nobles, who were a greater part of the city than the people, "did not put them to work in things in which they could seize authority" (D 1.6.1, pp. 20-21) such as the defense and augmentation of the republic. Small in number, and having no share in the dangers of defending the republic, the people had little cause for tumult and lacked the means to effectuate whatever demands they might have. Aside from this, the Venetian people were kept out of government "by constitutional arrangement and voluntary agreement" (Pare 1992, p. 134) which both the "gentlemen" and the people found tolerable, largely because both the grandi and the popolo in Venice were merchants engaged in money-making ventures; plebeian status was not a bar to the accumulation of wealth. The duty of defending the patria fell upon neither humor, but was farmed out to mercenary soldiers, the "uselessness" of which Machiavelli takes great pains to prove in both The Prince and the Discourses. Rather than trying to acquire an empire with its own arms, Venice relied on a combination of "money and astuteness"\(^1\) and mercenaries to seize most of Italy. It lost its empire and nearly its state in one day "when it had to put its forces to the proof" (D 1.6.4, p. 22). Small, and lacking its own arms, Venice was entirely unable to profit from empire, and was fortunate to retain its liberty after its disastrous and ignominious foray into the world of conquest (D 1.6.4, p. 22). Like Sparta, had Venice attempted to acquire empire sooner, it would have fallen sooner; its longevity was granted by fortune despite its obviously inferior orders, chief of which was the absence of its own arms.

\(^{11}\) Rome, however, "never acquired lands with money, never made peace with money, but always with the virtue of arms—which I do not believe ever happened to any other republic" (D 2.30.1, p. 199).
In attempting to resist the call of empire, Sparta missed the point of republican
government, which is to satisfy the very desires Lycurgus sought to suppress. The
Venetians, like so many other Italian republics, simply had no idea how to obtain the
empire it desired. Both of the republics with which Rome was unfavorably compared by
"many" are, according to Machiavelli's analysis, inferior because they did not know how
to acquire empire and did not understand its necessity, while Rome placed empire at the
center of its domestic institutions and its foreign policy. Not only did Rome know that all
men are driven by the desire to acquire empire, it knew how to gain and maintain empire.
In addition to their other faults, Sparta and Venice were ignorant of the means by which
conquests are best held.

The Roman method of acquiring empire—which for Machiavelli was all the more
remarkable since there had been no prior example of it—clearly has no peer (D 2.4.2, p.
138). A republic that wishes to approximate Rome's greatness would believe, as Rome
did,

that increasing the inhabitants of one's city, getting partners and not subjects,

sending colonies to guard countries that have been acquired, making capital out of
booty, subduing the enemy with raids and battles and not with sieges, keeping the
public rich and the private poor, and maintaining military exercises with the
highest seriousness is the true way to make a republic great and to acquire empire.
(D 2.19.1, pp. 172-73).

Sparta undoubtedly took its military exercises seriously, and Machiavelli perhaps regrets
that so much martial spirit was not translated into the power and glory to which its
excellent arms could have led it. However, Sparta failed to follow any of the other steps
Machiavelli outlines. Instead of turning conquered nations into partners that could be used for further conquests, as the Romans did with many of the Italian republics it subdued, Sparta attempted to make subjects of the Greek republics. Venice and his native Florence earn Machiavelli’s censure because they had the example of Rome to follow, but failed to follow it. Although they eventually attempted to extend their power, they lacked their own forces, “and whoever acquires empire without forces is fittingly ruined” as these republics were by their acquisitions (D 2.19.2, p. 174). Machiavelli concludes that the republic that does not follow the Roman mode of expansion, outlined above, “seeks not [its] life but [its] death and ruin” (D 2.19.2, p. 174). Both in the end are blameworthy because they desired empire, but did not know how to acquire it and maintain their states. “To desire to acquire is truly something very natural and ordinary, and always, when men do it who can, they will be lauded, or not blamed; but when they cannot, and want to do it anyway, there lie the error and the blame” (P 3, p. 13; D 2.19.2, p. 174).

Small, aristocratic, and tranquil: these attributes are a poor fit for a republic that wishes to last a long time. And although Sparta and Venice appeared to have settled their humoral conflict in ways that were less acrimonious, less destructive, and more inclined toward stability and longevity by granting the nobles the “guard of freedom,” the opposite was the case because empire was “poison” to them (D 1.6.4, p. 22). Sparta and Venice were ignorant of the necessity of empire to both human nature and republican government. Rome’s superiority consists in its tumultuous solution to humoral conflict, in institutions that both required empire and were capable of sustaining empire, while those of Sparta and Venice could persist only when empire was avoided. Because Machiavelli believes that empire must not be avoided, because human nature demands
acquisition, republics that cannot survive expansion simply cannot survive. As Anthony Parel tells us,

What is clear is that Machiavelli did not recommend republicanism for the sake of liberty alone. Self-government is not enough to satisfy the humors for wealth and power. Indeed, self-government without expansion, he feels, is a foolish policy. Only a policy of self-government with expansion is consistent with his theory of humors (Parel 1992, p. 135).

The lives of aristocratic republics will be extended only so long as the necessity of expansion is forestalled; *Fortuna*, not the republic itself, controls the advent of this necessity. *Fortuna*, as we know, is a swift destroyer of unfortified human constructs, but she nevertheless smiled upon Sparta and Venice for centuries. As all republics cannot expect such preferential treatment, they must follow the Roman mode of internal government and foreign policy if they hope to endure.

II. The Two Humors and Rome's Internal Orders

The serious and natural enmities between the people and the nobles, caused by the latter's wish to rule and the former’s not to be enthralled, bring about all the evils that spring up in cities; by this opposition of parties all the other things that disturb republics are nourished. (HF 3.1, p. 1140)

Discipline through arms, warfare, and empire-building is the necessary foundation of republican government. But because ambition is so strong, because the desire to dominate cannot be satiated, a republic is compelled to erect internal institutions that
control the ambitions of the two humors, the great and the people. The "serious and natural enmities" between the two humors exist in every city, but they can lead either to ruin, as they so often did in Florence (HF Preface, p. 1031), or to a tumultuous unity that makes the state more excellent and powerful, as they did in Rome\(^{12}\) (D 1.4.2, p. 17; HF 3.1, p. 1140). The difference between these two outcomes lies not in the character of the conflict, but in how well a republic's institutions create a legal framework for allowing the two humors to vent their ambitions and hatreds. No republic equaled Rome in the wisdom of its institutions because these institutions allowed the people, whose just claims so often go unheard, to share in the government. The people opposed the great, whose desire to dominate is so strong that it can ruin a state if it goes unchecked, and at the same time were able to release the immense, but temporary, hatreds for particular citizens that occasionally well up. Both of these innovations allowed Rome to live free and uncorrupt for such a long time (D 1.37.3, p. 80). Because Machiavelli attaches so much importance to the conflict between the two humors, believing that nothing is so important to those who order republics as to create unity from this inherent disunity (HF Preface, p. 1031), we shall examine both the humors and Machiavelli's (and Rome's) solutions to the problem of humoral conflict in detail.

\(^{12}\) Although Machiavelli concedes that Rome's modes "were extraordinary and almost wild, to see the people together crying out against the senate, the senate against the people, running tumultuously through the streets, closing shops, the whole plebs leaving Rome" he insists that their effects were good. "For whoever examines well their end will find they engendered not any exile or violence unfavorable to the common good but laws and orders in benefit of public freedom" (D 1.4.1, pp. 16-17).
The Two Humors

Although all men hunger for power, glory, and riches according to Machiavelli, the grandi are particularly rapacious and domineering (Wood 1972b, p. 288-89). The passions of the nobles are immense; because they have been trained from birth in the arts of politics and warfare, their abilities are superior. Thus, they manage to acquire the lion’s share of the things for which all men contend, especially political power and wealth. To some degree, this is advantageous for republics because the noble humor produces most of the finest generals and statesmen. However, the desires of this humor are less “pure” than those of the popular humor; the nobles desire not only to command the people, but also to oppress them (D 1.5.2, p. 18).

While the principal desire of the nobles is to oppress the people, the people’s primary objective is to be free from oppression. They have lesser abilities than the nobles, and therefore more modest hopes. The people surpass the nobles in number and in strength, but they are easily manipulated by the nobles unless they possess an institution to unify them, and to articulate and defend their interests (D 1.44.1, p. 92; 1.57.1, p. 114-15). Although the people are not adept at ordering laws, they are faithful stewards of the political order once it is established (D 1.58.3, p. 118). They have a “greater will to live free” than the nobles and defend the laws vigilantly (D 1.5.2, p. 18).

It is crucial to recognize that the two humors do not represent two different natures; nor does Machiavelli’s theory of the two humors contradict his idea of human nature as outlined in the previous chapter. Although the differences between the great and the people are manifest, the two humors are merely two ‘masks’ of one nature. Even though the people are characterized by a desire to remain free from domination, while the
nobles are intent upon dominating them, their diverse desires result from the relative ability of each humor to subvert the political order for its own advantage. The people cling more tenaciously to the laws because they have less hope of seizing power (D 1.5.2, p. 18). Between the two humors “the variations in their actions come not from a different nature—because that is the same in all men—but from having more or less respect for the laws under which both of them live”\(^{13}\) (D 1.58, my emphasis). All humans share the same nature. They all have the bestial propensity to transgress the laws when it serves their interests. The people are not more attached to the laws because they are inherently different than the nobles, but because they have more to lose if the laws are violated because, in all likelihood, it is the nobles who violate them for their own benefit. As we shall see below, however, the people are just as likely to break the laws in order to oppress the nobles when they have the opportunity.

Machiavelli puts forth two fundamental psychological insights that explain both the unitary nature of the two humors and the bases of their eternal conflict. The two humors are motivated by the same ambitions and compete for the same goods, yet they behave differently as political classes. His insights are founded upon his belief that “all things of men are in motion and cannot stay steady” (D 1.6.4, p. 23). Men are unable to enjoy contentment or quiet. Driven by their desires—for command, riches, and

\(^{13}\) I have selected this passage from Alan Gilbert’s translation of the *Discourses* (CW 1, p. 315) because he is clearer than Mansfield and Tarcov on the point that human nature is the same in all men. Whereas Gilbert’s translation reads “because [human nature] is the same in all men,” Mansfield and Tarcov’s translation reads, “because it is in one mode in all” (D 1.58.3, p. 117).
security—they must always strive and act, remaining in constant motion.¹⁴ Men are psychologically predisposed to “ascend from one ambition to another” (D 1.46.1, p. 95). The most fundamental ambition men have, as members of the two humors and as individuals, is to avoid being harmed or tyrannized. Next, and inevitably, they seek to oppress.¹⁵ (D 1.46, p. 95). The desires of the people are limited to remaining free from oppression because their chances of successfully seizing the state and using political power to persecute their rivals are so remote. When they are able to gain enough power to keep the nobles at bay, the desires of the people change; no longer content to remain free from oppression, they seek to oppress the nobles.

Thus desire for defending its liberty made each party try to become strong enough to tyrannize over the other. For the law of these matters is that when men seek to escape fear, they make others fear, and the injury they push away from themselves they lay on others, as if it were necessary either to harm or to be harmed (D 1.46.1, p. 95).

To some degree, the desire to oppress one’s oppressors is prudent; do harm to those who have done you harm in order to weaken them. But Machiavelli’s point is that the struggle for supremacy between the two parties was constant; each humor tried to oppress the other. This is what makes humoral conflict so dangerous. In Rome, even though the

¹⁴ For more on the necessity of motion in the human psyche, see Dante Germino’s “Machiavelli’s Thoughts on Psyche and Society.” For the necessity of motion in the “sublunar” realm humans inhabit, see Anthony Parel’s The Machiavellian Cosmos.

¹⁵ The predisposition to “ascend from one ambition to another” affects men as individuals, as members of the two humors, and collectively as a republican citizenry (D 1.46.1, pp. 95-6; D 2.19.1, p. 173).
desire to dominate was vented on enemies, and even though the Romans were united by their common project of empire, discord between the two humors was nevertheless fierce. Neither the nobles nor the people could enjoy peace: "either the people or the nobility always became too proud when the other humbled itself" (D 1.46.1, p. 95). If the people truly desired only freedom from oppression, then the humility of the nobles would provide a welcome respite from humoral conflict. Instead, the people’s passions quickly change from avoiding oppression to oppressing when the opportunity arises.

In addition to sharing the desire to oppress, the two humors are driven by the same desire to acquire. The fundamental source of conflict between the grandi and the popolo is the distribution of the political power and “honors and belongings,” the things “esteemed most by men” (D 1.37.1, p. 78). Machiavelli considers whether the grandi, who wish to preserve their share of esteemed things, or the popolo, who wish to acquire more of them, have more cause for “tumult” in a republic. The distinction between preserving and acquiring, which separates the noble humor from the popular humor, collapses as Machiavelli analyzes it. The people hope to acquire because they are not satisfied with their meager share of the things “esteemed by men,” nor can they ever be satisfied. “The cause is that nature has created men so that they are able to desire everything and are unable to attain everything. So, since the desire to acquire is always greater than the power of acquiring, the result is discontent with what one possesses and a lack of satisfaction with it” (D 1.37.1, p. 78). The people are forever trying to extract a greater share from the nobles, jeopardizing the stability of the political order in the process. The nobility, which according to conventional wisdom would have an interest in maintaining a republic’s laws and institutions to preserve their prerogatives, actually have
greater reason to subvert them, according to Machiavelli's logic. The nobles require constant acquisition in order to feel secure with what they already possess "because the fear of losing generates in him the same desires that are in those who desire to acquire" (D 1.5.4, p. 19). In addition to their psychological restlessness, the nobles are plagued, as are the people, with dissatisfaction with what they possess. Ambition is such a powerful force of human motivation that the nobles are not satisfied with most of the wealth, status, and power, but desire all of it (D 1.37.1, p. 78). The conflict between the two humors is intensified by the fact that the acquisition of honors, property, and riches often takes on the character of a zero-sum game, despite the fact that the acquisition of wealth and power through empire provides plenty to go around. The people often think that they can acquire only at the expense of the nobles, and vice versa. So the ambitions that drive all men are reduced, in the context of humoral conflict, to a battle between those who have much and want more, and those who have little and want more. In either case, gains are made by depriving members of the other humor of what they already have.

Driven by the desire to dominate, ambitious, covetous of gain, jealous of their prerogatives and eager to obtain more, human nature as expressed through the two humors seems to be infertile ground in which to sow the seeds of republican government. This is certainly true if one assumes that republican government requires "virtuous" citizens who enthusiastically sacrifice their own interests for the public interest (Hulliung 1976, p. 145). Machiavelli makes no such assumption. He holds that any republican government that relies upon the self-sacrifice of its citizens for its prosperity and survival is doomed to failure. The chronicles of human history do not vindicate the belief that men are good and can be counted upon to subordinate their interests to the public interest.
On the contrary, “As all those demonstrate who reason on a civil way of life, and as every history is full of examples, it is necessary to whoever disposes a republic and orders laws in it to presuppose that all men are bad, and that they always have to use the malignancy of their spirit whenever they have a free opportunity for it” (D 1.3.1, p. 15). The ‘malignant spirit’ of man seems to preclude the possibility of republican government. A republic, after all, is the only form of government that has the common good as its telos (D 2.2.1, p. 130). Machiavelli must solve the following problem: how can men who look exclusively to serve their own individual and sectarian good, who occupy two rival political classes that wish to oppress each other, possibly form a government that effectuates the common good? Machiavelli’s solution to this problem is to use the natural “disunion” between the grandi and the popolo, which can easily destroy political order, to make the republic stable, secure and free. To convert disunion into freedom, the most necessary step is to create institutions that give each humor a great enough share of

---

16 Anthony Parel argues that individuals are primarily important to Machiavelli as members of the two humors; they express their desires, tendencies, and political importance as humors, not as individuals. “Machiavelli does not say that political societies are composed of free individuals; rather, he says that they are composed of the two humors. In Machiavelli’s analysis, the individuals become significant only as members of either the patrician or the plebeian humor” (Parel 1992, p. 124). Parel makes this point to debunk the notion that Machiavelli incorporates the liberal ideals of individual freedom and so-called “negative liberty” in his theory of republican government. I agree with Parel that the individual, as a holder of rights, is not important to Machiavelli. This is not to say that Machiavelli holds individuals to be inconsequential, however. The prince, of course, is “one man alone” who orders states. The most ambitious and able individuals of the noble humor pose a particular problem for republics. Likewise, the men of “extreme virtue” who punish transgressors of the laws “excessively” and who reorder a republic by dint of these executions are important individuals. But liberal notion of the individual as the stuff of politics is absent in Machiavelli. Furthermore, we must remember that human nature as such still exists; it is not cancelled by the two humors. Rather, the two humors are particular manifestations of human nature.
political power that it can protect itself from the encroachment of the other. Or as James Madison later formulated it, “Ambition must be made to counteract ambition”17 (Madison 1988, p. 262).

In Machiavelli’s view, only the Roman republic understood that “all the laws that are made in favor of freedom” in a republic owe their origin to institutions that guide, contain, and manage this inevitable clash of ambitions and its ramifications (D 1.4.1, p. 16). The Roman constitution endowed the patricians and, most importantly, the plebeians with powerful offices, so that neither humor was able to seize control of the state, although they always competed for control. However, the eternal and insatiable appetites for domination and acquisition make it incredibly difficult for republics to maintain themselves, despite the excellence of their institutions.

*Rome’s Internal Orders*

While Machiavelli briefly mentions the three major offices in Rome—the consulate, the senate, and the tribunate—in the context of Polybius’ theory of a mixed regime (D 1.2.7, p. 14), it becomes clear that he conceives of Rome’s three institutions in the context of humoral conflict. Rather than viewing the consulate as the “kingly” power and the senate as the “aristocratic” element, these institutions represent the sectarian interests of the noble humor. The tribunate, the eventual addition of which “perfected” and “stabilized” the Roman constitution (D 1.2.7, p. 14), was the office that protected the

17 For an excellent discussion of the similarities between Machiavelli’s and Madison’s understanding of human nature and how republican institutions must accommodate it, see David Ingersoll’s “Madison and Machiavelli.”
popular humor from the ambition of the nobles and allowed it to assert its ambition. As Anthony Parel argues,

What makes the Roman constitution perfect is the manner in which the discord between the people and the senate is resolved. In his view, the distinction between the consuls and the senate, by itself, is insignificant, if not misleading. For they both represent the humors of the patricians. Instead, he argues that the key to the correct interpretation of the Roman republic is the relationship between the two humors—the patricians and the plebeians—and not that of its three formal institutions—the consuls, the senate, and the tribunes of the plebs. (Parel 1992, p. 123).

From the outset of the *Discourses*, the battle between the noble and popular humors is fought through Rome’s institutions, which were essentially partisan instruments. All institutions wield power in a partisan manner; they act on behalf of either the grandi or the popolo, but never both. This is why each humor must have a share in political power for a republic to maintain its freedom. If one humor or the other is permitted to control all of the levers of power, it will use them to oppress the other. Principal among the many reasons why republics lose their freedom and degenerate into licenzia is the monopoly of power by one humor. The “balancing” of political power between the two humors is, then, the most important element of establishing a durable republic.

This being the case, Machiavelli turns his attention to which humor is to guard the republic’s freedom. By this, Machiavelli means institutions that are designed to prevent men from seizing power, and as political institutions are irreducibly partisan, one humor must be selected to possess the “guard of freedom.” Machiavelli states, “For those who
have prudently constituted a republic, among the most necessary things ordered by them has been to constitute a guard for freedom, and according as this is well placed, that free way of life lasts more or less” (D 1.5.1, p. 17). The question is whether to entrust the nobles or the people with this solemn responsibility, knowing full well this guard will be put to partisan ends.

Machiavelli determines that the people are much more likely to uphold the laws than the nobles because, as we have seen, they have less chance and therefore “less appetite” for seizing the state. “So when those who are popular are posted as the guard of freedom, it is reasonable that they have more care for it, and since they are not able to seize it, they do not permit others to seize it” (D 1.5.2, p. 18). Machiavelli holds this view even though he readily admits that the people used the office with which they preserved freedom, the tribunate, as a weapon against the nobility. They used the authority of the tribunate to strip the nobles of their exclusive hold on high offices gradually. Not content to settle for political equality, their desire for command reached such a pitch that “they began to adore those men who they saw were apt to beat down the nobility, from which came the power of Marius and the ruin of Rome” (D 1.5.2, p. 18). Although the ambition of the popular humor, exercised through the tribunate, finally broke down the republic, the possession of the guard of freedom by the nobles is devastating to a republic’s freedom. Granting those with greater abilities, greater means, and stronger passions yet another mode of expressing their destructive ambitions is sheer folly. The excesses of the people ruined Rome, but it would “have been led into servitude much sooner if the plebs had not checked the ambition of the nobles” (D 1.37.3, p. 80).
The nobles clearly present a more immediate danger to the freedom of the state in Machiavelli’s estimation. The early history of Rome provides an example of what the nobles will do when they are unchecked, as they were prior to the creation of the tribunate, by an opposing force. Before Rome became a republic, the power of the kings checked the senate, then the sole locus of the nobles’ power (D 1.3.1. p.15). When the kings were expelled, the consuls were created to simulate the power of the kings, but the consuls augmented the power of the nobles rather than checking it. Once the kings were expelled, so was the institutional check on the patricians’ power, and they “began to spit out that poison against the plebs that they held in their breasts, and they offended it in all the modes they could” (D 1.3.1, p. 15). The behavior of the patricians after the expulsion of the kings proves Machiavelli’s point that “men never work any good except through necessity” (D 1.3.1, p. 15). Without the tribunate, the plebeians had no means to protect themselves from the ambition of the nobles, who were incapable of self-restraint. Only an institution with the power to punish the nobles’ transgressions could deter them. The tribunate allowed the ambition of the nobles to be checked by the ambition of the people, which poses less of a danger to a republic. “The desires of the people are rarely pernicious to freedom because they arise either from being oppressed or from the suspicion that they may be oppressed” (D 1.4.1, p. 17). Although we have seen that the desire to avoid oppression is eventually transformed into the desire to oppress, as happened with Rome’s plebeians, this process is slow. Given the choice between slowly losing its freedom through the ambition of the people and losing it swiftly to rapacious nobles, a republic would be wise to choose the former.
By providing the popular humor with an institution through which it could protect itself from the rapacity of the nobles, Rome offered the best possible solution to the eternal problem of humoral conflict. The nobles and the people fought for supremacy of the state, not through warfare or street violence, but through a set of institutions that managed their conflict through established modes and orders. Rome’s infamous tumults, which attracted the censure of commentators ancient and modern, were to Machiavelli the obvious signs of a stable and durable political order (D 1.4.1, p. 16). Until Rome’s collapse, they never ended in bloodshed, but rather produced political stalemate, the only kind of equilibrium possible in Machiavelli’s world of constant motion. Furthermore, the clash of ambitions served the common good, as the excellence of Rome’s orders proves.

“Nor can one in any mode, with reason, call a republic disordered where there are so many examples of virtue; for good examples arise from good education, good education from good laws, and good laws from those tumults that many inconsiderately damn” (D 1.4.1, p. 16). The common good results from humoral conflict because neither humor can control the government. Power is shared, and therefore compromise is necessary; the laws favor neither the people nor the nobles exclusively, but both. The representation of both humors obliges the republic’s laws, and their execution, to be impartial. This impartiality breaks down (and the republic with it) when one humor can control the republic’s institutions, or transgress them altogether.

Ordinary vs. Extraordinary Modes of Conflict

The establishment of the tribunate, while a necessary component of Rome’s stability, was not a sufficient one. The conflict between the two humors pitted strong and
mutually exclusive desires against one another; the tribunate provided a means for the people to oppose the nobles, but further laws and institutions were needed to purge the "malignant humors"—the hatred and hostility which are an intrinsic result of humoral rivalry. Moreover, a republic must guard against the designs of its "ambitious men."

Although empire provides the ambitious with edifying outlets for their ambitions, there is always the danger that they will use the people's hatred of the nobles to ascend to tyranny. Thus, a republic needs to erect further institutions to purge malignant humors and to crush "those citizens who live ambitiously in a republic" (D 1.46.1, p. 95).

The aim of such institutions is to prevent "private" individuals from either the compulsion or the opportunity of settling their conflicts "outside the laws." The republic's magistrates must retain the exclusive right to judge, mete out punishments, and mediate the settling of humoral conflicts. Machiavelli draws a distinction between "ordinary modes" and "extraordinary modes" of settling conflicts and coping with volatile circumstances. By ordinary modes, Machiavelli means "within the established laws." Whenever disputes arise, whenever the laws are violated, the republic must ensure that ordinary modes are employed to bring the issue to a conclusion.

Extraordinary modes are those which men must resort to either because a law does not exist or because the laws have lost their authority. In the first case, it is necessary for a republic to have laws in place for every contingency so that, in order to preserve the republic from danger, citizens are not forced to break the laws.

In a republic, one would not wish anything ever to happen that has to be governed by extraordinary modes. For although the extraordinary mode may do good then, nonetheless the example does ill; for if one sets up the habit of breaking the orders
for the sake of good, then later, under that coloring, they are broken for ill. (D 1.34.3, p. 75)

Machiavelli’s paradigm example is the dictatorship, which was created to allow the Romans to select one man to rule absolutely during times of crisis\(^{18}\) (D 1.34, pp. 73-5). Because it is sometimes necessary for a republic to be governed in the manner of a principality, it is best to have a law in place so that one man can ascend to power with the republic’s sanction, for a limited time, as did the dictators, and not be forced to seize the state, even for the good of all. For, as Machiavelli says, “all bad examples arise from good beginnings” (D 1.46.1, p. 95). In the second case, when the republic either loses its power to maintain order, to enforce the laws, or to ensure their impartial execution, men resort to “extraordinary modes” of protecting themselves. Private forces fill the void the absence of public execution has left. The conflict is resolved not through laws, judgements and executions controlled by the state, but through armed conflict between partisan forces. A republic must foresee all the ways in which humoral conflict can imperil the republic so that laws can be made to mitigate and contain its effects. Thus the Romans sought to have ordinary modes for settling all manners of humoral conflict, and

---

\(^{18}\) For Machiavelli, the dictator was one of the most important Roman institutions because it allowed a republic, which of necessity deliberates slowly, to act quickly and decisively in emergencies. While the office of the dictator was not the partisan instrument of either humor, a dictator was often elected to settle domestic conflicts that had reached a critical pass. More often than not, an “ambitious man” was at the heart of these dangerous tumults, and the dictator dispersed the mob and dispatched their “champion.” In Livy’s account, the dictator often settled domestic conflicts in favor of the patricians, but for Machiavelli, the dictator is the embodiment of the impartial execution of the laws.
for purging "malignant humors" so that they could not grow beyond the republic's ability to control them.

Purging Malignant Humors

The power of the tribunes “to accuse citizens to the people, or to some magistrate or council, when they sin in anything against the free state”\(^{19}\) preserved the public by allowing the popular humor to vent its hatred of individual citizens (D 1.7.1, p. 23). Occasionally, a citizen will arouse the indignation and rancor of the popolo, either because he poses a threat to them or because they believe he does. Because such hatreds will eventually emerge, it is necessary for a republic to have orders in place to punish the individual in question, as the Romans did. Machiavelli furnishes the example of Coriolanus to prove the importance of accusations in purging humors. Coriolanus, an "enemy of the popular faction," advised the senate to regain the authority it had recently lost when the people obtained the tribunate by starving the people into submission (D 1.7.1, p. 24). Hearing Coriolanus’ threats, the people formed a mob to kill him on the spot. The tribunes, the target of Coriolanus’ proposed policy, issued a summons against him, and the passions of the mob were cooled because they were satisfied that Coriolanus would be punished by ordinary modes. Instead of killing Coriolanus in a tumult, the people condemned him and he went into exile (Livy 1971, p. 145).

A republic must have institutions in place to allow the wrath of the people to be expressed through legal channels. For Machiavelli, the venting of popular passions, not

\(^{19}\) The possession of this power by the tribunate is a principal reason why Machiavelli calls this institution the "guard of freedom."
justice for the accused, is the goal. He clearly states that although the accused “has been
done a wrong,” as long as he is “crushed ordinarily,” there will not be dangerous
ramifications for the republic (D 1.7.1, p. 24). However, when the public authority loses
exclusive control of the right to punish, citizens of both humors scramble to obtain
protection from a “private” individual with power and authority because the republic’s
magistrates are either powerless or partisan. The nobles, seeing one of their number
mobbed by the popolo, join forces for their own safety. The people, likewise, unite for
their own protection under one individual, and soon, the venting of malignant humors
against one citizen leads to warfare between the two humors. “Private injury produces
fear; fear seeks for defense; for defense, partisans are obtained; from partisans rise parties
of citizens; from parties the ruin of states” (D 1.7.2, p. 24). Although the Roman
patricians protested when one of their peers was accused, they preferred ordered
accusations to the chilling prospects of mob violence.20

As useful as accusations are for allowing the people to vent their hatred,
calumnies are harmful because they create malignant humors instead of releasing them, as
the example of Manlius Capitolinus demonstrates. Capitolinus, having saved the capitol
from the Gauls, was jealous of the reputation that Furius Camillus had acquired after
having driven the Gauls out of Rome. “So loaded with envy, since he could not remain
quiet because of the other’s glory and saw that he could not sow discord among the
Fathers, he turned to the plebs, sowing various sinister opinions within it” (D 1.8.1, p.

20 Livy says that although the senators used every means they could to save
Coriolanus, eventually “the senate was forced to yield, feeling it wiser to sacrifice one of
their number to appease the popular fury” (Livy 1971, p. 145).
26. Falsely charging that the patricians had stolen gold from the public treasury, Capitolinus attempted to "arouse sedition in Rome, and sought to gain the people for himself" (D 1.24.2, p. 60), and very nearly succeeded. Capitolinus whipped the plebeians, who were ready to believe the worst about the patricians, into a frenzy. The patricians, perceiving his designs and fearing the plebeians, appointed a dictator to restore order. The dictator forced Capitolinus to formally accuse those whom he had been slandering. Unable to make a formal accusation, he was condemned to death by the people themselves. This is a clear indication for Machiavelli that although the people loved Capitolinus for saving the capitol, and loved him even more when he took their side in the struggle against the grandi, they still respected the law and were willing to execute their favorite because he had violated it. The "venomous humors" that could easily have welled up because of Capitolinus' calumnies were dissipated because Rome allowed for open and public accusations, and punished those who accused with no proof. Like Rome, "An orderer of a republic should order that every citizen in it can accuse without any fear and without any respect; and having done this and observed it well, it should punish calumniators harshly" (D 1.8.2, p. 27).

While public accusations prevent hatred and quell open hostilities, calumnies create malignant humors and threaten the republic. Calumnies require no evidence and can be made anywhere, so that "everyone can be calumniated by everyone" (D 1.8.2, p. 27). Because there is no formal procedure for proving guilt or innocence, the issue is never resolved. Unable to clear their names, those who are slandered come to hate the slanderer; hatred drives them to form parties to punish their detractors through "extraordinary modes." Florence, which did not open the way for accusations, was
plagued by the malignant humors calumnies create. "From this arose that on every side hatred surged; whence they went to division; from division to sects; from sects to ruin" (D 1.8.2, p. 27). Calumnies create hatred that is invariably generated by one humor against another, forcing the latter to arm for its defense unless the republic can enforce order. Both accusations against powerful citizens and the punishment of calumniators contain the effects of humoral conflict by preventing venomous passions from accumulating.

_Deterring Ambitious Men_

Accusations, and the severe punishments delivered to the guilty, are also the principal means of preventing “ambitious men” from seizing authority in a republic. From the very beginning of the Roman republic, men like Capitolinus and Spurius Maelius traveled the same path to “private” power: favoring the people. (D 1.52.1, p. 104). Machiavelli’s maxim that “men ascend from one ambition to another” is no less true of individuals than it is of the two humors (D 1.46.1, p. 95). Private power is the ability to resist the republic’s magistrates, the freedom to disobey the laws. Impunity, of course, excites the ambitions, and the individual, unless he is stopped, soon leads the republic into “manifest servitude” (D 1.46.1, p. 96).

A citizen obtains power as a private individual by using his own wealth or authority to benefit “this or that private individual” by “lending him money, marrying his daughters for him, defending him from the magistrates” and granting other favors that make the beneficiary personally loyal to the benefactor and potentially disloyal to the republic (D 3.28.1, p. 277). The benefits such men confer upon the people appear to be
acts of charity and kindness, but a republic must be vigilant that its citizens “cannot do evil under shadow of good” (D 1.46.1, p. 96). Again, public accusations are the key to preventing a private citizen from obtaining “private” authority (D 3.28.1, p. 277). Spurius Maelius, a man of great private wealth, attempted to gain the support of the people by privately purchasing grain and distributing it free to the plebeians during a famine. “Such generosity won their hearts, and crowds of them followed him wherever he went, giving him an air of dignity and importance far beyond what was due to a man who held no official position” (Livy 1971, p. 284). The affection of the plebeians gave Spurius Maelius not only dignity and importance, but also power, for they saw him as their savior and were willing, he hoped, to follow him wherever he led. Like Capitolinus, he was publicly accused, called by the dictator to answer the charges against him, and was killed when he resisted arrest (Livy 1971, pp. 284-86). In addition to purging malignant humors, accusations have the good effect of encouraging a republic to uncover the treachery of its own ambitious citizens. Public accusations restrain ambitious citizens so that “for fear of being accused, they do not attempt things against the state” (D 1.7.1, p. 23). If citizens are nevertheless bold enough to try to seize power, there is a procedure in place for others to expose their designs to the magistrates.

The problem of “men who live ambitiously” is particularly vexing for Machiavelli because men whose ambition directs them to desire tyranny are able to exploit the natural rift between the two humors in order to rise to power. In addition to giving private aid to individuals, ambitious men promise to defend the popolo against the grandi, as Capitolinus did. Humoral conflict between the great and the people is most dangerous to a republic when the people’s desire to be free becomes “too great” and the ambition to be
free from the nobles’ oppression is transformed into the ambition to oppress the nobles. This is the precise effect that favors and promises of ambitious men have on the people. While the desires of the people are “rarely” pernicious to freedom, their desires do threaten the freedom of the republic when they elevate a private citizen who promises to subdue the nobility. Their hopes are raised by his protection, by his leadership, and by the strength of the numbers of people that congregate around him. However, the hope that the people can go “outside” or against the laws to subdue the nobles is a false one; the result is always tyranny and the loss of freedom for the nobles and the people alike. By winning the people to their side, ambitious men attempt first to crush the nobles, then to enslave the agents of their ascent, the people themselves.

The only solution to the problem of ambitious men is a combination of good laws and vigilance. A republic must do as Rome did and devise institutions that allow even its most esteemed and powerful men to be accused, and for the guilty to be punished severely. Manlius Capitolinus had been amply rewarded for his service to the state when he defended it in its time of crisis, but he was “without any respect for his merits thrown headlong from the Capitol that before, with so much glory for himself, he had saved” (D 1.24.2, p. 60), offering proof that Rome was well-ordered. A republic can “live free for a long time” when it does not allow past services to annul present crimes (D 1.24.1, p. 59). If a republic rewards fine and virtuous actions and punishes subversive ones swiftly, then ambitious men have only one road to glory: service to the state. Capitolinus had the respect of both the nobles and the people for saving the capitol, but nevertheless he suffered an abject death reserved for enemies of the state (Livy 1982, p. 64). Had Rome granted its heroic citizens absolution for their crimes, it would have fallen to tyrants much
sooner (D 1.24.1, p. 59). When the crimes of great men are forgiven because of past services, they no longer fear punishment; neither the laws nor the magistrates restrain them, their ambitions ascend, and the desire for tyranny consumes them.

In a well-ordered republic, the laws “make men good” (D 1.3.1, p. 15) because men fear “excessive,” violent, and spectacular punishments suffered by the ambitious, like Capitolinus. As admirably as empire served to ‘sublimate’ man’s bestial nature, as well as Rome’s institutions allowed venomous humors to be expressed harmlessly, and punished the ambitious, Rome, like every republic, required additional measures to forestall corruption. Rome needed a virtuous men to emerge who executed the laws with such impartiality and such fury that the laws were brought to life, chilling the spirit of the ambitious and bringing all men back to the foundation of the republic (D 3.1.3, p. 210). The act of reforming, or “regaining the state,” puts “that terror and that fear into men that had been put there in taking it, since at that time [the prince] had beaten down those who . . . had worked for ill” (D 3.1.3, p. 211). Virtuous men who reform the republic punish the ambitious in the same manner in which the prince, when he first founds the state, “stuns and stupefies” men with his spectacular, but measured, use of violence. The difference is that in the case of the reformer, citizens are brought back to the institutions and laws that already exist.

It is not only ambition but also the passage of time that draws citizens away from the republic’s orders. Repeatedly, Machiavelli warns that republics fall imperceptibly into abuses, into innovations in the republic’s constitution that weaken the public authority and deviate from the original orders of the founder (D 3.1.1, p. 209; D 1.18, pp. 50-51). “Daily something is added that at some time needs cure” (D 3.1.1, p. 209). It is
“almost impossible” to persuade men through reasoning that current innovations are ruining the state (D 1.18.4, p. 51). Because of the difficulty of reforming the state little by little, before the “daily” abuses add up, Machiavelli believes that republics must be reformed “at a stroke” through the violence of the reformer. His primary examples of reformers are men like Manlius Torquatus, who was so stern, and whose passion for Roman discipline was so strong, that he executed his own son for conquering the enemy without a command to do so. The effect of Manlius’ incredible severity was to show the Romans that the law is both fierce and impartial; nobody, regardless of his own position or merit, was above it. Both Machiavelli and Livy credit Manlius’ “excessive and notable” execution with the Romans’ victory over the Latins, which was the necessary step in the construction of Rome’s empire (D 3.22.4, p. 267). But more than this, Manlius showed political vision similar to (though not as great as) Romulus, who understood that the greatness of Rome required the dearest sacrifice for the patria. The recovery of the martial discipline necessary to defeat the Latins and maintain Rome’s liberty required his own son’s death.21 Such men are rare because they are willing to do what most men are incapable of, which is to serve the good of the republic despite the...

21 When Manlius had condemned his son and ordered him to be bound to the stake and killed, “Every man saw the axe as if raised against himself, and it was fear, not obedience, that held them in check. So they stood rooted to the spot in silence, as if lost in amazement... The ‘commands of Manlius’ not only caused a shudder at the time but were a grim warning for the future. However, the brutality of the punishment made the soldiers more obedient to their commander, and not only was better attention given everywhere to guard duties, night watches, and picket stationing, but in the final struggle too, when the army went into battle, that stern act of discipline did them good” (Livy 1982, p. 167).
death of themselves or their closest relations. Their examples are so great and the honors heaped upon them (often posthumously) are so lavish that “good men desire to imitate them and the wicked are ashamed to hold to a life contrary to them” (D 3.1.3, p. 211). Punishing the wicked, restoring the authority of the laws, and setting an example for the good, the virtuous man, the reformer, is a necessary element in the protection of the republic from corruption. As with the incredible, indeed, impossible, attributes the founder must possess, the man of extreme virtue who makes the laws flesh, as it were, is almost superhuman. He is yet another testament to the difficulty inherent in disciplining the bestial half of human nature so that laws can govern men, so that they live in order rather than die in chaos and corruption.

The Decemvirate: Humoral Conflict, Ambition, and Tyranny

Even when a republic is entirely uncorrupt, however, the beast within human nature can bring down a republic through humoral conflict. Machiavelli uses the example of the Decemvirate to show that the ‘tragic flaw’ of each humor caused Rome, then

---

22 Other virtuous men include the two Decii, a father and a son who, at different times, threw themselves suicidally into the thick of the enemy to prevent defeat, inspiring their soldiers to rally and overcome their enemies. The first Decius, “Devoted himself for the good of the army... he leaped fully armed onto his horse and rode into the midst of the enemy—a sight to admire for both armies, almost superhuman in its nobility, as if sent from heaven to expiate all anger of the gods and deflect disaster from his own people to the Latins” (Livy 1982, p. 170).

23 One of Machiavelli’s examples of “rare and virtuous men,” Horatius Colchus, defended a bridge against an entire army by himself while his fellow soldiers escaped, and made it out alive. Livy says, “It was a noble piece of work—legendary, maybe, but destined to be celebrated in story through the years to come” (Livy 1971, p. 100).
uncorrupt and at the height of its virtù, to be handed over by tyrants. The nobles' great desire to oppress the people and the people's great desire to be free led each humor to give a council of ten citizens free rein over the affairs of the republic.

The people had long been clamoring for the laws of Rome to be codified, and after sustained political pressure, the nobles acceded to their demand. "To this end," Livy states, "it was decided to abolish, for one year, all the normal offices of government and to appoint instead decemvirs—a Board of Ten—who should not be subject to appeal" (Livy 1971, p. 220). Appius Claudius, the driving force behind the Decemvirate, had transformed himself from a "cruel persecutor of the plebs" into the friend of the people (D 1.40.2, p. 86). The most important power of the tribunes was to provide the people with a right of appeal from all other government officials, a power they willingly relinquished because they believed that Appius had espoused their cause. The people, through the agency of Appius, wished not only to codify the laws, but also to rid itself of the consuls, the office they viewed as the quintessence of patrician domination. Nor did Appius and the Decemvirate disappoint them in their first term of office: ten tables of law were produced, for all to see and debate, and because the Ten allowed the right of appeal, even though they were not obliged to, the people did not miss the tribunes. The people

---

24 Machiavelli attributes the failure of Manlius Capitolinus to seize "extraordinary authority" in Rome in part to the fact that the Roman people were not yet corrupt. Had Capitolinus been born in different times, he would have been far more successful (D 1.8.1, pp. 237-8). It is important to note that the problems created by ambitious men are not due only to corruption. The method of managing humoral conflict by pitting the ambition of the nobles against that of the people provides the means for ambitious men to rise to power. However, it is clear that the gravest danger exists when the "matter" is corrupt, because remedies that work on an uncorrupt populace do not work on the corrupt (D 1.16.6, p. 47).
voted to continue the Decemvirate for another year so that two more tables of law could be added, and “because it appeared to the plebs that Appius was becoming popular and was beating down the nobility” (D 1.40.5, p. 88). So the people, in the hopes of both securing its freedom through written laws, and of reducing the power of the nobility, voted to extend the absolute authority of the Ten for a year, with Appius still at the helm.

At the beginning of the second term, their folly became evident. “For at once ‘Appius put an end to playing an alien persona’ and began to show his inborn pride, and in a few days, permeated his partners with bad customs” (D 1.40.3, pp. 86-7). Appius and the Ten went from favoring the people to persecuting them without mercy, accompanied by their lictors and an escort of young nobles who relished their newly acquired freedom to brutalize the people. The blame for this state of affairs, Machiavelli believes, rested in part with the people, because their desire to be free of oppression had led them to dissolve the institutions that had allowed both themselves and the nobles freedom, if not peace. The nobles, however, are not free of blame in Machiavelli’s account. Like the people, the nobles agreed to grant the Ten vast authority because they hoped they could finally regain the power they had lost when the tribunes were created. Although they deplored the loss of their free institutions, the patricians were gratified by the despair of the people, who only now preferred consuls to Decemvirs. The end of the Decemvirate could have come sooner than it did, with much less danger to the republic, if the senate “through hatred of the plebs had not been unwilling to show its authority, thinking that if the Ten laid down the magistracy voluntarily, the tribunes of the plebs might not be remade” (D 1.40.4, p. 87). Driven by “tumults in the army and in the city”
the people left Rome *en masse*, retiring to the Sacred Mount, until the Decemvirate laid down its magistracy.

Machiavelli believes that only the grave, tactical error of Appius saved Rome from tyranny. Had Appius favored the people long enough to eradicate the nobility, and only then began to oppress the people, he would have succeeded easily. Although the nobles are more dangerous to a republic's freedom, as men like Appius amply demonstrate, the nobles nevertheless provide a bulwark against tyranny. Because of their excessive ambition, no tyrant can satisfy all of them, and "that part of the nobility that finds itself outside the tyranny is always an enemy to it" (D 1.40.5, p. 88). And because the nobles are able to unite and to act according to preconceived plans, the nobles that oppose the tyrant can bring him to ruin. When the tyrant has eliminated the nobles, however, the people have "nowhere to take refuge" (D 1.40.5, p. 88).

For Machiavelli, the affair of the Decemvirate demonstrates the dangers the rivalry between the two humors can beget, even in a republic such as Rome, which was "ordered by itself and by so many prudent men" (D 1.49.3, p. 101). The clash of ambitions, even when it is managed by good institutions, can easily lead to tyranny because of the natural desires of the two humors, and through the ability of ambitious men to use the people's desires for their own tyrannical designs:

Through this text one notes, first, that in Rome the [evil] of creating this tyranny arose for the same causes that the greater part of tyrannies in cities arise; and this is from too great a desire of the people to be free and from too great a desire of the nobles to command. When they do not agree to make a law in favor of freedom, but one of the parties jumps to favor an individual, then it is that tyranny emerges
at once. The nobles and the people of Rome agreed to create the Ten, and to create them with so much authority, because of the desire that each of the parties had—the one to eliminate the consular name, the other the tribunate. (D 1.40.5, p. 88)

Laws are “in favor freedom” when their object is to favor neither humor to the exclusion of the other, and when a “guard” in placed over all those who exercise political power. The Decemvirate was given vast powers precisely because each humor wanted to oppress the other.

The people, enchanted by the promises of Appius, ascended from the ambition to be free from oppression, which the office of the tribunate guaranteed, to the ambition of oppressing the nobles. As we have seen above, they must always turn to one man to champion their cause, for the people cannot oppose the nobles on their own. Yet any man who has the people behind him can use their power to destroy the nobles and then to enslave the people. Wise institutions like public accusations can only go so far in preventing this occurrence; the tendency of the people to “adore” those who promise to oppress their oppressors is built into human nature. Nor can the domineering nobles remove the tyrant’s source of power by “favoring the people” themselves.

Another lesson Machiavelli draws from the Decemvirate is that good mores, education, and examples in themselves are powerless to prevent men from abusing power. Ambitious, restless, and self-interested men cannot be made to love the republic more than themselves. Even a “good” man in a virtuous republic cannot resist the lure of power; he is driven, against all his education, to become tyrannical:
One also notes in the matter of the Decemvirate how easily men are corrupted and make themselves assume a contrary nature, however good and well brought up, considering how much the youths that Appius had chosen around him began to be friendly to the tyranny for the little utility that came to them from it, and how Quintus Fabius, one in the number of the second Ten, though a very good man, blinded by the malignity of Appius, changed his good customs to the worst and became just like him. (D 1.42.1, pp. 90–91)

Public spirit is not enough to sustain a republic; institutional bulwarks, backed by the threat of swift and ignominious punishment, must keep men “good.” Even though the young men who surrounded Appius were of good character and had been raised to love the republic, they quickly changed their allegiance when they had the opportunity to exercise absolute power, or even to be associated with it. This is true even when their association with the powerful is of “little utility.” The laws must be ordered so that no private individual can gain too much power, and the people must be constrained from giving their “protectors” authority.

In the example of the Decemvirate, Machiavelli reveals that a republic can lose its freedom even when the “matter” is uncorrupt; had Rome been corrupt at the time of either Manlius Capitolinus or Appius Claudius, it would never have been able to recover. Citing another example, in which the consul Claudius Nero took an incredible risk with Rome’s forces during the Second Punic war to avenge his lost glory, Machiavelli says, “Because one cannot give a certain remedy for such disorders that arise in republics, it follows that it is impossible to order a perpetual republic, because its ruin is caused through a thousand unexpected ways” (D 3.17.1, p. 257, my emphasis). But the imitation
of Rome offers humans the greatest hope of holding onto political order as long as possible.

III. Rome: The Heights and Limits of Political Order

Machiavelli documents Rome's struggles in order to show that even the best ordered republic, one that emerged from the best causes and enjoyed the greatest success, had to be both incredibly vigilant and, at times, fortunate, to maintain itself. Human nature is selfish; to elevate it, as political order does, is both a difficult and a temporary feat. Yet Rome did everything according to necessity, out of an unmatched understanding of human nature and the conditions under which its selfish and bestial side can be both brought to heel and used for edifying purposes. The Romans needed to pursue empire, and empire means that the common people will have power; this means tumults. But if they lack power, the state is lost because power is in the hands of those who cannot be trusted with it. So a republic can either have the noise, tumult, and danger inherent in managing counteracting ambitions or it can be corrupted earlier. The path Rome took to empire, to the maintenance of its freedom for hundreds of years, and to unsurpassed glory, is the same path that human beings must take today, Machiavelli believes, if they are to have even a whiff of Rome's success. Human nature has not changed (D 1 Preface, p. 6). The same anti-social elements that imposed the necessity of conquest and the necessity of Rome's institutions managing humoral conflict exist eternally. The failure of contemporary politics, Machiavelli believes, consists in failing to see where necessity leads, despite having in front of everyone's eyes the history of the one republic that understood this and ordered itself accordingly.
What Rome offers, if only those with political power will follow its modes and orders, is a way out of the morass of human existence when corruption and disorder abound. For a period of time—for centuries—humans can look beyond their selfish interests, to the degree that they are capable, and take part in the building of a great and glorious enterprise that makes them better. By living an ordered existence in the military camp and by living according to good laws at home, they can ascend far above their bestial nature. They can learn to appreciate the republic and respect their fellow citizens, they can govern themselves and rule over a vast and glorious empire. This does not mean that the patria will always be foremost in their minds. But that is what the internal institutions are for—to allow them to be selfish and short-sighted from time to time, which they will inevitably be, without losing their freedom. Ambition, self-interest, fickleness, and the “beast” cannot be exorcized from human nature by any political order, no matter how excellent. Thus, the expression of these damaging impulses must be controlled and mitigated, both by instilling an appreciation for the republic, and by attempting to protect humans from their own weaknesses. Machiavelli offers us a choice: humans can either wallow in their weakness and corruption, or they can learn how to use politics to develop humanity into something much better. The imitation of Rome does not offer a corrective for every problem, and it does not offer eternal earthly salvation. But for Machiavelli, Rome vindicates human nature. The pernicious aspects of human nature can be temporarily overcome. Machiavelli is so powerful and seductive because he offers us a grand political vision, an unbelievably successful and glorious possibility, out of the terribly limited stuff of human nature.
Machiavelli is adamant that we should not blame the Romans for the corruption of the republic. Those who see only the tumults, the fall of free institutions, and the abuses of the emperors are missing the fundamental point that all political orders must come to an end. The cycle of history, the life of a state, can either be short like Florence or long and durable like Rome, depending on the excellence, or lack thereof, of its modes and orders. To dismiss Rome, to reject its internal and external policies as the best model of political order, is foolish. Rome eventually fell victim to its own astonishing success. And even in corruption and the loss of its free institutions, Rome provided humanity with the flowering of civilization.

For Machiavelli, order can only be sustained when men are striving, when they cannot relax their efforts. The building of its vast empire assured the Romans that there would be enemies to fight; they were forced to be vigilant. But when the Romans had conquered and subdued the known world, when there was nobody left to fight, they felt secure. For Machiavelli, and for anyone who reads Roman history, the magnitude of this feat cannot be overestimated. They conquered everyone, from the Aequians and Voscians across the Tiber to the barbarian hordes on the frontiers. This could not have happened unless Rome had the best orders, the best army, and the most able citizens. However, when their arms and laws had conquered the world, the best men were no longer sought, and those who attained power corrupted their citizens and ascended to lofty personal ambitions.\textsuperscript{25} The reformers, who had emerged so often in Roman history,
became rarer, giving room to the ambitious and allowing the people to descend further into corruption. The reformers that did emerge, as both Catos did late in the Roman republic's history, had an increasingly difficult task. For Machiavelli, the act of reforming does not and cannot bring the state all the way back to the beginnings, because the first prince created all the modes and orders anew. He had, we recall, matter to form into whatever shape he liked. The man of extreme virtue who re-orders a republic is bound by the historical and temporal changes those institutions have undergone. This makes it impossible to completely re-order; he can only delay the advent of corruption.

Cato the Younger emerged when all of Rome's enemies had been defeated, the patricians had gotten rich by obtaining public lands (D 1.37.2, p. 79), the plebeians were being corrupted by the "Marian parties" (D 1.37.3 pp. 79-80), and generals were commanding armies, for years on end, that were far removed from Rome (D 3.24.1, p. 270). And on top of all this, Rome had no real enemies left. Security brings forth "laziness"; once a state is corrupt, even good laws are used for ill, and it becomes impossible to re-order it (D 1.18.4, p. 51; D 1.16.6, p. 47). Nowhere in either the Discourses or the History of Florence does Machiavelli say that Rome could have lasted forever. It would undermine his entire project, which is to force his contemporaries to see the necessity of imitating the modes and orders of Rome, if he were to blame the Romans for becoming corrupt.

Surely, he sees that the Romans made mistakes; they could have extended the republic for a bit longer if they had temporized with the plebeians during the tumults over the Agrarian law, and if they had not extended the commands of the consuls.

more power; so . . . the good remained altogether excluded" (D 1.18.3, p. 50).
But it was Rome's great success—of its arms, institutions, and foreign policy—that gave the Romans the feeling of security that led to their corruption, liberating them from the necessity to "be good." How preferable to be done in by one's astonishing successes than by one's failures! Rome was able to live in freedom for four hundred years, overcoming incredible obstacles on the way to commanding a huge portion of the earth's population. Once it had reached the heights of success, there was nowhere to go but down:

In their normal variations, countries generally go from order to disorder and then from disorder back to order, because—since Nature does not allow earthly things to remain fixed—when they come to their utmost perfection and have no further possibility of rising, they must go down. . . . Ability brings forth quiet; quiet laziness; laziness disorder; disorder, ruin. . . (HF 5.1, p. 1232).

The Romans could no longer send ambition outside its walls; the generals and soldiers out on the frontiers of the empire, having subdued every possible enemy, and having been away from Rome for so long, gradually lost their love of Rome. The soldiers were ready to follow their commander into their native city as if it were an enemy nation (D 3.24.1, p. 270). The beast, no longer 'sublimated,' re-emerged, and corruption and civil war emerged with it. But even in corruption, Rome's civilization flourished. The general always precedes the philosopher; the philosopher precedes corruption and the dissolution of political order. But this dissolution has a certain sweetness to it. "Because, after good and well-disciplined armies have brought forth victory, and their victories quiet, the virtue of military courage cannot be corrupted with a more honorable laziness than that of letters" (HF 5.1, p. 1232). Rome had to fall because it had reached the limits of success;
thus, Rome reveals the limits of political order. Humans can attain the highest glory, they can be elevated far above their limited nature, but they will eventually come crashing back to earth. Rome gave the world consolation for its fall in the form of the literature, laws, and monuments that would forever mark its heights.

Machiavelli dazzles us with the heights to which selfish, ambitious, bestial humans can ascend, if only for a time. Montesquieu attempts to convince his readers that human nature is not nearly as violent and bestial as Machiavelli would have them believe. At the same time, Montesquieu drastically lowers expectations of what humans are capable of achieving through politics. Humans want to feel important, but not at the cost of their security or their pleasures. They are inclined to care nothing for the common good and everything for their own good. They are more acquisitive than domineering, more prideful than violent. Human nature, in short, is a poor foundation for the heroic politics of virtue, glory and empire that Machiavelli advocates. Once Montesquieu reveals to humans their true nature and true desires, he hopes that they will come to realize the immense costs of virtue and empire, and that they will reject Machiavelli’s vision, lofty and seductive though it is.
Part II: Montesquieu's Critique of Machiavelli and Antiquity

Chapter 3
Laws and Passions

I. Montesquieu's Conception of Human Nature

Montesquieu’s theory of human nature is the cornerstone of his political philosophy and the basis of his critique of republican government. In order to understand it fully, one must interpret Book 1 of The Spirit of the Laws, his only systematic treatment of the subject. The economy and opacity of Montesquieu’s arguments make it difficult to determine what he is trying to reveal; he admirably achieves his objective to force the reader to think rather than merely to read (SL 11.20, p. 186). Scholars have thus diverged widely in their interpretations of Montesquieu’s conception of human nature and its importance for his wider theoretical project.¹ He condenses a lifetime of learning and

¹ Consider the following survey of recent scholarship on the meaning and importance of Book 1. Thomas Pangle holds that Montesquieu provides an account of human nature and natural law that shares the same essential elements of Hobbes’ account, but which obscures the clarity of Hobbes’ conclusions in an effort to be more historically and scientifically accurate (Pangle 1973, pp. 40-47). While both David Lowenthal and, with some qualifications, Robert Loy (Loy 1968, p. 93) also note the affinities between Hobbes and Montesquieu, Alan Gilbert argues that Montesquieu’s attempt to distance himself from the Hobbesian state of nature is both genuine and successful (Gilbert 1994, p. 55). Henry Merry concludes that in Book 1 Montesquieu is merely following a formal convention shared by contemporary political treatises by opening The Spirit of the Laws with a discussion of the state of nature (Merry 1970, p. 5). While Robert Shackleton agrees that Montesquieu was skeptical about the need for a “state of nature” theory to explain the origins of society, Book 1 is nevertheless important because in it Montesquieu elucidates a cogent theory of natural law and human nature. As we shall see below, Louis Althusser finds Book 1 revolutionary in part and disappointing in part; revolutionary because Montesquieu’s radical definition of law is a testament to his “scientific” method,
reflection into three concise chapters (Loy 1968, p. 11), and it is necessary to fill in his uncharacteristically abstract account with arguments from other passages from *The Spirit of the Laws* itself, from the *Persian Letters*, in which he reveals his understanding of human nature less systematically (though more eloquently) than in *The Spirit of the Laws*, and from the sources that inspired Montesquieu’s conceptions of human nature and natural law. When this has been done, we can understand clearly what Montesquieu is trying to accomplish, and we can see how and why human nature is central to his criticism of the Roman republic, and republics in general, in both *Greatness and Decline* and *The Spirit of the Laws*.²

It has been persuasively argued by Louis Althusser and Isaiah Berlin that Montesquieu’s treatment of natural law and human nature stands in tension with two important aspects of his thought: his belief in scientific method and his historicism. By acquainting ourselves with their objections, we can see more clearly what Montesquieu was trying to accomplish in his treatment of human nature, and how it fits in with his complex view of the multifarious forces that govern human beings. Althusser correctly stresses Montesquieu’s enthusiasm for natural science and his reliance on scientific

---

² While *Greatness and Decline* (1734) predates *The Spirit of the Laws* (1748), Robert Shackleton (Shackleton 1961, p. 248) and Ronald Grimsley (Grimsley 1951, p. 293) note that Montesquieu’s theory of human nature, as presented in *The Spirit of the Laws*, had been developed, though not fully articulated, prior to the publication of *The Persian Letters* in 1721. Its main tenets pervade all three works.
method in his analysis of politics. For Althusser, Montesquieu is torn between founding a new science of politics free from the ontology of past legal and metaphysical traditions, and building his science on those very metaphysical traditions—human nature and natural law—that at times he appears to repudiate. As a result, Montesquieu’s conception of human nature seems contradictory.

Montesquieu defines law in general as “necessary relations deriving from the nature of things” (SL 1.1, p. 3), consciously rejecting the traditional notion of law as a command, in particular, the idea of law as commands issued by God. By redefining laws as necessary relations, Montesquieu was emulating the laws of physics, Althusser says, and rejecting the entire natural law tradition and its ascription of a human nature (Althusser 1982, p. 33). To ascribe a nature to human beings, whether it be given by God or by some other cosmic force, is to universalize one’s prejudices about the human essence, to assert how people, at all times and in all places, ought to be governed (Althusser 1982, p. 32). Montesquieu seeks to study human beings and the institutions they create with the same detachment with which one would study the stars, and with the same scientific methods.

Despite his earnest attempt to liberate humanity from hidebound conceptions of natural law and human nature, Montesquieu himself was unable to break free from them. Having boldly asserted that man has no fixed nature, he reverts to “relations of fairness” that exist prior to all human legislation (SL 1.1, p. 4). These relations of justice are sovereign; all societies must conform to them. “These laws of an always pre-existent justice, independent of all of the concrete conditions of history, amount to the old type of commandment law, normative law” that Montesquieu had attempted to banish from the
study of politics (Althusser 1982, p. 39). Montesquieu is to be commended for his idea of
laws as relations, which sets the study of politics on the firm foundation of science, and
one ought to reject his unfortunate return to the obfuscation of the natural law tradition.

Isaiah Berlin dismisses the notion that Montesquieu is a “scientist” (Berlin 1984a,
p. 150) but concludes that Montesquieu’s theories of human nature and natural law
contradict what he considers to be Montesquieu’s greatest contribution to political
thought: the observation that human beings change with their historical circumstances.
In contrast to Althusser, Berlin claims that Montesquieu’s “metaphysical” definition of
law as a necessary relation, which he correctly says “has puzzled and irritated modern
commentators,” is an affirmation of transcendental standards of justice. Berlin links
Montesquieu’s definition of law with his avowal of “prior relations of fairness” in The
Spirit of the Laws and with his earlier pronouncement in the Persian Letters that “Justice
is eternal, and does not depend upon human conventions” (PL 83, p. 82). This definition
of law, Berlin adds, would be recognized and affirmed by medieval philosophers and
jurists; there is nothing radical about it. It is the product of a natural law tradition which
was developed by both seventeenth-century jurists and eighteenth-century economists
into a theory that asserted the convergence of human interests with the dictates of natural
law. This convergence, which Montesquieu develops and qualifies, is at the very core of
Montesquieu’s philosophical project, as we shall see in detail below. “The physiocratic

David Hume and Jeremy Bentham, both of whom held Montesquieu in high esteem,
rejected his definition of law as necessary relations. With his characteristic contempt for
“fictions,” Bentham dismisses Montesquieu’s definition of law, calling it “pseudo-
metaphysical sophistry” (Bentham 1990, p. 56). While Hume’s criticism is more
measured, he reaches the same conclusion (Shackleton 1961, p. 245).
The doctrine of the coincidence of the true interests of all men is itself an application of the law of nature, an *a priori* system which can, indeed, be transgressed (though only to the cost of the transgresser) and which positive, man-made law is merely required to transcribe with literal accuracy" (Berlin 1984a, p. 153). Natural laws, transcendental standards of justice, must be manifested in all positive laws.

However, Montesquieu’s insistence upon standards of justice that exist independently of human conventions contradicts his primary discovery and “whole aim” according to Berlin, which is to prove that the laws of each nation are brought forth by multifarious and particular human conventions of particular peoples in particular historical, temporal, moral, spiritual, and geographical circumstances (Berlin 1984a, pp. 153-54).

It is difficult to see how this doctrine, which is the foundation of the great German school of historical jurisprudence, of French post-revolutionary historiography, of the various modern sociological theories of law, can be reconciled with belief in universal, unvarying, everlasting rules, equally valid for all men in all places at all times—rules discovered by the faculty of reason as conceived by Descartes or Leibniz, that is, as a non-natural means of perceiving eternal verities—the very notion which it has been the great historic service of Montesquieu to overthrow. (Berlin 1984a, p. 154)

Thus, while Berlin denies Montesquieu’s status as a scientist, he agrees with Althusser that Montesquieu vitiates his own achievements by maintaining a belief in “universal, unvarying, everlasting rules” to which humans of all historical epochs are subject.
Althusser and Berlin both identify important aspects of Montesquieu's thought, and their disagreement, as much as their agreement, reveals the difficulty of understanding Montesquieu's position on human nature and natural law. For Althusser, the idea of "laws as relations" is direct evidence of his attachment to Newtonian natural science. For Berlin, it fits squarely in a particular natural law tradition, and for Althusser, natural law is anathema to scientists (Althusser 1982, p. 32). Both agree that whatever the source of Montesquieu's "prior relations of fairness" and idea of a fixed human nature, such concepts do not fit with his idea that social and political institutions ought to be understood on their own terms, without being judged according to eternally valid norms.

I believe that Montesquieu's conceptions of natural law and human nature complement his use of scientific method, his commitment to the principles of natural science, and his belief that institutions, mores, and historical processes change human beings. Using the principles of natural science current in the eighteenth-century, combined with a natural law tradition borrowed from the ancients that fit well with the new science, Montesquieu conceives of a state of nature in which human beings are stripped of the layers of socialization, that is, what they were like before they became fully social beings. Having determined what humans are like, he deduced how they ought to be governed. Montesquieu's criticism of republican government is dependent on his belief that human nature requires institutions—political institutions, laws, mores, and customs—that allow humans to express their true nature while curbing the excesses of human nature that make social life problematic. In what follows, I shall provide a brief account of human nature, its origins, and the necessity human nature imposes upon the
legislator. This account will aid us in following the difficult path Montesquieu takes in Book 1.

The key to Montesquieu’s treatment of human nature in Book 1 is his account of “man before the establishment of societies” (SL 1.2, p. 6), that is, the state of nature, which I shall discuss in the first section. The state of nature existed before the establishment of government, and before humans have the full use of reason, for which they always have the capacity, but which is not actual in their original condition. Lacking reason and therefore unable to govern themselves, they are governed exclusively by what Montesquieu calls “the laws of nature.” The laws of nature govern humans in much the same way they govern animals. Humans are driven by their natural passions: fear, the

---

4 Throughout Book 1, Montesquieu asserts that reason is the source of all law. Other than the “primary” or “primitive” reason which is the source of all natural laws, only humans are able to make their own laws because only humans are rational. They are rational only after the development of reason has taken place through prolonged association with one another. Montesquieu uses the terms “intelligence,” “knowledge,” and “reason” to describe human beings as social creatures; they are able to legislate for themselves only after they have left the state of nature and entered into society.

5 Montesquieu uses the terms “laws of nature” and “natural law” to describe the laws that originate with “primitive reason.” They are rational laws that human reason can discover, and that govern the material world, plants, animals, and humans. While each distinct being is directed by particular manifestations of the laws of nature, Montesquieu stresses that these laws are in fact unitary in origin and function. One law, with multiple manifestations, preserves the entire universe. Moreover, these laws do not describe a desirable or hypothetical situation; for Montesquieu they are actual laws discovered by a combination of natural science and a particular natural law tradition that will be discussed below. Describing Montesquieu’s use of the term laws of nature as they apply to humans, Shackleton states: “These laws are not normative. They are descriptive of man’s condition. They express no prescriptions, and are not alien to the ordinary conceptions of jurisprudence. They are not natural laws in the sense known to Grotius, Pufendorf, Burlamaqui, or Domat. They are closer to the scientific concept of a law of nature as a law of movement, as used by Descartes [and] by Montesquieu himself...” (Shackleton 1961, p. 251). Nor are they the natural laws of Hobbes and Locke.
desire for nourishment, association with others of their species, and sexual gratification. The satisfaction of these passions by individuals leads to the preservation of the individual and the propagation of the species. To understand Montesquieu's theory of human nature, it is essential to realize that the individual in the state of nature unreflectively satisfies his passions, and nature supplies the objects of these passions. Humanity in general is preserved by the self-interested action⁶ of individuals. The laws of nature, rather than "their sympathy for one another's wants" (Oakeshott 1975, p. 250), ensure that the satisfaction of individual passions also secures the good of humanity as a whole. This is particularly true because in the state of nature these laws bring humans into sustained contact with one another, where the potential for reason becomes reason itself. This development leads directly to the formation of human society, terminating the state of nature. Through the process of associating with others—a process that is the necessary outcome of the laws of nature—humans become rational and social.

Once humans are in society, the harmony between the satisfaction of individual passions and the preservation of humanity as a whole is destroyed. In the state of nature, there were no arts, letters, private property, or cultivation of the earth, not because the state of nature was a state of war, but because reason had not furnished such contrivances. In their original condition, humans did not rely upon each other for their daily needs, and

---

⁶ For Montesquieu, humans are "self-interested in the sense of being readily moved by self-preference" (Oakeshott 1975, p. 250). He does not believe that humans are self-interested in Hobbes' sense of seeking power after power. Self-interest does lead them into conflict once they enter society, but it is a milder form of self-interest than Hobbes posits and does not require a Leviathan to control this conflict. Alan Gilbert also distinguishes Montesquieu's concept of self-interest from Hobbes', describing it as self-love (Gilbert 1994, p. 68).
the cooperation that is fundamental in society was unnecessary. Their needs were exceedingly simple. With the development of reason, this simplicity ends. New needs, new passions, arise with the complexity of social and economic relations. The advent of reason initiates psychological complexity as well, endowing individuals with a conception of themselves as subjects. Most importantly, humans naturally “act by themselves” (SL 1.1, p. 4) without considering the effects of their actions on others. Having expanded far beyond the needs of the state of nature, and having developed a sense of pride, individuals desire a greater share of “the principal advantages of society” (SL 1.3, p. 7). Human reason is responsible for inflaming the passions beyond their natural limits, giving humans the means of and the motives for violating the laws that preserved them in the state of nature. The satisfaction of individual passions leads to conflict that is in need of resolution that the laws of nature alone cannot provide, making the emergence of society concomitant with a “state of war” (SL 1.3, p. 7). Positive laws, the product of human reason, are needed to end the state of war and strike a balance between individual passions and the requirements of society.

Before we understand Montesquieu’s political prescriptions, we must first understand his cosmology, the subject of the second section. The laws of nature particular to humans are part of a wider realm of natural law. For Montesquieu, the entire universe is a well-ordered whole that is governed by rational laws. A “primitive reason” is the source of these laws, whose function is to preserve the objects of the material world, animals, and human beings. By the early eighteenth-century, natural science has

---

7 I shall discuss Montesquieu’s understanding of passions and the relationship between the passions and reason in greater detail below.
already revealed many aspects of the structure of the material world through the laws of physics. These laws showed that the apparent chaos of matter in motion was in fact a well-ordered system that preserves individual objects and the entire universe through invariable laws of attraction, repulsion, and restlessness. The contradictions disappear once we understand the way the system functions. As the nascent science of biology had shown, animals have laws that are particular to them, and which therefore preserve them, through the satisfaction of their passions, the "inner motion" directing each animal toward the activities that will preserve it as an individual animal and as a species, just as the laws of nature had done for humans in the state of nature.

Human reason, the intelligence of finite beings, interferes with the rational plan set forth by "primitive reason." Humans were preserved well when their own reason was potential instead of actual, when they instinctively satisfied the passions nature gave them. But as we have seen, reason exacerbates the self-interest inherent in humans by allowing their passions to multiply, giving them reasons to come into conflict. Nature is a rational whole, but it is not perfect. Humans are led by nature itself into society, where they are led, by the combination of socially developed reason and naturally occurring passions, into a state of war.

Although it is not perfect, nature does not and cannot lead humans into an unresolvable contradiction (Shackleton 1961, p. 262). The human condition may not allow for perfect unity between the passions of the individual and society, but the tensions can be ameliorated—or exacerbated—depending on how well positive laws supplement the laws of nature. This is the subject of the third section. Because the development of human reason negates the preserving effects of the laws of nature, human
reason must supplement the latter by taking account of the changes that human beings undergo when they are in society. Given that humans are self-interested, that they survive only by satisfying their passions, and that reason causes these passions to run amok, the role of government is to guide and constrain the passions while allowing people to be the self-interested creatures they are. Reason itself cannot control passions, but it can erect a set of political institutions, customs, and mores which can limit the anti-social effects of passions by means of countervailing passions. Positive law cannot erode or supplant species-law by trying to re-make human nature; it must work to mold human behavior within the confines nature provides. Thus, Montesquieu does not try to impose a priori conceptions of human nature and the ends of government, but uses a combination of natural science, natural law, and a sensitivity to the role of human institutions to elucidate the role of government given the kind of beings humans are. In the fourth and final section, I shall show how Montesquieu’s conception of human nature leads him to reject the ethos of ancient republics, a theme that will take us into the next chapter.

II. The State of Nature and Human Nature

Montesquieu considers human beings “prior to the establishment of societies” (SL 1.2, p. 6) because societies and governments impart a “modification of the soul” (SL Foreword, p. xli). An essential part of human nature for Montesquieu is its flexibility. Humans are social creatures by nature; they are singularly adept at changing their thoughts, mores, and modes of life to conform with those of the wider social milieu in which they find themselves. This change can be so profound that humans can “lose even the feeling” of their true nature (SL Preface, p. xlv). While human nature is inherently
flexible, it is not entirely plastic. On the contrary, there are great costs to be paid when humans live in social and political organizations that deny or attempt to negate human nature. Montesquieu's express mission as a political theorist, the success of which would make him "the happiest of mortals," is to liberate humans from their "prejudices," by which he means "not what makes one unaware of certain things but what makes one unaware of oneself" (SL Preface, p. xliv). Once human nature has been laid bare, it will be possible to determine which laws and mores will allow them to govern themselves in accordance with their nature, instead of in contradiction to it. In order to discover what successive layers of socialization have concealed, Montesquieu strips them of the characteristics they have gained, and could only have gained, by living in society. Using both science and natural law as his guides, he paints a picture of what humans would be like in their earliest historical manifestation, which he calls the state of nature (SL 1.2, p. 6).

Unlike other theorists who theorized about the state of nature, Montesquieu rejects the possibility that humans in the state of nature could have possessed rational faculties. While the capacity for rational thought is innate, the development of reason is a process that requires association with others, and that leads inexorably to the formation of society. Montesquieu wants his readers to consider what humans would be like when they are governed not by their own reason, not by the manners and customs of society or the laws of a government, but exclusively by the laws of nature (SL 1.2, p. 6). As Ronald Grimsley tells us, "By stripping away the subjective elements and accidental accretions, he hopes to uncover a permanent natural substratum which remains unimpaired by the shifts and changes of everyday life" (Grimsley 1951, p. 6). Thus, Montesquieu reveals
the place of human beings within the universe, and how they are governed by laws not of	heir own making, but which originate with a primary or "primitive" reason, exist
everally, and constitute the eternal essence of human nature.

The laws of nature are not a priori constructs, but the result of Montesquieu's use
of scientific method and a natural law tradition that views the laws that govern the
universe and all its beings as a unified whole. The laws of physics elucidated by Newton
and the physics of Descartes gave to this tradition the sanction of men of science in the
eighteenth century. Montesquieu himself engaged in scientific experiments during his
eyear years and was undoubtedly affected by seminal discoveries not only in physics but
also in botany and biology (Kiernan 1973, pp. 122-23). Thus, Montesquieu's laws of
nature are, in his own estimation, scientifically verifiable laws that describe the condition
of the universe, animals, and human beings (Shackleton 1961, p. 251). When he
describes the laws of nature that govern humans, he is speaking as a scientist, not as a
moral philosopher, although the laws of nature constitute the basis of moral prescriptions
regarding how humans ought to be governed (Shackleton 1961, p. 252).

The laws of nature reveal that humans are driven to preserve themselves through
the instinctual satisfaction of their individual passions (PL 143, p. 260). The first law of
nature is peace. Montesquieu emphasizes the sense of isolation that humans would
experience in the state of nature, before the earth is densely populated, and before they are
accustomed to prolonged association with one another. Each individual would be timid
in the way wild animals are. "Everything makes him tremble, everything makes him
flee" (SL 1.2, p. 6). Isolation leads to a feeling of vulnerability, which all individuals
have in common. "In this state, each feels himself an inferior; he scarcely feels himself
an equal. Such men would not seek to attack one another and peace would be the first natural law” (SL 1.2, p. 6).

Montesquieu takes pains throughout Book 1 to contradict Thomas Hobbes. For Hobbes, the hypothetical state of nature is a state of war in which each individual is locked in a necessary and incessant power struggle with all other individuals. Desires, appetites and aversions motivate all humans to act (Hobbes 1985, pp. 127-28). As each individual is competing for power sufficient to satisfy his desires, and as at least some individuals will have infinite desires, which require infinite power to satisfy, no individual can be certain to attain the objects of his desires with a moderate amount of power, even if his desires are moderate. The human condition can be reduced to “a perpetuall and restlesse desire of Power after power, that ceaseth only in Death” (Hobbes 1985, p. 161). The result of this constant striving for the scarce and mutually exclusive resource of power is the war of all against all, which is the worst possible state of affairs (Hobbes 1985, p. 186). Peace is born from the state of war only when the innate aversion to violent death, which all individuals share, combined with the capacity to consider one’s long-term interests (Hobbes 1985, p. 188), compels each individual to contract with all others to surrender all of his power (save the right of self-preservation) to a sovereign, who alone remains in the state of nature (Hobbes 1985, pp. 227-28). The sovereign can and must use any means he sees fit to enforce the contract and maintain peace.

Montesquieu’s primary objection against Hobbes is that the axioms upon which Hobbes builds his science assume that humans in the state of nature are able to reason. In the state of nature, each individual will have “the faculty of knowing” but will lack “knowledge” itself which can only become actual through prolonged association with
other humans, which comes later in Montesquieu’s account of the state of nature. “It is clear that his first ideas would not be speculative ones” (SL 1.2, p. 6). The state of war that Hobbes calls the state of nature requires “speculative thought” and would therefore be impossible. “Hobbes gives men first the desire to subjugate each other, but this is not reasonable. The idea of empire and domination is so complex and depends on so many other ideas that it is not the first one they would have” (SL 1.2, p. 6). Humans cannot yet reason, and in the absence of reason, they must follow the laws of nature, which incline them towards peace rather than war. It is only after the establishment of society, after humans have departed from their natural laws and have “lost the feeling” of their nature that they “find motives for attacking others and for defending themselves” (SL 1.2, p. 6). Thus, peace is the first law of nature, but not because individuals are compelled to seek an end to their suffering (and an end to the state of nature) by a combination of their fear of violent death at the hands of other men, and reason. Rather, because humans are not yet social creatures, and thus have no motives for either attacking or defending themselves, their fear leads to flight. Montesquieu does not mention a natural law of self-defence because in the state of nature conflict between humans simply would not occur.\(^8\) The struggle for supremacy which for Hobbes is an innate human characteristic is for Montesquieu a consequence of living in society.

The second law of nature leads each individual to seek nourishment. Nowhere does Montesquieu imply that individuals would seek more than is needed for bare subsistence, or that private property or even shelter is necessary for subsistence. Because

\(^8\) One of the many laws of nature humans share with beasts is the natural tendency to avoid war with members of their own species (Shackleton 1961, p. 257).
the individual's needs are of the utmost simplicity, there will be a surfeit of resources, ensuring that the satisfaction of each individual's desire for nourishment will not create conflict with others. But it is not merely trepidation and natural plenty that ensure peace in the state of nature. The third law of nature is that humans are drawn by "natural entreaty" to associate with one another. Initially, they would flee one another out of their natural timidity. But because each one would exhibit "marks of mutual fear," they would soon feel safe to approach one another. Like all animals, "They would also be inclined by the pleasure one animal feels in the approach of an animal of its own kind." Sexual lust, inspired by the "charm that the two sexes inspire in each other by their difference," would intensify this pleasure, making associations between them a regular occurrence (SL 1.2, p. 7). By following his natural passions, without his self-conscious agency, the individual seeks peace, nourishes himself, associates with others, and, through sexual relations, propagates the species and is led into familial relations.⁹

Natural entreaty is not sufficient to lead humans out of the state of nature and into society. Other animals have "feeling" and consequently share with humans the bond of natural entreaty. Unlike other animals, however, humans are fundamentally changed through the associations to which natural entreaty leads, for the capacity for knowledge is transformed into knowledge itself. The flourishing of this capacity leads directly to the formation of society. It is an irreversible process that permanently terminates the state of

⁹ In the Persian Letters, Montesquieu tells us that the family is the natural result of procreation. In the family, he also finds an explanation for the cause of society (PL 94, p. 175). In The Spirit of the Laws, the development of reason, the fourth natural law, is the final factor responsible for the move from the state of nature to society, as we shall see below.
nature: "Besides feelings, which belong to men from the outset, they also succeed in gaining knowledge; thus they have a second bond, which other animals do not have. Therefore, they have another motive for uniting, and the desire to live in society is a fourth natural law" (SL 1.2, p. 7).

For Montesquieu, the state of nature is a temporary state in which humans are transformed from beings born without society and without the full use of their rational capacity, into beings that enter into society through the development of reason. The laws of nature—the human inclination towards peace, the paucity of natural physical needs, the natural desire to associate with other humans, the propagation of the species, and the awakening of reason through association—take human beings from the state of nature into society. While the individual is undoubtedly the primary social unit because the satisfaction of individual passions drives the process, the individual is clearly not a self-contained unit. Individuals need others; they are "made for living in society" (SL 1.1, p. 5).

Once individuals enter into society, however, the satisfaction of individual passions begets a state of war. Society, itself the end result of the laws of nature, causes humans to violate the laws of nature. The passions of the individual and the good of the whole were in harmony in the state of nature, when the laws of nature alone governed humans. In society, governed by their own rational faculties, they quickly come into conflict.

As soon as men enter into society, they lose their feeling of weakness; the equality that was among them ceases, and the state of war begins. Each particular society begins to feel its strength, producing a state of war among nations. The
individuals within each society begin to feel their strength; they seek to turn to their favour the principal advantages of society, which brings about a state of war among them. (SL 1.3, p. 7).

Here we have a paradox. Humans are led by the laws of nature to enter society, yet once they leave the state of nature, they engage in war both between and within societies. The laws of nature cease to function properly, that is, they fail to preserve human beings, once they leave the state of nature and enter into society. In order to make sense of the state of war that results when humans enter into society, we must examine the laws of nature and the universe of which humans are but a minute element.

III. Laws as Relations: Natural Law and Science

Montesquieu opens Book 1 with the definition of laws to which we have referred above: "Laws, taken in their broadest meaning, are the necessary relations deriving from the nature of things; in this sense, all beings have their laws: the divinity has its laws, the material world has its laws, the intelligences superior to man have their laws, the beasts have their laws, man has his laws." (SL 1.1, p. 3). Having declared that law is a necessary relation, and having listed the kinds of beings that have laws particular to them, Montesquieu says that there is a unity among the laws of all kinds of beings. An overarching law, a "primitive reason," serves as the basis for the laws of the whole universe. "There is, then, a primitive reason; and laws are both the relations that exist between it and different beings, and the relations of these various beings to each other" (SL 1.1, p. 3). The physical bodies of which the universe consists possess mass and velocity; they are marked by constant movement. Because the universe consists of
objects in which mass and motion are inherent, and because no two objects can occupy the same space at the same time, the physical objects must relate to each other in such a way that they can move, as they must according to their nature, and avoid colliding with one another. The laws of physics have revealed the natural laws by which these objects are preserved: "There is a force constantly repelling bodies from the center and a force of gravitation attracting them to it"¹⁰ (SL 3.7, p. 27). The laws that govern the material world "are a consistently established relation. Between one moving body and another moving body, it is in accord with the relations of mass and velocity that all motions are received, increased, diminished, or lost. Every diversity is uniformity, every change is consistency" (SL 1.1, p. 4). These laws ensure that moving objects will move in orderly, regular patterns, according to established and invariable laws.

Without such laws, the infinite number of bodies that comprise the universe would collide and the universe would destroy itself by following the dictates of its own nature. But we can see through the work of scientists that a rational set of laws does govern the universe because the objects of the material world are "devoid of intelligence" and therefore cannot make laws for themselves, yet they move according to a set of laws that preserve them (SL 1.1, p. 3). From Montesquieu's discussion of the laws of nature (that govern the universe), it is clear that their purpose is to preserve the objects over which they have dominion by orchestrating the natural characteristics of those objects themselves so that they are preserved—rather than destroyed—by those characteristics.

¹⁰ The laws of physics employ the use of countervailing forces, providing a naturally occurring model for his use of countervailing passions to neutralize the potential conflict between humans, as we shall see below.
One can imagine a universe containing constantly moving objects in which those objects collided, causing the destruction of that universe. Instead, the motions of physical objects are restrained by the “invariable laws” of gravity, celestial objects move in orbits, and so forth. When Montesquieu says “if we could imagine another world than this, it would have invariable laws or it would be destroyed” (SL 1.1, p. 3), he means “if we imagine another world in which physical objects had the same nature, that is, if they have mass and velocity.” He is not positing a priori rules based upon reason alone; he is coming to rational conclusions based upon the nature of physical objects as revealed by empirical science.

The necessity of the laws of physics, Montesquieu believes, circumscribes the role that God can play in the affairs not only of men, but of the universe as a whole. Natural laws govern the world, whether we prefer to say that they originate from a “primitive reason” or from God, but they can be breached by no one, not even God, or the entire universe would be destroyed. “God,” Montesquieu says, “is related to the world as universe as creator and preserver; the laws according to which he originates are those according to which he preserves. . .” (SL 1.1, p. 3). Althusser is undoubtedly correct about the radical nature of one aspect of Montesquieu’s redefinition of law: he is, in effect, eliminating God from the concept of natural law. Berlin overstates his case when he says that Montesquieu’s formulation of law is merely “a piece of medieval theology translated into secular terms” (Berlin 1984a, p. 153). Montesquieu makes it easy to transpose “God” and “primitive reason,” the latter a term signifying a natural force that affects the universe only as a first cause or an unmoved mover. As Pangle notes, Montesquieu cites the authority of Plutarch, a pagan philosopher, in stating that the law is
master over both mortals and gods. "Montesquieu does not refer to any theological authority because no theological authority could support the view which implies that God is wholly lawful or rational in all his doings and is incapable of performing miracles" (Pangle 1973, p. 26). Nobody questions that the omnipotence of God is central to Christian theology. God created the world, and he can alter it, interceding in worldly affairs either directly through one of his three manifestations, or through those "intelligences superior to man" known as angels. A God unable to perform miracles or powerless to impose His will on the world could hardly be called omnipotent. Yet Montesquieu shackles God with the very rules by which He created and preserved the world. He could not preserve His creation in their absence. "It would be absurd to say that the creator, without these rules, could govern the world, since the world would cease to exist without them" (SL 1.1, p. 4). So God cannot for one moment alter the laws that govern the world because without these laws, everything would be destroyed. Clearly, if laws were commands, God could preserve his creation by his will alone. God’s role is reduced to that of a "night watchman against thieves" (Althusser 1982, p. 33). As for "intelligences superior to man," Montesquieu mentions them once and then never discusses them again. This omission leads one to conclude that neither angels nor God, if either exist, can violate the regular application of natural laws (Pangle 1973, p. 24).

When the laws that govern the world and all its beings are "consistent," when they are "necessary relations," it is possible for human reason to comprehend them (Pangle 1973, p. 24). This is why a meddlesome, omnipotent God is excluded from Montesquieu’s cosmos. Although we shall discuss this in greater detail below, it should be noted that Montesquieu also rules out the possibility of Fortuna. For Machiavelli,
Fortuna is an independent actor in human affairs who is difficult to resist precisely because of her arbitrariness. Montesquieu is not denying the existence of blind luck, but Fortuna is clearly not simply a name for luck; she is a force which men of virtù must resist and seduce, and the personification of the disorder that Machiavelli believes is inherent in the universe. For Montesquieu the laws of nature reveal the underlying order and rationality of the universe. The laws of physics, by which the material world is preserved, can appear at first glance to be mysterious and rife with contradictions. However, when we examine the material world, we see that its operations are not mysterious at all; they are penetrable by human reason, and the laws that govern it are indeed regular. Under rational scrutiny, apparent contradictions disappear and we understand the "necessary relations." Newton could come to understand the laws of physics precisely because they were regular: neither the "creator and preserver" of the universe nor the objects that the laws governed could breach them.

As we have noted, Montesquieu established his understanding of human nature and natural law on natural science and scientific method as elucidated by Newton and Descartes, and on a tradition of natural law that extended from the Roman jurist Ulpian through the Cartesians Malebranche and Gravina.11 For our purposes, the most important

---

11 There is much debate among scholars concerning the sources of Montesquieu's unique concept of natural law, but this debate need not concern us here. Robert Shackleton provides convincing grounds for believing that Montesquieu owes his greatest debt to Ulpian, Descartes, Malebranche and Gravina, despite rejecting the importance the Christian God held in the latter three theorists' concept of natural law (Shackleton 1961 pp. 252-60). Robert Loy comes to a similar conclusion, although like Berlin, Loy rightly points out that Montesquieu abandons rigid Cartesianism rather quickly in Book 1 with his discussion of animals (Loy 1968, pp. 90-94). For an interesting discussion of Montesquieu's conception of natural law, see Rebecca Kingston's Montesquieu and the Parlement of Bordeaux.
tenet of this tradition was its reliance upon natural science in drawing conclusions about the nature of man; the laws that govern the material world and the animal world and the laws natural to man have a common origin. These laws are *relations deriving from the nature of things*, that is, from the observable phenomena of the entire universe and all its beings. Gravina stresses that all beings are animated by the very same motion that is natural to physical bodies. The ultimate foundation of natural law can be found in “that all-pervasive motion, which stimulates and activates all things” (Shackleton 1961, p. 256). For Ulpian, the natural laws that govern animal behavior are identical to those that govern humans:

Natural law is that which nature has taught all animals: for that law is not peculiar to the human species, but is common to all animals, which are born on the land, which are born in the sea, and also to birds. From hence descends the union of man and woman, which we call matrimony, from hence the begetting and education of children; we find, in fact, that animals in general, the very wild beasts, are marked by acquaintance with this law (Ulpian 1845, p. 4).\(^{12}\)

Following the reflections of these two jurists (and others in this natural law tradition), Montesquieu concludes that there is a continuity between the laws of motion that govern the universe as a whole (the laws of physics) and the motion that is natural to animals and humans, that is, the passions. Beasts, like the material world, are devoid of intelligence. When we observe the behavior of animals, we can see that they are not governed by their

\(^{12}\) *Ius naturale est, quod natura omnia animalia docuit: nam ius istud non humani generis proprium, sed animalia quae in terra, in mari nascuntur, avium quoque commune est. Hinc descedit maris atque feminae conjuncto, quam nos matrimonium appelamus, hinc liberorum procreatio, hinc educatio.*
own reason but either by "general laws of motion," that is, by the same laws that govern the material world, or "by a movement particular to themselves" (SL 1.1, p. 5). Either way, it is clear to Montesquieu that they are governed by laws that nature gives them; because beasts lack intelligence, they are unable to give themselves laws. Considering whether beasts are governed directly by the laws of physics, which is the position both Descartes and Malebranche held, Montesquieu concludes, quite sensibly, that animals possess an attribute the physical world lacks: feeling\(^\text{13}\) (SL 1.1, p. 5). Animals "are united by feeling" (SL 1, 1, p. 5) and their natural laws derive from this. Feeling "is useful to them only in their relation to one another, either with other particular beings or with themselves" (SL 1, 1, p. 5). And although the laws of motion are the foundation of their natural laws, animals are more complex than physical objects because they require the additional characteristic of feeling in order for their natural laws to govern them properly. Natural appetites and passions, not the laws of gravity, constitute the "movement particular to themselves," the satisfaction of which provides for their preservation. Passions are an extension of the laws of nature. "The natural laws to be learnt from the study of beasts are comparable in their operations to the laws of the physical universe; they are in fact simply special manifestations (perhaps the most accessible manifestations) of the laws of the physical universe. . . (Shackleton 1961, p. 251). The passions are not evidence of original sin, nor are they a force that reason must suppress or overcome if humankind is to progress morally, as both Bayle and Voltaire had believed (Kiernan 1973, pp. 108-111). The passions are the expression of the life

\(^{13}\) Both Descartes and Malebranche held that animals were mere machines governed strictly by the laws of motion, and hence had no capacity for feeling.
force; beasts and humans survive, as both individuals and as a species, because passions prod them to do the things that are necessary for survival.

Montesquieu holds that natural laws preserve the things they govern. Physical objects, defined by the characteristics of mass and velocity, required natural laws that would use these natural characteristics to the advantage, that is, the preservation, of those very objects. Animals are beings whose primary characteristic is "feeling," or "pleasure." In order to preserve animals, nature has ensured that they will be led by their passions to those activities that will preserve the individual and the species at one and the same time. "By the attraction of pleasure they preserve their particular being; by the same attraction they preserve their species" (SL 1.1, p. 5). Animals are naturally drawn by their own pleasure to the things that sustain each individual animal, such as the desire for food and drink; each individual animal is also driven by its passions to activities such as procreating and caring for the young that ensure the survival of the species. A fundamental harmony exists between the passions that drive the individual animal to act and the well-being of all animals of the same kind.

While Montesquieu stresses the success with which animals follow their natural laws and, as a consequence, preserve themselves, he acknowledges that animals violate their natural laws more frequently than both physical objects and plants "in which we observe neither knowledge nor feeling" (SL 1, 1, p. 5). The mere fact that animals "feel" makes them more prone to violate their natural laws, which, paradoxically, are founded upon animals' capacity for feeling (SL 1, 1, p. 5). This defect is inherent in the natural laws that preserve them. Beasts, as complex beings, can be led to act against their natural laws by the failure of those very laws.
Like Ulpian, Montesquieu believes that the natural laws of beasts and humans have a common origin. The portrait of beasts Montesquieu paints has nothing in common with that of Machiavelli, for whom the beast represents the feral and violent passions that are an essential component of human nature. Montesquieu, however, believes that beasts are not naturally violent; they possess a natural sociability which humans have inherited from them. In a passage that was included in Montesquieu's manuscript of Book 1 but which was never published, he states that animals of the same species are predisposed toward peaceful and amicable relations with one another, and naturally avoid "war with their own species" (Shackleton 1961, p. 257). The natural sociability of animals is identical to "natural entreaty," the third law of nature and one of the two bonds that leads to the formation of human society. Moreover, the fundamental compatibility of the individual animal's passions recalls the harmony between the individual and the whole that humans enjoyed in the state of nature. The fundamental difference between animals and humans is the possession of knowledge (intelligence). The possession of this characteristic, acting in concert with feeling, is what makes the compatibility between the satisfaction of individual passions and the good of the whole difficult to effect in society. Both beasts and humans in the state of nature can, as individuals, follow their passions and by satisfying them, preserve the whole. When human beings do the same in society, there is tension between the passions of the individual and the good of the whole.

Beasts do not have the supreme advantages that we have; they have some that we do not have. They do not have our expectations, but they do not have our fears; they suffer death as we do, but without recognizing it; most even preserve themselves better, and do not make such bad use of their passions. . . As an
intelligent being [man] constantly violates the laws god has established, and changes those he himself establishes; he must guide himself, yet he is a limited being; he is subject to ignorance and error, as are all finite intelligences; he loses even the imperfect knowledge he has. As a feeling creature, he falls subject to a thousand passions. Such a being could at any moment forget his creator; god has called him back to him by the laws of religion. Such a being could at any moment forget himself; philosophers have reminded him of himself by the laws of morality. Made for living in society, he could forget his fellows; legislators have returned him to his duties by political and civil laws. (SL 1, 1, p. 5, my emphasis)

Not only do humans make "bad use" of their passions, they fall subject to "a thousand passions." As intelligent creatures, they tend to use their intelligence to multiply the number of passions that demand satisfaction.

IV. Society, Natural Law, and Positive Law

We can now see more clearly why the movement from the pre-rational state of nature to society leads to the state of war. The only difference between the smooth functioning of the laws of nature in the state of nature and their failure in society is that humans become "intelligent beings." The "intelligent world" fails to obey the laws of nature consistently because "particular intelligent beings are limited by their nature and consequently subject to error; furthermore, it is in their nature to act by themselves" (SL 1.1, p. 4). Unlike the intelligence of "primitive reason," human intelligence is "finite," meaning that it does not have the universe itself as its object, but the individual. It is human nature for individuals to act by themselves, and we can see this in the way the
laws of nature preserve humanity. The individual acts on his passions to preserve himself, and because the laws of nature are well-designed, the whole is preserved through the concert of individual actions.

When humans develop reason, they also develop a sense of themselves as individuals, which Hegel would later call personality, but which the *philosophes* called pride (Kiernan 1973, p. 108). As Grimsley states, “It is this 'retour sur nous-mêmes' which is responsible for the supreme human fault—namely the absurd pretensions of pride. Instead of considering himself the ultimate point of reference for all things, man must understand that he is part of a vast whole, one element in a prodigious variety of forms in which nature expresses herself” (Grimsley 1951, p. 298). Of course, the inability to recognize this fundamental fact is an inherent limitation of particular intelligent beings. “We do not realize our littleness,” Usbek writes, “and in spite of everything we want to count for something in the universe, play a part, be a person of some importance. We imagine that the annihilation of a being as perfect as ourselves would detract from nature as a whole, and we cannot conceive that one man more or less in the world, and indeed the whole of mankind, a hundred million heads like ours, are only a minute, intangible speck, which God perceives simply because of the immensity of his knowledge” (PL 76, p. 154). It is pride, a result of finite reason, that leads humans astray and ruins the unity between the satisfaction of individual passions and the good of society. It perverts the function of the passions, converting human beings from the natural engine of individual and universal preservation to the force behind individual
aggrandizement and social conflict. The passions themselves are not the problem; without them, the laws of nature could not govern humans at all, because they are “feeling creatures.” In society, pride, in conjunction to the increasing complexity of social and economic relations that is a natural progression of association, stokes the passions and gives individuals ever-increasing and mutually exclusive desires. These desires, not the natural inclinations of human beings, provide motives for attack and defense.

The individual in the state of nature has no abstract thoughts and therefore no abstract self-conscious subjectivity. In society, however, his conception of himself as an individual distinguished from and set over against other individuals is born, creating the need to distinguish himself from others through the possession of both material goods and power. Rousseau, reflecting on this very problem, states what Montesquieu leaves unsaid:

... first necessities have to be provided for, and then superfluities; next come delicacies, and then immense wealth, and then subjects, and then Slaves; [man] has not a moment’s respite; what is most singular is that the less natural and urgent the needs, the more the passions increase and, worse still, so does the power to satisfy them” (Rousseau 1997, p. 199).

Felicity, the possession of the good things society has to offer, is not merely the desire for comfort, although it is certainly that as well. It is the desire to have things that will add to

---

14 “The desire for fame and glory is no different in kind from the instinct for self-conservation which every creature possesses. We seem to be adding to what we are when we are able to impose ourselves on the memory of others; we acquire a new life, which becomes as precious to us as the one we receive from Heaven” (PL 89, pp. 169-70).
the importance of the individual, now conceived by the subjective consciousness as someone who is important and who should be seen in this light by others.

Pride is both cause and effect of the natural complexity that emerges from human association. Society necessarily entails the dependence of individuals on one another through the formation and evolution of agriculture, the arts, commercial relations, and money. Social relations foster economic complexity that leads people beyond the desire for goods adequate for their preservation towards the desire for felicitous living. Like Rousseau, Montesquieu believes that the invention of money is an inevitable product of society that has the following effect on man’s passions: “... to fatten the fortune of man beyond the limits nature has set for it, to teach men to preserve vainly what has been amassed vainly, to multiply desires infinitely, and to supplement nature, which has given us very little means to excite our passions and to corrupt one another” (SL 4.6, p. 38). In nature, there are no motives for aggression or defense because humans are naturally peaceful and because their needs are exceedingly limited. In society they pursue their passions even when the objects of their passions are no longer necessities but superfluities, the “advantages” of society. Reason does not tell them which passions they ought to satisfy; it multiplies the passions, treating all of them as necessities because they are extensions of subjectivity, “the pretensions of pride.” Thus passions expand as the

---

15 In the *Persian Letters*, even the “good” Troglodytes are driven by their own desires to reject a set of customs that had made them happy and virtuous, but that required simplicity and austerity that they had come to find restrictive. They abandoned their moderate mode of life, selected a king in order to concern themselves with the pursuit of riches, and left the trouble of governing, and of restraining their passions, to someone else (PL 14, p. 60-61).
goods produced by society expand.\textsuperscript{16} Each seeks to monopolize the advantages of society, which is based on \textit{mutual} advantage (PL 76, p. 153). The individual needs others in society, for he is not self-sufficient, but his self-interest threatens to destroy it.

Human reason, a natural, teleological development of potential human faculties, is responsible both for the state of war and for creating modes of association that contort human nature. Were this not the case, Montesquieu would not have been forced to resort to a state of nature to describe human nature; he could have taken humans as they are in their social relations. Hulliung is correct when he says that Montesquieu uses the state of nature in part to criticize the artificiality of society (Hulliung 1976, p. 112).\textsuperscript{17} But Montesquieu's conclusion that the state of nature is peaceful and society is rife with conflict is not merely a metaphor for criticizing the artificiality of social relations.

Tension between the individual and society is a natural aspect of social life, brought about by the effect reason has on the passions that are necessary for both individual and social life, but which expand without limit in society. Humans are driven to act unjustly in pursuit of their own individual good; they act by themselves, for themselves.

There appears to be a fundamental conflict at the heart of the human condition. Humans are led by their natural laws from the state of nature to society, where their

\textsuperscript{16} Rousseau, expounding on this point, says, "With the single exception of the physically necessary, which nature itself requires, all our other needs are needs only by habit, prior to which they were not needs, or by our desires, and one does not desire what one is not in a position to know. Whence it follows that, since Savage man desires only the things he knows, and knows only the things the possession of which is in his power or easy to achieve, nothing must be so calm as his soul and nothing so limited as his mind" (Rousseau 1997, p. 212).

\textsuperscript{17} Ronald Grimsley argues that Montesquieu's use of nature in the \textit{Persian Letters} serves the same purpose (Grimsley 1951, p. 294).
natural laws cease to function, causing a rift between the good as the individual conceives it and the good of society as a whole. This conflict belies the harmony between the individual and humanity as a whole which the laws of nature had produced prior to society. Nature seems to negate itself through its own laws. Montesquieu holds that the universe is well-ordered and “dependent on general laws” (PL 76, p. 153), but not that it is, in the words of Voltaire’s Dr. Pangloss, “the best of all possible worlds.” Moreover, conflict itself is an essential part of the general laws of the “divine architecture,” a fact that makes human struggles inevitable. That said, Montesquieu prefers to stress the orderly and stable functioning of the universe and its laws (Grimsley 1951, p. 295).

Human reason is responsible for the imperfect aspects of the human condition, but Montesquieu does not believe that humans were better or happier in the state of nature, for they are not fully human until they are in society. Although it is clear that the development of “finite reason” makes a perfect fit between the laws of nature and human society impossible, Montesquieu did not believe that humans are led by their very nature into a fundamental contradiction. Through reason, through science, Montesquieu believed that he had exposed human nature and the laws of nature on which they are founded. Positive laws, “human reason insofar as it governs all the peoples of the earth,” must embody and enforce the laws of nature and restore, to some degree, the harmony

18 As Usbek writes in the *Persian Letters*, “The world, my dear Rhedi, is not immune to decay; nor are the heavens themselves. . . . The earth, like other planets, obeys the laws of motion; it is subject to a perpetual inner conflict between its constituent elements. Sea and land seem to be eternally at war, and at every moment new combinations emerge. The human race, living in an environment which is so liable to change, is in just as uncertain a condition. There are a hundred thousand factors which may be operative and are capable of destroying it, and even more so, therefore, of increasing or decreasing its numbers” (PL 113, p. 204).
between the satisfaction of individual passions and the good of society as a whole.

Montesquieu's project in *The Spirit of the Laws* is to point the way.

Montesquieu believes that the "prior relations of fairness" which are decried by Althusser and Berlin furnish the basic framework for positive laws and are as "invariable" for humans as the laws of nature that govern the physical world (SL 1.1, p. 4). They are akin to the rational principles that must hold if the material world is to be preserved by its natural laws. Without them, humans as they exist in society—self-interested individuals who multiply and sublimate their passions through the agency of reason—would destroy both themselves and society. Just as it is impossible to conceive of the world without the relations that prevent moving bodies from colliding, it is impossible to conceive of the preservation of society without a set of rationally deducible laws to prevent the collision of self-preferential individuals (SL 1.1, p. 4). The only difference between "prior relations of fairness" and the laws of physics that preserve the material world is that we are free, as intelligent beings, to break these natural laws. Men treat each other with justice by default in the state of nature because they lack "intelligence," that mercurial quality that allows us to rebel against the laws that would preserve us (SL 1.1, p. 5). But the mere fact that "particular intelligent beings" are able "to act on their own" in violation of these relations of justice does not mean that they do not exist or that they are not to be followed.¹⁹

¹⁹ "It would be amusing to imagine," Althusser quips, "that the reason why bodies do not have (positive) laws is because they do not have the wit to obey their laws!" (Althusser 1982, p. 39). Yet this is precisely the case. The absence of wit or intelligence is the reason why the objects of the material world do not make their own laws, and, what is crucial for Montesquieu, why the material world is so well preserved.
In his vivid parable of the Troglodytes in the *Persian Letters*, Montesquieu has Usbek narrate the story of the first Troglodytes, who have no principles of justice and who murder the sovereign who was attempting to rule them. Finding any form of government unbearable, they agree to a contract that dissolves society, and each agrees to look after his own affairs exclusively (PL 11 p. 54). In the state of nature and acting according to Hobbesian principles, they refuse to share their grain with their starving countrymen or to settle one another's disputes, and they fail to honor agreements, and resort to violence. In the most deadly consequence of their injustice, the entire Troglodyte nation, save two just families, perishes when they call in a doctor who saves them from an epidemic, but refuse to pay when they have regained their health. When the plague returns with redoubled force they summon the same doctor, who replies, "Away with you, for you are unjust. In your souls is a poison deadlier than that for which you seek a cure. You do not deserve a place on earth for you have no humanity, and the rules of equity are unknown to you" (PL 11, p. 56). Mark Waddicor, reflecting on this parable, concludes, "The moral of each of Usbek's examples is that these selfish acts result not in a gain but a loss. He is demonstrating that Hobbes' notion of self-preservation, the liberty that each man has to act entirely as he pleases, does not in fact procure self-preservation, but self-destruction" (Waddicor 1970, p. 71). While Hobbes understands that his state of nature was adequate only as an explanation of why people enter into

---

20 The king, equal parts Hobbesian sovereign and Machiavellian prince, is killed because the Troglodytes could not tolerate any restrictions on their freedom to follow their own selfish interests. Montesquieu casts doubt that men with no justice whatsoever could ever be subject to political order.
society and government, Montesquieu's point is that such people are wholly incapable of entering into any kind of social or political relations.

Given that humans are driven by their passions, that reason serves to multiply the passions, which they will satiate by both art and violence, humans must be restrained by principles of justice. Not only ought they to be restrained, but they in fact are, however inadequately.21 If they were not, society would be consumed by individual acts of iniquity. "But for [such principles], we should be perpetually afraid. We should walk about among men as if they were wild lions, and we should never be sure for a moment of our possessions, our happiness, or our lives" (PL 83, p. 163). The eternal nature of the principles of justice, and Montesquieu's insistence that they are "invariable" even if they are not punctiliously followed, is a ramification of his deeply-held belief in the rational laws of nature. Nature may put humans in an unenviable position—they are led by nature into society, but this union leads to conflict because of human nature—but it does not leave them entirely in the lurch. If we listen, we can hear the voice of justice instructing us, imploring us to curb our appetites in order to treat our fellows with the respect and humanity required for society to be maintained. But the reason, the pride, of each individual stifles the voice of justice, seeing the satisfaction of the passions as its only end, regardless of the consequences.

21 Of course, individuals are not adequately restrained by the principles of justice, a fact which explains why the emergence of society is coeval with the state of war which positive, human-made law must end. But Montesquieu wants the reader to understand that we hear the voice of reason even when we violate it. Thus, failure to heed it is not due to its lack of standing, as it were, but to the force of our pride.
Justice is a relation of suitability, which actually exists between two things. It is
ture that men do not always see these relationships all the time. Often, indeed,
when they do see them, they turn away from them, and what they see best is
always their own self-interest. Justice raises its voice, but it has difficulty in
making itself heard among the tumult of passions. Men are capable of unjust
actions because it is in their interest to do them, and they prefer their own
satisfaction to that of others (PL 83, p. 162).

Government, a creation of positive law, is required to settle the state of war not by
repressing humans with arbitrary laws or the sovereign's ever-raised hand, but by
articulating the principles of justice through positive law. As Robert Shackleton aptly
puts it, "... the basis upon which this ius naturale rests is not the fiat of the legislator but
the nature of the created universe; it is never abolished but continues to the present day.

Modern societies, if they are viable, must conform to it; and thus ius naturale becomes
vested with a moral or prescriptive character" (Shackleton 1961, p. 264). Humans are
self-interested. The relations of justice are unable to keep self-interest in check by
themselves.

Human reason must draw upon natural law as elucidated in the state of nature and
upon the prior relations of fairness that govern humans as social beings; positive law for
Montesquieu is the creation of the legislator who knows and understands human nature
and the relationship between the individual and society. There are three fundamental
forms of right which are the foundations of human government, and which therefore
secure man's existence as a social being. Political right, by which government is
established, governs the relations between the individual and the state. Quoting Gravina
with approval, he calls the political state "the union of all individual strengths" (SL 1.3, p. 8). The state is composed of individuals, who must join with others to end the war in society; the state must continue to exist for society itself to continue to exist (SL 1.3, p. 8). Civil right, which is the "union of all individual wills," establishes rights and relations between citizens. Together, political right and civil right constitute the means by which the legislator reminds each citizen of his fellows, turning the mind of each to the duties he owes others (SL 1.2, p. 5). The individual must come to terms with others in society so that both may flourish.

Montesquieu believes that there can be harmony between the passions of the individual and the preservation of society; he denies that the individual or the individual state can truly prosper unless the whole of humanity prospers as well. Thus he extends this principle of mutual benefit to the sphere of international relations with his notion of the right of nations (SL 1.3, p. 8). While he believes that there may be occasions where

---

22 According to David Lowenthal, the fact that the state of war follows hot on the heels of the formation of society proves that, for all Montesquieu's protests to the contrary, he holds with Hobbes that men are essentially anti-social (Lowenthal 1959, pp. 494-95). Arguing along similar lines, Pangle states that Montesquieu, in an effort to give an account of man's nature that both distanced himself from the frankness of Hobbes' language and was more scientifically accurate, came to the same conclusions as Hobbes, but by a more circuitous route. The differences between the two "reduce to the contention by Montesquieu that what Hobbes describes as the state of nature must have been a situation which developed later—be it understood, almost inevitably—from the original state" (Pangle 1973, p. 35). Although Montesquieu believes that humans inevitably enter into a state of war, he maintains that the fundamental compatibility between the satisfaction of individual desires and the preservation of the species in the state of nature can be emulated in society with the help of what Bernard Mandeville calls a "skillful legislator." Not only man as an individual, not only individual societies, but the whole of humankind can flourish when the cacophony of individual passions is properly arranged. Montesquieu was fond of quoting a maxim of Marcus Aurelius (and reminiscent of Mandeville), "What is useless to the bee is useless to the hive" (Hampson 1983, p. 14).
one state may justly go to war with another, the object of war is not to despoil or to
dominate but to preserve. “The object of war is victory; of victory, conquest; of
conquest, preservation” (SL 1.3, p. 8). The right of nations, which all nations have but
few found on “true principles,” is based upon preservation and doing as much good to
other nations when at peace, and as little ill as possible when at war, without harming
one’s true interests (SL 1.3, p. 7).

These three forms of right are the articulation of the prior relations of fairness
which the legislator must make manifest through positive law if man is to be preserved as
a social being. Like the laws of physics which preserve the whole universe, not merely
this or that body, the positive laws that ought to govern humans in society preserve the
individual by preserving all others. Thus, the notion that natural laws must preserve the
whole of the things they govern, which for Montesquieu defined the essence of the laws
of nature, holds true for humans as well as the material world and beasts.

Montesquieu wants government, positive law, to use reason to make the
individual moderate his passions by making the satisfaction of those passions dependent
upon their moderation. Passions cannot be extinguished without also extinguishing the
individual’s personality or his life. Thus, individual passions must be allowed
expression, but it must be in the interest of the individual to moderate these passions
himself; this can only be the case when the state erects institutions, which are supported
by the manners and mores of the nation, making such moderation necessary for the
satisfaction of those passions. For Montesquieu, reason itself is powerless to restrain the
passions. Humans are inherently self-loving, and as the passions expand, they seek to
satisfy them at the expense of others. The legislator must erect institutions that allow
individuals to be self-interested, and to satisfy their passions, but that will also force them
to restrain their own passions by setting other, more advantageous rewards before them,
rewards from which both the individual and society can profit. Enlightened self-interest,
in other words, is the key to making the individual's passions consistent with the good of
the whole. Montesquieu believed that commerce was a partial (but perhaps the best
possible) solution to the problem of individual passions. In the interest of obtaining
greater goods, individuals restrain their passions; in this case reason and the passions
combine to negate other, more destructive passions (Hirschman 1977, pp. 70-80). 23

V. Republics and Human Nature

In both Greatness and Decline and The Spirit of the Laws, Montesquieu
decisively rejects the ethos of ancient republics which, in his early thought, he had both
praised and censured. His Pensées are replete with comparisons between the ancients and
moderns that favor the former, primarily for their ability to exalt human beings above the

23 It is beyond the scope of this dissertation to discuss commerce and how it provides
solutions to the tension between the good of the individual and the good of society in any
detail. What is important to grasp is that republican governments of antiquity attempted
to solve this problem in a way that violated the laws of nature, i.e., human nature, and
that Montesquieu attributes its inherent instability to this violation. Whereas Machiavelli
believes that the Roman republic fell because of the instability inherent in human nature
(the bestial half of human nature) that makes sustained political success impossible,
Montesquieu attributes Rome's fall to the violation of human nature that is necessary for
the establishment of all republics that have virtue as their spring. As we have seen,
Montesquieu stresses the order inherent in the working of the universe, and the (all too
often unrealized) ability of human beings to make their own political and social
institutions stable by embodying their natural laws through positive laws. Although
nothing is eternal, Montesquieu rejects the limits Machiavelli places on sustained
political success, particularly the idea of a bestial half of human nature. I shall discuss
these issues at greater length in the next two chapters.
selfish passions that bedevil their social and political life (Hampson 1983, p. 5). As we shall explore at length in the next chapter, unlike Machiavelli, Montesquieu believed that the entire republic must remain poor, small, and "mediocre" if it is to survive. Machiavelli judges the success of Rome, in part, by its astonishing rise from simplicity and poverty to wealth, power, glory, and civilization. Republics marked by austerity, poverty, and mediocrity, like Sparta, are failures in contradistinction to powerful and glorious Rome. For Montesquieu, the chief attributes of ancient republics are the austerity of both their economic conditions and their morality, conditions that foster in the citizen the contempt for the comforts of life, and for death itself, constituting the foundation of the citizen's love of the common good over his own.

Frugality, discipline and self-restraint—fruits of republican virtue—blunt the destructive passions that engender conflict. The reason for Montesquieu's early love of virtuous republics can be found in his belief that the individual—be it an individual object, animal, or man—must find its preservation, security, and felicity in the prosperity of the whole to which it belongs. As we have seen, Montesquieu believed that the entire universe and all its beings were governed by natural laws that secured the individual by securing the entire universe; this belief is a cornerstone of his political philosophy. Republics seem at first glance to offer the solution to the problem Montesquieu raises in Book 1 of The Spirit of the Laws. Self-interested individuals can only prosper when their passions are consistent with the good of society; republics, in demanding that citizens put their narrowly-conceived self-interest aside in order to devote themselves to the common good, allow them to secure their true interests while elevating human nature from meanness to magnanimity. Montesquieu reveals in the parable of the Troglodytes that the
good Troglodytes, who had shunned Hobbesian self-interest for the virtue capable in an austere republic, continually taught their children that the good of the individual and the community are inseparable: “Above all they made them realize that the individual’s interest is always to be found in the common interest; that wanting to cut oneself off from it is the same as wanting to ruin oneself; that virtue is not such as to cost us anything, and should not be considered a painful exercise; and that justice for others is charity for ourselves” (PL 12, p. 57). In the Persian Letters, as in The Spirit of the Laws, virtue is defined as the citizen’s preference for the common good over his own, but contrary to his later work, he affirms that the individual’s interests could only be attained through virtue. The dual good of self-interest and the elevation of the individual above base self-interest could be achieved through the virtue that republics instilled in their citizens.

Nannerl Keohane asserts, “As a young man, Montesquieu cast his lot with the ancients against the moderns; and he never changed his mind” (Keohane 1980, p. 419). But even in his earliest Pensées, from which Keohane derives the bulk of the support for her claim, Montesquieu recognizes the immutability of self-interested passions (OC 1, p. 993). And in the same Persian Letters in which the austere virtue of the Troglodytes is extolled, Montesquieu is pessimistic about the human capacity to maintain the virtue, that constitutes the only hope of vindicating human nature. The Troglodytes sloughed off the austere mores that were necessary to maintain virtue so that they could pursue wealth, with the full knowledge that they were abandoning virtue. The failure of the good Troglodytes to maintain the virtuous republic that had made them and their forebears so happy was, at this point in Montesquieu’s thought, attributed to the human desire to “escape freedom” that Dostoyevsky and Fromm would later elucidate in such eloquent
terms. Virtue, perhaps, was too lofty an aspiration for humans, who could only occasionally and briefly erect regimes that would create "lofty souls" capable of seeing past their immediate interests and securing their true prosperity through serving the common good. For the most part, however, people were doomed to wallow in their trifling concerns, abandoning the common good, and therefore their true interests. What this explanation leaves unanswered, however, is why people would willingly abandon the practice of virtue, of sacrificing their own interest for the good of the whole, if this sacrifice were actually both painless and productive of a greater good.

As we have seen in the previous discussion of his conception of human nature, particularly as formulated in Book 1 of The Spirit of the Laws, Montesquieu came to realize that human nature renders the sacrifice of one's own interests painful in the short run and impossible in the long run. Individuals depend physiologically and psychologically on the satisfaction of their passions in order to survive, as Montesquieu's detailed lineage of the origin of human passions makes clear. From the motion that defines the material world comes the motion of the passions that animate and sustain men, which are felt and satiated by the individual. Drawing upon the relationship between the motion of physical bodies and the psychological motion of self-interest, Montesquieu says, "As the physical world subsists only because each particle of matter tends to distance itself from the center, so the political world also sustains itself by the internal, restless desire of each to leave the setting in which it is placed. It is in vain that an austere morality would efface these traits" (OC 1, p. 993). In the state of nature the common good is achieved through the satisfaction of individual passions, not through their renunciation. After discerning and examining virtue, the "spring" that animates
republics, Montesquieu concludes that establishing the common good on the solid foundation of individual passions was the only possible solution to the problem of the human condition.

Republics attempt to solve the conflict between self-interest and the duties the individual owes to others in society by squelching self-interest altogether through institutions that blend extremes of economic austerity and repressive mores. The passions by which each individual is naturally inclined to preserve himself, to distinguish himself, to acquire material goods, and so forth cannot be extinguished, but they can be sublimated. The republic replaces the individual as the object of the passions. The laws deny the citizen the natural object of his passions—the self—and allow him to love only the state. Individual wills are united, individual passions are sublimated, into an all-consuming passion for the republic and its glory. While Montesquieu admired the willingness of the individual to sacrifice himself for the good of the whole, he came to understand that the sacrifice of individual interests did not smoothly translate into the peace and prosperity of the republic, as he had claimed in the Persian Letters; rather, the zeal exhibited for the public good was the engine that drove constant wars of conquest. As we shall see in detail in the next chapter, Montesquieu believes that republics based upon the ancient virtue he had so often praised in his youth were inherently unstable because virtue, born of moral and economic austerity, drove ancient republics to engage in wars of conquest. Those republics that were most successful in instilling virtue in their citizens were the most able conquerors, and therefore were the authors of their own ruin. For conquest brings two elements that corrupt the virtue that is the lifeblood of republics and the reason for their conquests: wealth and foreign mores. When a republic extends its
empire, it necessarily corrupts its own virtue, and paves the way for despotism. Republics do not lead to preservation, but to the destruction of men's souls, bodies, and the entire world.

It is accurate to say with Alan Gilbert that Montesquieu criticizes ancient republics because they depended upon war and because they required excessive conformity from their citizens (Gilbert 1994, pp. 52-53). But unless we understand that these conclusions rest upon Montesquieu's belief that these practices violate human nature and deny the fundamental truth of human individuality, they can be taken as arbitrary preferences for peace and for the flourishing of individuality. Contemporary liberals share Montesquieu's disdain for warfare, slavery, conformity, and repressive moral and religious institutions. Convincing Machiavelli is a different matter; he could easily reply that those who hate war and love peace are merely lambs to the slaughter. Montesquieu will not protest that republics violate the right of nations, "prior relations of fairness," or natural laws. Rather, he will show that because republics violate human nature, natural laws, the right of nations, and so forth, they are destined to collapse. It is impossible to sustain a government that attempts to solve the problem of the human condition by denying human nature. The repression of individual desires is the foundation of a republic's military power; it produces the conquests Machiavelli thought were necessary for the survival of the state (and which eighteenth century monarchs found desirable). Yet this foundation is necessarily ephemeral because it requires that individuals love a foreign object (the state) and renounce the natural object of their love (themselves). When humans are able, that is, when the republic's institutions lose their ability to check them, they will reject the republic and seek to secure their own advantage
with redoubled force and with disastrous effects for the republic and themselves, namely, the certain emergence of slavish despotism. The collapse of republics does not reveal the limits of political order itself, but of *republican* political order. The damage republics do to both their own citizens and the whole world outside their gates makes the zealous devotion to the common good, which republics do succeed in creating, hardly worth the heavy costs. In the next two chapters, we shall see how Montesquieu comes to these conclusions.
Chapter 4

The Dialectic of Virtue

I. Virtue and Ancient Republics

As a young man Montesquieu believed that the republics of antiquity were superior to his contemporary forms of government because republics alone created citizens who would willingly sacrifice their dearest interests, and even their lives, for the well-being and safety of the state. Such commitment to the common good was precisely what was needed, he felt, to combat the excesses of individualism and pride that are the main sources of conflict among humans. As a mature thinker, Montesquieu rejected republican government as it was instituted by the ancients, but he retained a deep sympathy for the ends, if not the means, of republican legislators: to forge harmony between the individual’s passions and the duties owed to society. Certainly, he believes that their efforts were doomed to failure, and he abhors their awful consequences. But it is essential to see how Montesquieu understood the political project of the ancient legislators if we are to explain the reverent tone that Montesquieu uses to describe republics throughout both Greatness and Decline and The Spirit of the Laws, a reverence that has led many scholars to conclude that Montesquieu, like Machiavelli, saw the imitation of the ancients as feasible and desirable.1

1 Hannah Arendt (Arendt 1979, p. 331) and Nannerl Keohane (Keohane 1980, p. 419) and Robert Shackleton believe that Montesquieu threw his lot in with the ancient republics. Arendt believes that the republics of antiquity were models for a new republicanism Montesquieu wanted to institute. Like Keohane, Robert Shackleton holds that Montesquieu’s admiration for ancient republics was great, but that republics belonged to a distant past “when men were greater, bolder, and better” (Shackleton 1961,
We recall that conflict between the passions of the individual and the obligations each individual owes to society is caused by the excesses of individuality, or pride. To settle this conflict, which is inherent in the human condition, ancient republics attempted to strike at its root: the individual. The goal of ancient republics was to constrain individual pride through a framework of institutions that subordinated the individual to the state. Since the good of the individual is inseparable from the good of the whole, and since pride produces a selfish desire for superiority over others, then if pride is eradicated, individuals will finally reject their own selfish, and necessarily fractious, desires for supremacy and will be able to embrace the common good, which is the true good of the individual. For Montesquieu, pride is linked to subjectivity and the passions. The natural impulse of each individual is to neglect the interests of others in pursuit of his own gratification and aggrandizement. Thus, the republic must educate its citizens to be virtuous: to love the republic before themselves.

Essential to the project of overcoming self-interest is the institution of political and economic equality. When humans enter society, the equality which existed between them in the state of nature, and which was at the heart of the natural liberty each individual enjoyed, was destroyed. “In the state of nature, men are born in equality, but they cannot remain so. Society makes them lose their equality, and they become equal again only through the laws” (SL 8.3, p. 114). It is the emergence of inequality that first leads to the state of war, and republican institutions attempt to end this war by making humans equal. If education is to succeed in turning individuals toward the public good,

p. 277).
then the instruments of pride—power and wealth—must be distributed equally among all
citizens. Differences in inclinations and abilities, which can lead to the emergence of
inequality, are minimized in two ways. First, individual citizens may possess no wealth
in excess of what is needed to satisfy the physical necessities. Second, any inequalities in
power and influence must be made “in favor of equality” by allowing only the best and
most dedicated citizens to hold office, and by giving them no rewards as individuals but
the privilege of laboring for the common good (SL 5.3, p. 43; SL 7.2, p. 98). As in the
state of nature, all citizens are equals; the laws deny them the means to increase their
power over others.2

Once laws and mores place strict limits on the ability of individuals to satisfy their
passions, they are finally able to see what their *soi de même* had concealed from them.
The myopic, if natural, perspective of the grasping individual is overcome, the individual
becomes a *citizen*, and the contradictions between individual passions and social
obligations dissolve. Common goals, goods in which the entire community can share,
replace individual goals. Because each citizen understands that his own fate is tied to that
of the republic, in sacrificing for it he is really helping himself. Because each citizen
loves the republic, no longer merely himself and his immediate relations, he zealously
sacrifices even his own life for its good. In short, ancient republics attempted to create a
just world in which the unity that existed between the individual and the species, that
existed in the state of nature, is re-created within society by banishing the excesses of the

2 The importance of equality in republics, and its limitations, will be elaborated below.
While a republic must maintain a strict equality of possessions, it can maintain its virtue
only when there is “extreme subordination of the citizens to the magistrates” (SL 5.7, p.
50).
individual passions. It is in the context of the admirable goals which republics attempted to accomplish that Montesquieu speaks of the ancients in terms that so inspired Rousseau and others.

The political project embraced by founders like Lycurgus and Romulus was to forge a political solution to the problems caused by individual self-interest; the states they built made it absolutely necessary that they succeed in effacing self-interest. Montesquieu's famous distinction between the nature of a government and its principle elucidates how virtue, the principle of republican government, turns citizens away from themselves and toward the republic. "There is this difference between the nature of the government and its principle: its nature is what makes it what it is, and its principle, that which makes it act. The one is its particular structure, and the other is the human passions that set it in motion" (SL 3.1, p. 21). The nature of a government is, in essence, its constitution: who holds power and under what circumstances. Republics are governments in which the people as a whole hold sovereign power and exercise that power through laws (SL 3.2, p. 21). The principle of a government is the passion that

---

3 Montesquieu does not say that they had this project in the front of their minds, but it is clear that Montesquieu conceives of republics in this way, and it is equally clear that the primary goal of these legislators was to establish "love of the laws and of equality" in order to efface individual self-love.

4 Although he briefly mentions aristocratic republics, in which only a part of the people are sovereign and the rest are subjects lacking any political power, he dismisses them as governments that vacillate between monarchies on the one hand and democracies on the other (SL 2.3, p. 17). The more closely they approximate democracies, the more "perfect" they are. Montesquieu restricts his discussion of republican governments that have virtue as their principle to democracies (SL 4.5, p. 36; Durkheim 1965, p. 28). Unlike Machiavelli, Montesquieu describes Sparta as a democracy. While it had an aristocratic beginning, Rome gradually turned into a democracy. Many of the conflicts between the patricians and the plebeians centred around this inevitable, but much-
must orient and motivate the actions of every citizen, from the highest rank to the lowest. The principle of any government must be a *passion*. Human reason alone is insufficient to curb the destructive manifestations of the passions. Reason, Montesquieu states, “never produces great effects on the spirits of men” (SL 19.27, p. 327). Passions can only be restrained by countervailing passions. Thus reason, through the creation of a set of institutions and laws, must foster within all citizens a dominant passion that checks the deleterious effects of passions arising from pride. Virtue is the principle of republican government.

Montesquieu’s definition of virtue has several formulations, but its essential qualities are the undivided love of the republic by all citizens, and a love of equality (SL Foreword, p. xli). Virtue does not come easily; it is “a renunciation of oneself, which is always a very painful thing” (SL 4.5, p. 35). When Montesquieu calls virtue “a renunciation of oneself,” we must take him at his word. The *self* is renounced, particularly all the passions and interests that are naturally connected to the individual as a physiological and self-conscious being. By virtue, Montesquieu does not mean the small sacrifices many of us make on a daily basis for family, friends, or even strangers; nor is it the desire to “give something back” to the community that many purport to have. Virtue is the *continual* and *unflinching* sacrifice of the citizen’s dearest interests (SL 3.5, p. 25; 4.5, p. 36) that demands the repudiation of all of one’s natural passions (SL 5.2, p. 43). The citizen, from birth to death, must place the needs of the *patria* above his own

resisted, change in the constitution (SL 11.13, p. 172).
Virtue is "a very painful thing" because it violates the fundamental truth of human social existence: individuality. As Pierre Manent puts it, "Virtue... consists in the negation of the individual's attachments or interests, in the denial of nature as inasmuch as nature is individual" (Manent 1998, p. 31). In order to be a good citizen, one must forget oneself and one's natural passions and embrace one foreign passion: the love of the republic.\

The passion for the republic must dominate all other passions because of the nature of republican government: the manner in which the constitution distributes power. The primary difference between the ancient republic, which needs virtue, and monarchy and despotism, which do not, is that in the latter two, the one who executes the laws has an immediate interest in their observance. Laws restrain behavior; they impinge upon the ability of individuals to satisfy their passions. But the nature of monarchy and despotism places very few restrictions upon the monarch, and none upon the despot. In a monarchy, the one who executes the laws judges himself above the laws. He governs others for his

---

5 Montesquieu says, "At birth one contracts an immense debt to [the republic] that can never be repaid" (SL 5.3, p. 43). Regardless of the depth of one's sacrifice and the magnitude of one's services, the republic always deserves, and requires, more.

6 "Like passion in general, the passions may seem abstract," Althusser says, "but as principles they express politically the whole real life of citizens. The virtue of the citizen is his entire life devoted to the public good: this passion, dominant in the State, is, in one man, all his passions dominated. With the principle it is the concrete life of men, public and even private, that enters into government. The principle is thus the intersection of the nature of the government (its political form) with the real life of men. It is thus the point and aspect in which the real life of men has to be resumed in order to be inserted into the form of government (Althusser 1982, p. 46, original emphasis). The "concrete life" of citizens is the domination of individual inclinations and passions. In every actual circumstance, the citizen must prefer what is good for the republic to what is good for himself.
own advantage, and thus has an inherent interest in the vigorous execution of the laws (SL 3.2, p. 22; GD 4, p. 44). The institutions that do restrict the monarch are for his own good; his reason reveals that he can satisfy his deepest passions only by placing certain restrictions on those passions. He must allow for an independent nobility and an independent judiciary, which limits his power only to make it more secure (SL 2.4, p. 18).

In such circumstances, rational self-interest is capable of restraining the passions because the individual’s passions—the immediate ones that secure his interests and bolster his pride—will actually be better satisfied. It is obvious to Montesquieu that virtue is unnecessary in a despotism, where the despot rules not by laws but by caprice and violence, and all are subject to his brutal passions (SL 3.9, p. 28). Thus, “One never hears that monarchs do not love monarchy or that despots hate despotism” (SL 4.5, p. 36). The constitution of the state is designed to benefit principally the monarch or the despot; the restraints on the passions that are necessary for the constitution to remain vital fall principally on others.

In a republic, however, the citizen is not only the legislator, executor, and judge of the laws, but also their subject. The government is not entrusted to one alone who governs others for his own advantage; rather, “government is entrusted to each citizen” (SL 4.5, p. 36). Thus, “the one who sees to the execution of the laws feels that he is subject to them himself and that he will bear their weight” (SL 3.2, p. 22). A republic needs virtue because the individual is responsible for legislating, executing and obeying laws that constrain his own behavior. These laws are for his own good, in that they are necessary for the maintenance of the republic, upon which he is dependent. But because his duties as a citizen require an immediate sacrifice and yield a mediated good (i.e., the
common good), the individual bristles against the laws. It is in his interest to disobey them, because by disobeying them he can satisfy his immediate passions for gain, power, and prestige (SL 8.16, p. 124; PL 83, p. 162).

While it is in the common interest, in which he has a stake, for the individual to restrain his own desire for distinction or gain, self-interest carries the day unless he is checked by a zeal for the public good that makes it impossible for him to consider his own interests. In short, the distribution of political power in a republic requires the complete repression of the self because the individual is naturally inclined to pursue his own interests at the expense of the common interest, and each citizen is in a position to destroy the state if he does. The extreme measure of denying natural human passions and individuality itself is essential to counteract the individual passions; reason alone cannot get them to love the laws that restrict them. Thus, what was a simple exercise in rational self-interest for the Troglodytes in the Persian Letters—justice to others is charity to oneself—that appeared at first blush to make the self-sacrifice necessary for republican government both easy and sweet, Montesquieu now acknowledges as unnatural, and therefore painful.

---

7 The republic's complete reliance on the good intentions of the citizen, on his desire to serve the common good rather than his own, is the reason virtue is needed in republics. "The tyranny of a prince does no more to ruin a state than does indifference to the common good to ruin a republic. The advantage of a free state is that revenues are better administered in it. But what if they are more poorly administered? The advantage of a free state is that there are no favourites in it. But when that is not the case—when it is necessary to line the pockets of the friends and relatives, not of the prince, but of all those who participate in government—all is lost. There is a greater danger in the laws being evaded in a free state than in their being violated by a prince, for a prince is always the foremost citizen of his state, and has more interest in preserving it than anyone else" (GD 4, p. 44). See also SL 3.3, pp. 22-3; SL 8.2, pp. 112-13.
When citizens are no longer virtuous, when self-interest rather than self-sacrifice animates their actions, the nature of the government must change. This change is not based upon historical accident, such as the loss of a battle or the tyrannical aspirations of a particular citizen or faction, but upon corruption, the loss of the passion that buttresses the constitution (GD 18. p. 169). “When virtue ceases, ambition enters those hearts that can admit it, and avarice enters them all... The republic is a cast-off husk, and its strength is no more than the power of a few citizens and the license of all” (SL 3.3, p. 23). A republic that has lost its virtue must necessarily transform into either monarchy or despotism, neither of which require virtue. Because in a republic “everything depends” on the laws of education that establish and maintain virtue (SL 4.5, p. 36), we shall now turn to them.

II. Austerity, Fanaticism, and Empire

Montesquieu’s investigation into the institutions that were necessary for creating virtue in republics reveals the severe restrictions of life in ancient republics.® Republics

® Montesquieu says that there are the two possibilities: a republic can be devoted either to commerce or to war (SL 5.6, p. 48). Both choices lead to corruption. But we shall focus exclusively on martial republics for several reasons. First, Machiavelli’s chief concern is with Rome, a republic that pursued warfare and empire, not commerce. Moreover, Montesquieu’s contemporaries were haunted by the image of the lost virtue of Rome, and to a much lesser degree, Sparta. Neither Athens nor Carthage, Montesquieu’s two examples of commercial republics, enchanted them. The final reason is that commercial republics did not fully devote themselves to instilling virtue in their citizens, and are poor examples of the necessary effects of a devotion to virtue, which is what Montesquieu hopes to reveal. The commercial republic cannot maintain virtue while permitting its citizens to enhance their personalities through commercial relations and movable property because these experiences awaken the very thing that must be suppressed for virtue to exist: self-interest (Pocock 1975, p. 441). The spirit of commerce, which is the desire “to gain a great deal” (SL 20.4, p. 340), necessarily
turn citizens against their own dearest interests by combining the most austere economic conditions with crushing moral and religious conformity. The outcome of these institutions, which deny individuality itself, is to make its citizens—who are naturally inclined to peace, and who desire individual distinction, felicity, and security—love only the republic, and to express that love through violent warfare for the republic's glory.

Through his analysis of the means by which virtue is instilled and the effects virtue has on the human soul, Montesquieu intends to refute Machiavelli's conception of human nature, of how Rome's institutions functioned, and to reveal that "greatness" corrupts virtue. For Machiavelli, human nature requires empire because violent impulses—the bestial passions that are inherent in humans—must be disciplined and directed. Empire is the best means of accommodating human nature by harnessing these passions for the stability, and of course the glory, of the state. Montesquieu will show that the desire for "domination and empire," which is not natural to humans, is a result of making individuals love the republic instead of themselves. By denying humans the expression of their natural passions, and even their own nature, republics generate the bestial tendencies that Machiavelli believed existed eternally. Empire is the logical, and cataclysmic, result of transmuted passions tied to the love of the patria. Republics do not accommodate human nature, they alter it, with terrible consequences.

attenuates the citizen's attachment to the public good (Pangle 1973, p. 105). In a constitution that requires self-sacrifice, commerce can do nothing but corrupt the state because the individual, who must forget himself and his natural passions, is constantly reminded of himself and his passions. Commerce softens citizens who must be hard. Commercial republics are fated not only to corrupt themselves, but also to be enslaved or destroyed by republics in which the zeal for the patria is not vitiated by the private pursuit of gain (GD 5, p. 45, 47).
Montesquieu believes that Machiavelli is as wrong about Rome's orders as he was about human nature. For Machiavelli, virtue in Rome—"men having a good end"—came about through internal orders that pitted the ambition of the two humors against each other in a dynamic, constructive release of tensions. Both the patricians and the plebeians had different and, to a great degree, incompatible interests, which they expressed through periodic tumults. Rome's institutions allowed both the nobles and the people to participate in politics, setting their ambitions against one another and forcing compromise between them that strengthened the state. In short, Machiavelli saw in ancient Rome a political system in which the conflict of self-interested parties can produce the common good through the intercession of wise institutions. For Montesquieu, Machiavelli transposed a modern political phenomenon onto ancient republican institutions.

Montesquieu reminds us of the spirit of antiquity. A republic cannot permit even a trace of self-interest among its citizens, much less a struggle between self-interested factions. Virtue is a product of suppression and uniformity. All particular interests must be quelled so that the citizen thinks and acts only for the republic's good, which is contrary to his own.

Finally, Machiavelli, and especially the men of Montesquieu's day who admired the greatness of antiquity, saw in it the height of virtue and the glory of empire. Magnanimity, manliness, and self-sacrifice were seamlessly united with martial prowess and imperial domination. Arts and letters flourished with Roman virtue. The picture Montesquieu paints of the economic, physical, and moral conditions necessary to instill and maintain virtue rule out both grandeur and civilization. Virtue produces men who are poor and barbaric rather than opulent and civilized. The republican citizen is a murderous
zealot, not a hero. At war with the entire world to vindicate his own frustrated passions through empire, he is really at war with himself. Among moderns who lament the weakness and mediocrity of modern politics, virtue is intoxicating, especially when viewed through the eyes of ancient historians, and antiquity’s most eloquent defender, Machiavelli. But moderns know of ancient virtue “only by hearsay” (SL 3.5, p. 25), without understanding how it was created, and the tremendous costs of creating it. Montesquieu reveals both the conditions necessary for attaining virtue and virtue’s actual effects on humanity, neither of which he believes moderns can accept.

Economic Austerity: The Necessary Condition of Virtue

The institution of poverty and equality among a republic’s citizens is the single most important factor in establishing and maintaining virtue. While some commentators stress the restrictions of private life a republic demands of its citizens, it is seldom noted that an excessively austere political economy is the foundation of these restrictions. But it is clear to Montesquieu that it is possible for a republic to make its citizens virtuous only when they are both poor and equal, when they have no material possessions beyond what is necessary for humans to subsist. Citizens are compelled to love the state when the possibilities of material wealth are eliminated, i.e., when the state is the only thing left to them. Only then are they open to the continual and intrusive guidance of the magistrates.

Montesquieu’s maxim that lands in a republic must be both divided equally and small in size (SL 5.6, p. 47; SL 7.2, p. 98) is an adaptation of Machiavelli’s belief that in

9 John Pocock’s The Machiavellian Moment is a notable exception.
a republic, the public must be rich and the private poor (D 1.37.2, p. 79). While
Montesquieu rejects the former half of Machiavelli's formulation, as we shall see below,
he holds that all citizens of a republic, especially the principal citizens, must be poor if
virtue is to subsist. By poverty Montesquieu does not mean indigence. He believes that
the more equally divided the plots of land are in a republic, the more "perfect" it is,
granted that each plot can yield to each citizen and his family the "necessities" of life and
nothing more (SL 7.2, p. 98). No citizen should be wealthy enough to "procure delights
he should not enjoy" and no citizen should be so poor as to be dependent upon others for
his livelihood (SL 5.3, p. 43; GD 3, p. 40). All citizens must be equally free, and none
can be independent of the magistrates.

The ideal republican citizen is the landed citizen who is self-sufficient; he is
capable of participating in politics because he is "his own man." He owes his sustenance
not to any particular individual, but to himself, because he owns his own land, and to the
republic, because his sustenance comes from the land that the republic protects. If the
republic flourishes, he flourishes; if it is conquered, he loses his land, and along with it
the capacity for both self-government and survival. Montesquieu, however, denies that
the self-sufficiency of the citizen, and his self-government, constitute a satisfactory
development of human capacities and aspirations. The conception that republican
citizenship—ruling and being ruled by one's equals—is fundamental to human beings,
properly understood, is what makes the claims of republican government compelling
(Pocock 1975, p. 441). But if this were true, Montesquieu implies, then the temptations
of wealth, luxury, and distinction from one's fellow citizens through wealth would not be
nearly as tempting as they actually are. Citizens would understand that equality and a
certain level of public frugality were the necessary economic foundations of the selfgovernment they cherished, and which satisfied them.

Instead, republics must go to extremes in enforcing equality of possessions, and especially economic austerity, because any superfluous wealth, what we might call discretionary income, leads invariably to grave inequalities which threaten the virtue of the republic (SL 7.1-2, pp. 96-8). Absent such strict measures, men will seek to distinguish themselves through the possession and ostentation of wealth, and through the comforts such wealth brings. These comforts can come only through inequalities that make it impossible for their fellow citizens to be “their own men,” as citizenship requires. “Luxury,” Montesquieu says, “is always proportionate to the inequality of fortunes. If wealth is equally divided in a state, there can be no luxury, for luxury is founded only on the comforts that one can give oneself from the work of others. For wealth to remain equally divided, the law must give each man only the physical necessities” (SL 7.1, p. 96, my italics). Wealth is the easiest and most certain means of gaining power and prestige in any form of government, even republics (SL 4.7, p. 39). The rich man can enjoy felicitous living, comfort, and luxuries while he enjoys a reputation for greatness—surely a more pleasing way of being one of the principal men in the state than through toil and danger. For the republic, the rich man is problematic not only because he demands honour and authority, but because his wealth actually procures these things for him, regardless of whether he is a good citizen. He is independent of the magistrates to a great degree because he can attract clients and partisans, and he can use his wealth and the power it brings for his own ends. Montesquieu, like Machiavelli, believes that citizens like Spurius Maelius (D 3.28.1, pp. 276-7) are dangerous to republics. There is another
reason to fear private wealth: the loss of independence and martial spirit that comes from despising "the comforts of life." The image of Petronius' Trimalchio springs to mind. Trimalchio's obscene display of wealth at his dinner party reveals not only the grave inequalities of a society that has been corrupted by luxury, but also a citizenry that cannot possibly withstand the hardships inherent in warfare. Why go off to fight barbarians when there is a perfectly good banquet to attend?

If this drive for inequality, which ruins the independence of one's fellow citizens and places private pleasures before the public good, were not strong and universal, republics would be able to enjoy a certain level of comfort and civilization. However, because personality is not satisfied with self-government, but clamors for riches, the republic must proscribe almost every form of private property, and the mores of the state must make poverty honorable, especially for the principal citizens (SL 3.6, p. 38). Thus, the economic austerity a republic requires is severe; it resembles the "healthy city" that Socrates first proposes to Glaucon and Adeimantus, which they deride as a "city of pigs." In some ways, it is even more austere. In the "city of pigs" the first four or five citizens Socrates says must inhabit the city are craftsmen (Plato 1988, 369 d, p. 40). Before long, the city has grown to include merchants (Plato 1988, 371 d, p. 43). Montesquieu quite deliberately paints a picture of life in ancient republics that eliminates even these essential components, in order to replace the impression that they have of ancient republics, the

---

10 One example of many from Petronius exemplifies luxury as defined by Montesquieu. "Trimalchio snapped his fingers. At the signal the eunuch brought up the silver pissing bottle for him, while he went on playing. With the weight off his bladder, he demanded water for his hands, splashed a few drops on his fingers and wiped them on a boy's head. It would take too long to pick out isolated incidents" (Petronius, p. 52).
grandeur of Rome, with the poverty of Sparta. He begins *Greatness and Decline* with the following comparison: "We should not form the same impression of the city of Rome in its beginnings as we get from the cities we see today, except perhaps those of the Crimea, which were built to hold booty, cattle, and fruits of the field. The early names in Rome are all related to this practice" (GD 1, p. 23). In other words, he wants his contemporaries, who are utterly dependent upon a multiplicity of luxuries, to understand that virtue is possible only with the kind of material deprivation they would find intolerable.\(^{11}\) In a well-regulated republic, public frugality must reign; there are to be no dainties at the feasts.

Poverty and equality have a very simple end: to block any avenue for individual recognition or distinction other than service to the state. "Love of equality in a republic limits ambition to the single desire of rendering greater services to one’s homeland than other citizens" (SL 5.3, p. 43). Thus, republics entirely quell what Montesquieu considers to the universal desire to distinguish oneself through wealth and commodious

\(^{11}\) There is a sense in which the noble can fantasize that he is like the republican citizen. His estate makes him both self-sufficient and entitled to participate in governing. But Montesquieu wants to sever any relationship between the noble and the republican. In a monarchy, especially a wealthy one like eighteenth century France, the nobility is ensnared by a nearly unlimited luxury. The men of the monarch’s court may be inspired by reading of a manly life in which the individual was unencumbered by superfluities, Montesquieu believes, but any honest assessment of their own entrapment would force them to concede not only that they were incapable of living such a life, but that they would find it barbaric. "At court one finds a delicacy of taste in all things, which comes from the continual use of the excesses of a great fortune, from the variety, and especially the weariness, of pleasures, from the multiplicity, even the confusion, of fancies, which, when they are pleasing, are always accepted" (SL 4.2, p. 33). The worst among them resemble Trimalchio, and none of them resemble Cincinnatus.
living. The individual's desire for supremacy is so strong that he will demonstrate it by whatever means are open to him. In a republic where poverty and equality are maintained, superiority is not available through the possession of a great fortune, nor can superiority confer any material advantages upon one as an individual. The sole reward for a citizen who has gained pre-eminence is to be chosen by his fellow citizens to undertake ever more perilous and exhausting labors for the republic (GD 4, p. 44). Pre-eminence in a republic is arduous to attain; it requires individual self-sacrifice even as men are distinguishing themselves. It is the statesman, who is also a military hero, who gains the esteem of his countrymen. Of course, by entering the contest for pre-eminence, there is no guarantee that one will survive the battles and wounds that are an inescapable part of the road to distinction. But the severe austerity of the republic has left him no alternatives, and his desire for distinction, which is tied both to self-love and the desire

12 In monarchy and despotism, which require little education by the state itself because they do not require virtue, everyone is free to follow his natural desire to gain supremacy over others. "In monarchies and despotic states, no one aspires to equality; the idea of equality does not even occur; in these states everyone aims at superiority. The people of the lowest conditions desire to quit those conditions only in order to be masters of others. . . . Therefore, it is a very true maxim that if one is to love equality and frugality in a republic, these must have been established by the laws" (SL 5.4, p. 44).

13 We can see in the example of Quinctius Cincinnatus, whose superiority over his countrymen was unquestioned even as an old man, that some citizens undertook the labours heaped upon them with increasing reluctance. Yet because his patria commanded, Cincinnatus could not refuse. After he was unanimously acclaimed as Dictator, "... Cincinnatus, hesitating to accept the burden of responsibility, asked what the senate was thinking of to wish to expose an old man like him to what must prove the sternest of struggles; but hesitation was in vain, for when from every corner of the House came the cry that in that aged heart there was more wisdom—yes, and courage too—than in all the rest put together, and when praises, well deserved, were heaped upon him and the consul refused to budge an inch from his purpose, Cincinnatus gave way and, with a prayer to God to save his old age from bringing loss or dishonour upon his country in her trouble, was named Dictator by the consul" (Livy 1971, p. 285).
for self-preservation, is translated into a desire for glory. "So far as luxury is
established in a republic, so far does the spirit turn to the interest of the individual. But
for people who have to have nothing but the necessities, there is left to desire only the
 glory of the homeland and one's own glory" (SL 7.2, p. 98). Thus, as long as a republic
can maintain equality, poverty, and frugality, the self-love of the individual, frustrated in
its desire to serve its own ends, serves the state instead.

When commerce and the arts are proscribed, as they must be, war is the citizen's
only occupation. Commerce, the trades, and the arts were "disgraceful" and were
therefore the occupations of slaves. It is only when republics became corrupted,
Montesquieu tells us, that artisans and merchants became citizens (SL 4.8, p. 40). In the
Greek republics, even agriculture was despised. Because literally no profession was
compatible with citizenship for the martial Greek republics, warfare, and the exercises

14 The desire for glory is a particularly strong manifestation of self-preservation, of
which republics, especially Rome, make great use. "The desire for fame and glory is no
different in kind from the instinct for self-conservation which every creature possesses.
We seem to be adding to what we are when we are able to impose ourselves on the
memory of others; we acquire a new life, which becomes as precious to us as the one we
receive from Heaven" (PL 89, pp. 169-70). Montesquieu does not believe that men are
genuinely moved to sacrifice their lives for the state; they are led to self-sacrifice by the
effects mores and laws have on self-love. Bernard Mandeville, who undoubtedly
influenced Montesquieu's thinking on this point, believed that the ancients were able to
create virtuous citizens because they made self-sacrifice the only path to public renown.
When we examine "their Honours decreed to the Dead, Publick Encomiums on the
Living, and other imaginary rewards they bestow'd on Men of Merit; and we shall find,
that what carried so many of them to the utmost Pitch of Self-denial, was nothing but
their Policy in making use of the most effectual Means that human Pride could be
flatter'd with" (Mandeville 1988, p. 51)

15 Of course, this meant that the Greeks relied on slaves, whom they had conquered in
war, to provide their subsistence. Thus, the Spartans, from their earliest history, forced
the Helots to work so that they could enjoy the freedom from debasing labor that
citizenship required.
that prepared them for warfare, was the only means by which legislators could occupy their citizens (SL 4.8, p. 40). The education of the Greeks consisted almost entirely of physical exercises, dances, and athletic competitions whose sole purpose was to create bellicose, dexterous warriors. While this education made the Greeks excellent soldiers, it also disposed them to violence. “In short, the exercises of the Greeks aroused in them only one type of passion: roughness, anger, and cruelty” (SL 4.8, p. 41). The Greeks, considered paragons of culture and civilization, were, in fact, a harsh and barbarous people—at least those that dedicated themselves to virtue. Even a martial republic needs a modicum of tenderness and compassion, or men will turn their violence against their fellow citizens (SL 4.8, p. 39). These republics could not turn to commerce to soften the mores of their citizens, which is for Montesquieu the principal means through which men are civilized (Pocock 1975, p. 492), for this would have corrupted them. Thus, they turned to two other modes: music and homosexuality. Music was the primary means by which the Greeks curbed the ferocity of their citizens, because through music the soul can be taught to feel pity and compassion. Homosexuality, which Montesquieu calls “a love that ought to be proscribed by all nations in the world,” was used widely by the Greeks to “soften the mores of their young people” (SL 4.8, p. 41). So the martial Greek republics dedicated themselves solely to war and physical exercises, and had a civilization marked by anger and cruelty that was mitigated only by music and the encouragement of what is for Montesquieu an unnatural and corrupting form of physical love.16 But these means were wholly compatible with warfare, the enslavement of subject peoples, and other

16 If Montesquieu were correct, Spartans would have practiced homosexuality to a much greater degree than Athenians. Of course, the opposite is true.
atrocities; the soul is “softened” only enough to ensure comity among a republic’s citizens.

In Rome being a farmer was the only legitimate occupation, and was practiced by the state’s most eminent citizens from its early history until the eve of its corruption (GD 8, pp. 86-7). The equal division of lands, which was the most important element in Roman military supremacy (GD 3, p. 39), made each farmer dependent upon the survival of the republic. It also gave him the means to arm himself. Apart from the honor the Romans associated with tilling one’s own soil and providing for one’s own family, the Romans held the same beliefs about commerce and the trades as the martial Greek republics; consequently, they too were marked by harshness, cruelty, and dedication to war. “Roman citizens regarded commerce and the arts as the occupations of slaves: they did not practice them. . . In general, the Romans knew only the art of war, which was the sole path to magistracies and honors” (GD 10, pp. 98-99). Because warfare was the only art, and the only path to individual distinction, the Romans “put their whole spirit and all their thoughts into perfecting it” (GD 2, p. 33). In Greatness and Decline, Montesquieu spends an entire chapter revealing the incredible lengths to which the Romans went in order to master the art of war. The citizens, who were also soldiers, constantly exercised in the Campus Martius, practiced with arms twice the weight of the arms they used in

17 Because each citizen could be a soldier, the proportion of soldiers to inhabitants was very high. This made warfare the direct concern of a great number of citizens, and of all the young men, who would soon be soldiers themselves. Unlike our own society, and Montesquieu’s, where soldiers are professionals, each citizen was both a farmer and a soldier. “Today,” Montesquieu says, “the proportion of soldiers to the rest of the people is one to one hundred, whereas with [republics] it could easily be one to eight” (GD 3.1, p. 39). Montesquieu’s point is that only republics are really able to create empires. Monarchies merely bleed themselves of money in the attempt.
battle (which themselves were much stronger and heavier than those used by their enemies), and accustomed themselves to continual toil and hardship (GD 2, pp. 33-4). The Roman citizen-soldier had no telos other than the development of the skills, endurance, and courage necessary to overcome his equally bellicose enemies (GD 1, pp. 29-30). So complete was their dedication that “war was a meditation for them, and peace an exercise” (GD 2 p. 37).

This dedication to war is evident in the incredible authority they gave the consuls, their generals. In order to make up for losses or prepare his soldiers for a particularly difficult campaign, the consul always tightened military discipline. “Is it necessary to make war against the Latins—peoples as inured to war as themselves? Manlius, intent on strengthening his authority, has his own son put to death for conquering the enemy without an order to do so” (GD 2, p. 35). A consul could decimate his troops—literally kill one out of each ten, who were chosen by lot—if he believed that they had been cowardly, and lead the remaining troops back against the enemy (GD 4, p. 47). One must understand that the consuls were both civil and military officers, elected by and accountable to the people, who themselves filled the legions. The people submitted to these harsh measures, in large part, because they believed that they were necessary for success in warfare, which was the only thing that mattered. But it is also clear that “Manlian commands” will be obeyed only when the citizens, as both soldiers and men, are brutal. Nobody who had developed a sense of individuality or civilization could

---

18 Manlius Torquatus, we recall from chapter three, is one of the heroes of Machiavelli’s Discourses. For Montesquieu, Manlius’ execution of his own son is an example of the extreme lengths to which a people will go to assert their virtue when arms and war are all that remain.
relish the harsh life of the military camp, or accept the often inhuman means through which military discipline was maintained.

_Policing Mores_

State control of economic conditions is a prerequisite for the control of mores; the latter must be exceedingly strict to compensate for the fact that the "springs" of republican government are less violent than monarchy or despotism because coercion does not come from a force over against the individual (the executors of the prince's or despot's will), but from within the citizen himself (SL 5.7, p. 50). As we have seen, republics require self-control of the citizen, whose impulse for private gain chafes against the duties he owes to the republic. The republic must control public doctrine, and maintain the unilateral power to enforce mores. In martial republics, mores and religion buttress the equality, frugality, and especially the barbarism that an equal division of lands and dedication to war engenders. The republic is able to give its citizens the same _opinions_ once they have been given the same _interests_: by preventing inequalities in property from dividing them, enforcing a paucity of possessions, and limiting their occupations to farming, fighting, and taking part in public life. Thus, the means James Madison, a perceptive student of Montesquieu, regarded impractical—giving men both the same interests and the same opinions—are the very means martial republics used to give every citizen an undivided passion for the public order. But Madison regarded these means impractical when citizens enjoyed the liberty to develop their diverse opinions and faculties, with regard to the accumulation of property, ideas about religion or any other subject of human speculation (Madison 1988, p. 43).
All of these opinions, Madison believed, were tied to self-love; when men enjoy liberty, self-love will guide their opinions, and there will be as many opinions as there are men with divergent interests (Madison 1988, p.43-4). But we have seen that men are not at liberty to develop their talents for accumulating property in a republic; Lockean rationality is expressly forbidden. So too is the pursuit of different ideas about the nature of the heavens, the role of the state, and so forth. But these ideas do not occur to the republican citizen as readily as they might to us because self-love, the root of differences of opinion, has already been suppressed by the republic’s economic restraints. Republics consummate the victory over self-love by instituting severe control over the most intimate aspects of human life: familial relations and what we now call conscience. The family structure, religion, and the mores of the republic are all under the strict control of the magistrates, who constantly reinforce the fundamental truth that the republic is the only thing of value. Antigone’s dilemma, in which she must choose between her duty as a sister and as a citizen, is impossible in a republic that has properly instilled virtue, for the moral and religious institutions, which are controlled by the political order, subordinate all duties to the good of the republic.

While Montesquieu believes that republics attempt to make humans equal through the laws, the limits of equality are nowhere better expressed than in the enormous role played by the magistrates and the senate in the education of the citizenry. The state must be heavily involved in the daily life of its citizens, particularly in the formation of attitudes and proclivities, because in republics, a great “modification of the soul” is needed if individuals are to give the republic their undivided love (Pangle 1973, p. 72). This modification consists of establishing laws, mores, and manners that absolutely
prevent the citizen from considering his own interests, thus frustrating his natural self-love. Education must also substitute the self with the republic as the object of love, thus providing the individual's frustrated passions with a single, yet artificial attachment.

Education, in other words, not only squelches the development and satisfaction of the individual's private interests, although it certainly does that, but it also fosters a zeal for the public interest.

The first and most important step in republican education is to supplant the family as the locus of moral education. The father is naturally charged with giving his children his "passions"—his own inclinations, values, and religious beliefs—through education. "If this does not happen, it is because what was done in the father's house is destroyed by impressions from outside" (SL 4.5, p. 36). In a republic, the "real world" must not contradict the education children receive from their fathers; the immense difficulty of teaching individuals to prefer the public good to their own makes consistency in moral education paramount. The young must have a love of the republic from the very beginning of their lives, and all the stories, examples, and moral lessons should instill this love. To ensure that the education given by the father is not contradicted by the lessons of the outside world, that is, by moral and religious doctrines of the republic, both the fathers and the children must be indoctrinated by the magistrates (SL 4.4, p. 35). Thus, the republic effectively replaces the father as educator. Nor was the republic an indulgent schoolmaster.19

---

19 For Montesquieu, the "singular" institutions of Lycurgus, as portrayed in Plutarch's "Life of Lycurgus," are a model for republican education (SL 4.6, p. 36). Plutarch tells us that fathers were not at liberty to teach their children according to their fancies. The republic maintained rigorous control of education, with the sole aim of making Spartan
A republic is like a family, Montesquieu says, and only when the magistrates are looked upon as fathers can they educate the citizens. It is not by chance that the Roman senate was called the *Patres Conscripti* by the people. The senate in a republic must be a repository of mores, composed of men who have distinguished themselves through gravity, virtue, and service to the republic. Because many of their own ancestors will have served the republic with glory, their desire to emulate their feats will attach them to the republic and its ancient institutions. Senators will be seen by the common people as “simulacra of the gods” (SL 5.7, p. 49). Thus, their authority, both political and moral, will be immense; the citizens will willingly, even enthusiastically, allow the magistrates to regulate the most intimate aspects of their lives.

The family itself, which we recall was a product of natural entreaty and sexual love between the opposite sexes in the state of nature, was strictly controlled by what Montesquieu calls “singular” institutions (SL 4.6, p. 36). Lycurgus, and all the republics based upon his institutions, forbade the citizens to marry whom they wished, thus regulating a union that should be “the freest in the world” (SL 23.7, p. 432). Marriage was not to be determined by love, attraction, or the approval of fathers, to whom nature has children unfailingly obedient and incredibly bellicose (SL 19.16, p. 316; Plutarch 1932, p. 62). A glimpse of the inhuman treatment that was essential to this education, and to creating virtuous citizens, is enough to cast doubt upon the worth of virtue itself. Certainly, no loving father, however stern, would educate his children in this way. One example among many in the *Life of Lycurgus* concerns the “larceny” that was imposed upon the Spartan youth by essentially starving them, in order to make them cunning and daring in war. “So seriously did the Lacedaemonian children go about their stealing, that a youth, having stolen a young fox and hid it under his coat, suffered it to tear out his very bowels with its teeth and claws and die upon the place, rather than let it be seen. What is practised to this very day in Lacedaemon is enough to gain credit to the story, for I myself have seen several of the youths endure whipping to death at the foot of the altar of Diana surnamed Orthia” (Plutarch 1932, p. 64).
given a right of consent (SL 23.7, p. 429). It was a "dowry of virtue" to be decided by an assembly of the old men, who would judge the young (SL 7.16, p. 111; Plutarch 1932, p. 62). The young man who was judged to be most virtuous, who had rendered the greatest services to the homeland, received the first choice of the women (SL 7.16, pp. 110-11).

Even among married couples, cohabitation and conjugal relations were inspected by the republic (SL 23.7, p. 431; SL 23.21, p. 441). And in order to imbue citizens with virtue, children were not only educated by the state, they were also raised in common (SL 4.6, p. 38).

Montesquieu models his ideal of republican education from the institutions of Lycurgus, who went to the greatest lengths to restrict the natural inclinations of his citizens, in order to dramatize the republic’s immense control over private life. But the Romans, who had more freedom to choose their wives, and enjoyed more control over their daily existence, also led restrictive and harsh family lives, as the laws governing wives and children reveal. Just as there must be strict subordination of citizens to the magistrates, the "fathers" of the entire republic, there must be strict subordination of wives to husbands and children to fathers if the republic is to foster the unquestioning obedience it requires of its citizens (SL 5.7, p. 50). In Rome, women, the chastity and modesty of whom are vital to the maintenance of virtue, were "intimidated" by the laws (SL 5.7, p. 50), judged by domestic tribunals (SL 7.10, p. 105) and "captured" by the mores (SL 7.9, p. 105). Even though it was useful to the republic (GD 2, p. 35 ; SL 5.7, p. 51 fn.), Montesquieu cringes at the Roman law that gave fathers the authority to put their own
sons to death. By this law and others, the Romans were as harsh as the Spartans.

"Accustomed to playing with human nature, in the person of their children and slaves, [the Romans] could scarcely comprehend that virtue we call humanity... When we are cruel in the civil state, what can we expect from natural gentleness and justice?" (GD 15, p. 136).

It is telling that the Romans were cruel to both children and slaves, because both must be rendered to absolute obedience: the former to prepare them to be citizens, to serve the public good unflinchingly, the latter to serve the household in the same manner. In fact, Montesquieu encourages the reader to draw a parallel between the obedience of the republican citizen and that of the subject of a despotism when he says, "Extreme obedience assumes ignorance in the one who obeys" (SL 4.3, p. 34). Cruelty in the family and the "civil state" is the necessary foundation of the "extreme subordination" of the citizen to the magistrate that is the very essence of republican citizenship.

Privation and self-sacrifice can, in themselves, create an appetite for greater self-sacrifice. But without something meaningful for which to sacrifice oneself, self-abnegation is impossible to sustain. Ancient republics were very careful to give their citizens something to believe in—the safety and glory of the republic—and to vigilantly enforce their belief in it. This was done through what we might call a civil religion, in which the republic itself was the highest truth, subject to no values or morals external to it (Hampson 1983, p. 7). The citizens of a republic should be attached to the gods of their own city; indeed, the founders themselves should be gods, as Romulus was. This makes the republic divine by extension and deserving of the utmost devotion (GD 10, p. 98). In

---

20 This includes the foundation of law in the Roman republic. "The law of the Twelve Tables is full of very cruel provisions" (SL 6.14, p. 89).
Rome, there was a particular religious observance, the quintessence of civil religion, that contributed greatly to the virtue and devotion of its citizens: the oath.

The oath had so much force among these people that nothing attached them more to the laws. In order to observe an oath, they often did what they would never have done for glory or for the homeland. . . After the battle of Cannae, the people were frightened and wanted to withdraw to Sicily; Scipio made them swear they would remain in Rome; the fear of breaking their oath overcame every other fear. Rome in the storm was a vessel held by two anchors: religion and mores. (SL 8.13, p. 122)

Even for the well-drilled republican citizen, self-sacrifice and the desire to serve the republic have limits. These were overcome by threatening those who were tempted to shirk their duties with the wrath of the gods.

Montesquieu believes that each republic must maintain not only a religion but also mores, customs, and sentiments that are unique to it. Thus, the Romans had not only the oath and the gods that were specific to Rome, but every aspect of social and political life fostered an attachment to the republic, its laws, and its gods. This attachment effectively replaced the natural allegiances that an individual would have, i.e., to himself, his family, and his friends. This is what Montesquieu means by the esprit of a particular republic.

Each nation has a particular esprit, which it develops over time by the influence of government, history, mores, and manners (SL 19.4, p. 310). In Sparta, mores created the esprit; in Rome, mores and the maxims of government. In both cases, the government maintained a very tight control over the influences that created the esprit; to a great degree, a republic must actually manufacture its esprit through institutions that enforce
belief in the public doctrine. The office of the censor, which was an essential part of Rome's government (GD 8, p. 86), enforced the kind of thought control that is described by modern critics of totalitarianism. 21

There must be censors in a republic where the principle of government is virtue. It is not only crimes that destroy virtue, but also negligence, mistakes, a certain slackness in the love of the homeland, dangerous examples, the seeds of corruption, that which does not run counter to the laws but eludes them, that which does not destroy them, but weakens them: all these should be corrected by the censors. . . . The question is not one of condemning a crime but of judging mores in a republic founded on mores (SL 5.19, p. 71).

It is not enough to enforce certain codes of behavior while leaving the sentiments of the heart at liberty. A republic must ensure that citizens “live, act, and think only for its sake” (SL 5.19, p. 68, my emphasis). It is the responsibility of the censors to punish citizens whose love of the homeland flags, but citizens must also correct, instruct, and inform on each other (SL 4.7, p. 38; SL 19.16, p. 316).

A republic must be small and insular to enforce such complete thought control. Only when the citizen, and his thoughts, are well known to the censor and the informer, can the republic police thoughts and attitudes. Mores can only be judged when they are

21 In Literature and Totalitarianism, George Orwell says, "It is important to realize that [totalitarianism's] control of thought is not only negative, but positive. It not only forbids you to express—even to think—certain thoughts, but it dictates what you shall think, it creates an ideology for you, it tries to govern your emotional life as well as setting up a code of conduct. And as far as possible it isolates you from the outside world, it shuts you up in an artificial universe in which you have no standards of comparison. The totalitarian state tries, at any rate, to control the thoughts and emotions of its subjects at least as completely as it controls their actions" (Orwell 1980, p. 162).
revealed, and in a large republic much can be hidden (SL 8.16, p. 98). The ultimate goal is for the citizen to police his own thoughts, eradicating ideas that may corrupt virtue. Finally, a republic must be insular; foreign mores are corrosive of virtue because any new idea, simply by providing a new perspective, or by questioning the moral, political, and religious orthodoxy of the republic, can create doubt in the mind of the citizen. Worse, new ideas and customs encourage practices that are expressly forbidden by the censors (GD 10, p. 97).  

Virtue as Fanaticism

Republics suppress the passions of their citizens, constraining the development of their personality so completely that citizens suppress themselves. But passions cannot simply be suppressed. That is not the end of the matter. The passions, and the development of individuality itself, are naturally derived from the life force that preserves the entire universe. If a regime suppresses these passions, they do not disappear, just as energy does not disappear, but is always “conserved” in some other form. In republics, the desires of each individual, having been completely denied their natural expression, are

---

22 Praising Lycurgus’ institutions banning foreigners, Plutarch says, “With strange people, strange words must be admitted; these novelties produce novelties in thought; and on these follow views and feelings whose discordant character destroys the harmony of the state. [Lycurgus] was careful to save his city from the infection of foreign bad habits, as men usually are to prevent the introduction of a pestilence” (Plutarch 1932, p. 70). Plutarch’s evaluation of the creation of an “artificial universe” through isolation and thought control is much more sanguine than Montesquieu’s and Orwell’s.

23 For an interesting history of the idea that passions cannot simply be repressed, see Albert Hirschman’s The Passions and the Interests, especially pages 9-42.
transformed into an intense passion for the republic simply because this is the only outlet the institutions allow.

The less we can satisfy our particular passions, the more we give ourselves up to the passions of the general order. Why do monks so love their order? Their love comes from the same thing that makes their order intolerable to them. *Their rule deprives them of everything upon which ordinary passions rest; what remains, therefore, is the passion for the very rule that afflicts them.* The more austere it is, that is, the more it curtails their inclinations, the more force it gives to those that remain. (SL 5.2, pp. 42-43, my emphasis)

Virtue, the citizen’s love of the republic, is like the monk’s love of his order. Bernard Yack is correct when he says, “For Montesquieu, few insults could be more damning than the suggestion of an inclination toward the morality of a monk”24 (Yack, p. 42). In fact, no comparison could be more invidious. The monk does not love his order because self-restraint leads to salvation, or even to the perfection of human capacities, but because he is denied every comfort of life. He is drilled in the tenets of a religious faith that enforce both extreme asceticism and self-flagellation. Far from rebelling against this severe repression, the monk responds by loving it fervently because his personality, and all of his

---

24 Yack believes that Montesquieu’s discussion of republics in *The Spirit of the Laws* is designed to show that there are ways of restraining pride that need not include an appeal to a religion that demands the rejection of worldly concerns (Yack 1986, p. 46). There can be no question that Montesquieu dislikes the Church, and believes that Christianity, far from softening and civilizing men, often made its adherents harsh and savage. But he is clearly not using the ancient republic as an alternative to Christianity. Rather, he is showing us the full and devastating effects of using self-abnegation to guide and constrain self-interest. Monks represent the logical conclusion of a devotion to Christianity, just as republican citizens represent the logical conclusion of civil religion: both are unhappy, self-immolating, and savage.
natural passions, have been frustrated. But the repression of natural passions makes human beings worse rather than better. The monastic order attempts to rid humans of the sin of pride. The ‘bad’ in human nature, the propensity for individuals to treat others unjustly for the sake of gain, can and must be controlled. But it cannot be controlled through the suppression of individuality itself, because the cure is worse than the disease. Pride is removed, but with it are the aspects of human nature that allow men to love and respect others, and to become civilized. Because their nature has been distorted and truncated by severe repression, monks are “extremely unhappy men” who are “disposed to harshness” (SL 6.9, p. 83). The self-love is “conquered,” but only by destroying the self.

The republic’s triumph over self-interest, like the order’s, is Pyrrhic. Despite making them love the common good more than their own, virtue does not make humans happy, nor is it the path to the highest human possibilities (Manent 1998, p. 31).²⁵ The Montesquieu rejects virtue as a political project as opposed to a project freely chosen by the individual. There is some basis to Robert Shackleton’s claim that for Montesquieu virtue is tantamount to moral goodness (Shackleton 1961, p. 273). Montesquieu read and greatly admired the Stoics, particularly Zeno, Seneca and Marcus Aurelius. In reading them, Montesquieu concluded that a life lived “exercising the duties of society,” working for the happiness of others, and scorning wealth and pleasure as “vain things,” is most worthy of human aspirations. He believes that Stoicism was the philosophy best able to make good rulers and good citizens (SL 24.10, p. 466). Upon reading Seneca’s Epistolae Morales ad Lucilium, it was also clear that such a life involves a continual struggle against one’s appetites and weaknesses. As a life project, freely undertaken by the individual, virtue is a noble aspiration, but it can never be fully achieved. Yet the republic requires that every citizen “live, act, and think only for its sake” (SL 5.19, p. 68). This is too tall an order, even for those who make self-discipline and service to humanity their sole ambition. Virtue as a political project—the creation of an entire nation of saints—must suppress the individual, his passions, and his thoughts. This is the essence of Montesquieu’s rejection of virtue, and why he thinks republican government is both unattractive and unsustainable. Republics must deny, rather than provide, the things that satisfy the individual and his passions. The individual does not master his passions; they are simply frustrated by state action.

²⁵ Montesquieu rejects virtue as a political project as opposed to a project freely chosen by the individual. There is some basis to Robert Shackleton’s claim that for Montesquieu virtue is tantamount to moral goodness (Shackleton 1961, p. 273). Montesquieu read and greatly admired the Stoics, particularly Zeno, Seneca and Marcus Aurelius. In reading them, Montesquieu concluded that a life lived “exercising the duties of society,” working for the happiness of others, and scorning wealth and pleasure as “vain things,” is most worthy of human aspirations. He believes that Stoicism was the philosophy best able to make good rulers and good citizens (SL 24.10, p. 466). Upon reading Seneca’s Epistolae Morales ad Lucilium, it was also clear that such a life involves a continual struggle against one’s appetites and weaknesses. As a life project, freely undertaken by the individual, virtue is a noble aspiration, but it can never be fully achieved. Yet the republic requires that every citizen “live, act, and think only for its sake” (SL 5.19, p. 68). This is too tall an order, even for those who make self-discipline and service to humanity their sole ambition. Virtue as a political project—the creation of an entire nation of saints—must suppress the individual, his passions, and his thoughts. This is the essence of Montesquieu’s rejection of virtue, and why he thinks republican government is both unattractive and unsustainable. Republics must deny, rather than provide, the things that satisfy the individual and his passions. The individual does not master his passions; they are simply frustrated by state action.
citizen's love of the patria, like the monk's love of his order, is created by the frustration of his natural passions and the negation of his individuality. In essence, virtue is an attempt to negate human nature. The consequences of virtue are even more unnatural, and more destructive to humanity, than the monk's self-destruction because the entire world is potentially subject to them. Republics prevent any individual development or satisfaction except the honor that comes from providing greater services to the republic. All of the passions of each citizen, having been denied their various, natural expressions, are concentrated into the single passion for the common good that makes the republic extremely powerful. While the monk's frustration leads him to torture himself, and the eunuch's to rule his "little empire," as a soldier in the republic's army, the citizen has great power to satisfy his transmuted desires. As Pierre Manent tells us, "The glory that the warrior citizen sought in the immolation of his nature was what remained of the human animal's desire when it was frustrated" (Manent 1994, p. 383). A political order full of heavily armed citizens who are out to prove their superior virtue has a strong tendency toward empire. While it is possible for republics to dedicate themselves to war, yet

---

26 When the individual cannot satisfy his passions, he is driven to satisfy a surrogate passion that is always more violent and terrible. Thus, the eunuch, who has been "separated from himself," does not simply stop desiring sex. His natural desire for sex, having been frustrated, is transformed into a hatred of the women in the seraglio that he satisfies by tyrannizing them. "I never forget that I was born to command over them, and it is as if I become a man again when I now give them orders... Although I keep them for another man, the pleasure of making myself obeyed gives me a secret joy. When I deny them everything, it is as if I was doing it on my own behalf, and indirectly I always derive satisfaction from it. The seraglio for me is like a little empire, and my desire for power, the only emotion which remains to me, is to some extent satisfied" (PL 9 pp. 50-51, my emphasis).
maintain their original borders, as Sparta did, martial republics are strongly pulled in the opposite direction. The glory of the homeland, and the virtue of its citizens, is best demonstrated by empire, at which nearly all warlike republics aim (GD 1, pp. 28-29).

III. Republics, Empire, and Corruption

We are now able to appreciate fully the profound differences between Machiavelli’s and Montesquieu’s conceptions of human nature, and how republican institutions affect human nature. For Machiavelli, the desire to dominate is the central and eternal aspect of human nature. Because the desire to dominate cannot be expunged from human nature, it must be disciplined and harnessed through the pursuit of empire, as it was in Rome. Human nature demands, as it were, institutions based upon the imperial Roman republic. The citizen-soldier in an imperial republic can satisfy his desire for domination in sublimated form by fighting the republic’s enemies. Thus, he is able to give vent to his primordial desires in a way that secures the stability of, and wins glory for, the republic. By being part of a political order that not only rules over, but also assimilates, the vanquished, the citizen-soldier develops an immense sense of pride in belonging to a glorious and powerful political order. The greater, richer, and more powerful it is, the more he gives himself to it. He comes to love the republic more than his own life; he is willing to sacrifice for it, to die for it. His love for the republic is the foundation of its free institutions. The self-interested conflict between the two humors remains within the law.

27 The anomaly of Sparta, which resisted empire, will be discussed below. For Montesquieu, it is Sparta, rather than Rome, that best understood that virtue can be best preserved by avoiding empire. Yet Montesquieu does not endorse Sparta, because his aim is to demonstrate the failure of all republics that are based on virtue.
because the desire of each to dominate the other is mitigated by the release of these desires on the field of battle (against a common enemy), and the love of the republic engendered by the common project of empire-building. Human beings, who are naturally selfish and who care only for themselves, come to love something larger than themselves: the common good. But the selfish aspect of human nature requires the constant discipline and venting that continual armed struggle provides. When there are no enemies left to vanquish, this is unquestionably a sign of the republic’s enormous success, but it is also its death-knell. Civilization is finally possible, and in civilization, the republic grants some of its most lavish and lasting gifts to posterity. But with civilization comes corruption because the citizens no longer wish to be soldiers. Participating in empire-building no longer satisfies them, and self-interest is unchained. The return of the “beast” is inevitable when the forces that discipline it disappear. But as we have seen, Rome ran its full course. It was corrupted only after it had reached the heights of success. Rome shows the centrality of republican institutions, and the pursuit of empire, in reaching the highest level of statecraft and human attainment.

It may well appear that republics discipline and accommodate the destructive side of human nature, particularly the desire to dominate, when viewed through the lens of Roman history, as Machiavelli saw it. But Montesquieu claims that Machiavelli mistook the effects of republican institutions upon human nature for human nature itself. The flexibility of human nature is such that institutions, especially those that attempt to encompass every aspect of a citizen’s life, can have a profound effect upon it. Republican institutions truncate human nature rather than accommodate it; the desire for “domination and empire” (SL 1.2, p. 6) is the lamentable, and almost universal, effect of this truncation.
But this desire is unnatural, and therefore it need not be accommodated by political institutions. Like the monk’s masochism, the drive for empire that animates the citizen is the result of the suppression of natural human desires, not their satisfaction. Citizens desire empire only because the republic is the only possible object of their passions, and because war is the only occupation their institutions have allowed them. With their passions cut off from their natural source (the individual) and their natural forms (the pursuit of individual distinction, security, and felicity), citizens can pursue only the glory of the homeland, and can pursue it only through arms. One is a citizen-soldier only when all of one’s natural passions have been denied.

In Montesquieu’s cosmology, nature always prevails. Humans must obey their natural laws if they are to be preserved. Although these natural laws must be supplemented by the legislator when humans enter society, the legislator must take into account how humans actually are, not how he would like them to be. In this republican legislators made a grave error. They attempted to make humans love the common good more than themselves, when all of their natural inclinations thrust them in the opposite direction. Paradoxically, the only form of government that attempts to make human beings “good”—that aims at the transcendence of self-interest so that all can be free, equal and happy—makes them barbarous zealots. A world full of republics is a world full of frustrated men, armed to the teeth, who kill each other for the glory of something that is a mere surrogate for their natural passions. Nothing could be further from human beings in the state of nature, who are naturally peaceful and affectionate toward their fellow men.

Montesquieu unquestionably recoils from the bloody wars republics fought. The Romans, whose institutions had cultivated an unparalleled desire for domination and
empire, were guilty of slaughter on a massive scale (SL 23.19, p. 439). But he realizes that the immense destruction of human life for the sake of imperial glory is precisely what many find attractive about republican government (Yack 1986, p. 42). Machiavelli was certainly impressed by it. Thus, Montesquieu’s argument against ancient republics does not rest primarily on moral grounds. Moral discourse, he believes, “convinces everybody but changes nobody” (OC 1, p. 112). Rather, he argues that republican government, as it was instituted by the ancients, must be rejected because it is doomed to fail. Republics auto-corrupt because they violate the fundamental tenets of human nature. Human nature rebels against institutions that violate it. Republics can make their citizens act in ways contrary to their nature, but the core of their nature is not fundamentally changed. As soon as citizens in a republic are able to pursue their own interests, to assert their individuality, they will. This reassertion of human nature is the corruption of virtue and the end of the republic.

28 "It seems a wonderful thing—and Titus Livy confesses it—that [the Samnites] were so powerful and their arms so sound that they could resist the Romans... after so many defeats, ruinings of towns, and so many slaughters received in their country, especially when that country, where there were so many cities and so many men, is now seen to be almost uninhabited. So much order and so much force were there then that it was impossible to overcome if it were not assaulted by a Roman virtue" (D 2.2.3, p. 132).

29 Montesquieu holds that all forms of government that violate human nature are unsustainable. This includes despotism, which he calls an insult to human nature. Despotism, however, possesses much greater longevity than republican government, has no necessary cycle of corruption, and is by far the most common form of government. To explain this paradox, he says, “After all we have just said, it seems that human nature would rise up incessantly against despotic government. But despite men’s love of liberty, despite their hatred of violence, most peoples are subjected to this form of government. This is easy to understand. In order to form a moderate government, one must combine powers, regulate them, temper them, and make them act... By contrast, a despotic government leaps to view, so to speak it is uniform throughout; as only passions are needed to establish it, everyone is good enough for that” (SL 5.14, p. 63).
“Domination and empire” are not natural desires; the citizen is satisfied by the attainment of empire only when he is cut off from his natural passions by republican institutions. Empire does not create a love for the republic, as Machiavelli claims. The love of the republic creates empire. However, because the citizen’s zeal for the republic is a product of repression, the love of the republic is a false and unsustainable attachment. It can be maintained only as long as the conditions for virtue can be maintained: small size, poverty, equality, and insularity. But virtue, which leads citizens to sacrifice everything for the republic’s glory, leads to empire. Empire corrupts virtue. Far from creating unity in a republic, empire destroys it. Empire brings all the things that must be avoided if virtue is to be maintained: wealth, an increase in population, and contact with foreign peoples and mores. All these things weaken the hold of the republic’s institutions and awaken long-repressed desires. Citizens begin to put their own interests ahead of the common good. Soon they think only of themselves, abandoning virtue entirely. When

---

30 Even in his early thought, Montesquieu believed that by denying people their natural desires, one can create a false desire and a false love. Usbek’s wife Fatme, enclosed in the seraglio, writes, “You think that our desires, having been repressed so long, will be aroused at the sight of you. It is a difficult task to make someone love you; by tormenting our senses you achieve more quickly what you cannot expect to desire on your merits alone” (PL 6, p. 46). And this repression works: Fatme “burns” for Usbek even as she articulates the cruel origin of her desire. Usbek is a tyrant for denying his wives access to any natural pleasure save the occasional visit from Usbek himself, which excites and concentrates their desires because they go unfulfilled. Although Fatme desires and even loves Usbek, he has not gained her true love, nor can he. The seraglio in which he imprisons her and his other wives is an unnatural human construct that exists to repress the passions of the women, the eunuchs, and does not even leave genuine love to the master. If Fatme could escape the confines of the seraglio, if she could satisfy her passions some other way, she would no longer want Usbek; his sole control over her would vanish. Likewise, citizens do not love the republic. When the citizen can break free of the controls placed upon his passions, he acts “like a slave who has escaped from his master’s house” (SL 3.3, p. 23).
the material and moral conditions for virtue no longer exist, the republic must fall. The only question is when. Fortune has no say in the matter. This is the dialectic of virtue, the internal logic of republican government: virtue leads to empire, and empire to the corruption of virtue. This dialectic is the means by which human nature throws off the oppressive yoke of republican government. Thus, while Machiavelli sees the fall of Rome as the inevitable result of success, Montesquieu sees it as the inevitable result of political failure, of the attempt to deny human nature. Rome, which destroyed the entire world only to destroy itself, best expresses the internal logic of republican government, and provides Montesquieu with his best argument for rejecting virtue, republics, empire, and Rome itself as models for political order.
Chapter 5

Empire and Despotism

Introduction

Through his critique of Rome, Montesquieu puts forth two arguments that are intended to convince his contemporaries to reject antiquity once and for all. First, he continues his elegant dismemberment of ancient virtue by revealing that Roman virtue corrupted itself through empire. To the partisans of antiquity, the Roman empire was the crowning achievement of republican virtue that demonstrated the superiority of the ancients. But empire, the effect and apparent vindication of virtue, was the undoing of virtue. Rome's empire demonstrates the inherent flaw in republican government, not its superiority. Yes, the building of Rome's empire makes for impressive reading. Machiavelli, above all others, speaks eloquently and seductively about the excellence of the institutions and virtue that made empire possible, and explains its fall in terms of the limits of politics, rather than the necessary results of virtue and empire. But Montesquieu will not allow those who would readily lead the standard of the ancients against the moderns—those who stand with Machiavelli—to avert their eyes from the abominable despotism that Rome became and had to become. He documents the incredible depths to which Rome plunged because of its virtue and its empire, rendering virtue tragic, but not glorious, and certainly not to be sought after.

Apart from those who pine for the lost virtue of antiquity, Montesquieu takes dead aim at those who were intoxicated by the glory and power of empire. While these two
audiences are not mutually exclusive, one does not have to love republican government to love the idea of attaining mastery over the entire world, and with it, power and riches beyond measure. Machiavelli did not write manuals for monarchs with imperial ambitions. But for kings and their counselors who either mistook or overlooked Machiavelli’s political vision, the Florentine provided both the raison d’être and the tactics for their own vision of universal monarchy. It is those who govern who are in the greatest position to use their self-interested passions for ill, and Montesquieu can think of no greater ill than a government driven to ruin the lives of its own subjects and those of neighboring states for the sake of foolish, self-aggrandizing passions (Hirschman 1977, pp. 69-71). It is useless to argue that humanity, nature, or reason demands the restraint of these passions, for passions are too strong, particularly among those with the power to satisfy them. Instead, Montesquieu uses the example of Rome, the “greatest” and most glorious empire the world had ever seen, to expose the folly and self-destruction of imperial ambitions. Among Montesquieu’s contemporaries, it was universally believed that Rome’s empire made it strong, even irresistible. Political power was deemed to be inseparable from conquest and empire. But Montesquieu shows that Rome got weaker as it got “greater” because it undermined the conditions that had made it powerful in the first place. Republics have natural limitations on their size, based upon the constitution, and

1 As Judith Shklar states, both the idea of ancient virtue and the lust for empire motivated the king and court in France. “Among the several ideologies which sustained the ancien régime there was what one might call the Augustan charade. . . . A good prince not only possessed all the great stoical and republican virtues of selfless patriotism, abnegation of all personal inclinations in favor of the public good, stern repression of all ambitions other than public ones, impartial justice for all, and so on, but the courtiers also displayed republican virtues just by serving him as selflessly as he serves the state. For he is the republic now” (Shklar 1990 pp. 265-6).
Rome's sole aim was to breach these limitations. It paid the dearest price. Although monarchies, unlike republics, are not dialectically driven to surpass the boundaries nature has set for them, they too have natural limits (SL 10.9, p. 145). Monarchs who succumb to their ambitions for universal empire, as Louis XIV did (SL 9.7, p. 136), place their states and their own security in jeopardy. Neither Rome's virtue nor its empire are to be imitated by moderns.

I. Rome: Paradigm of Empire and Corruption

For Machiavelli, once a republic has been ordered with excellent institutions, the single most important factor that determines its longevity is how often it is brought back to its original orders, Machiavelli tells us (D 3.1.1, p. 209). The political actor is the most important variable in leading the republic back to its beginnings. Like the original act of founding, a republic is re-ordered through the virtue of one man who, through "excessive and notable" executions of the law, violently punishes insolent men who attempt to undermine the republic to gain power. The authority of the laws is re-established, and the fate of the transgressors chills the spirit of those who would follow their example. In essence, reformation refreshes the memory of the first violence citizens suffered at the hands of the prince, the violence that subdued their bestial passions, and made the establishment of the republic possible (D 3.1.3, p. 211). As long as a republic produces 'reformers', men of extreme virtue whose excellence and love of the republic are unmatched by their peers, it can sustain itself. Unquestionably, a republic that is ordered well in the beginning, will produce such men with some frequency. But reformers must be so devoted to the public good, and possess so much virtù, that even in a well-ordered
republic they are rare. There is unquestionably an element of *Fortuna* in the appearance of the reformer. Rome produced them with enough frequency for many years, but then there was a great gap between Marcus Regulus and the two Catos. Romans had become corrupt because the audacious and insolent had not been spectacularly punished, giving encouragement to others. Their original beatings had been forgotten, and Rome was too corrupt by the time the two Catos emerged (D 3.1.3, p. 211). Thus, despite his good example, Cato the Younger could not lead Rome back to its beginnings.

There is no question that, as a republic grows larger and has more history behind it, the job of the reformer is more difficult; he is constrained by multiple factors. By the time Rome was corrupted by the “Marian parties” it had generals commanding large armies stationed throughout the empire, its nobles had become wealthy, and the people had become ever more powerful and demanding. Most importantly, it had already reached the height of its power. It had nowhere to go but down, and the reformer could only stave off corruption. Given Machiavelli’s view of the cycle of history, Rome could not really go back to the beginnings. But the decline could be slowed if not halted. In this sense, Machiavelli acknowledges that Rome’s empire contributed to its demise. As Machiavelli himself acknowledges, most of the factors that constrained reformers were due to the greatness of its empire (D 3.24.1, pp. 269-70). But Machiavelli does not blame empire as such. Although he identifies particular policies and causes, he does not really blame anything for Rome’s demise. It had run its course, as all political orders must, and enjoyed a more successful run than any other state, before or since.

Montesquieu agrees with Machiavelli that a republic must return to its old orders if it is to endure (SL 4.7, p. 49). But for Montesquieu, it is not the presence of the political
actor that determines whether a republic can be re-founded. A republic can be re-founded only when the physical, economic, moral conditions necessary for virtue are still in place or can be re-gained. A lesson in violence and fear will not suffice. The reason is clear. If a republic has allowed its citizens to accumulate wealth, or to adopt new ideas that run counter to the constitution, it must act quickly to root out these innovations. It is not enough to intimidate the citizens while allowing them to keep the things that are corrupting them. For Montesquieu, reformation must always take the republic back to its original economic, moral, and religious conditions. Otherwise, the self-interest of the citizens will re-establish itself, and virtue will have no hold on them. Because empire alters these conditions, it corrupts virtue. There can be no reformation that does not also include a return to austerity and insularity that cannot co-exist with empire. It is not the virtuous citizen who preserves the institutions, but the institutions that preserve the virtue of the citizens. Sooner or later, usually sooner, empire destroys these institutions.

Because Montesquieu rejects Machiavelli’s view of human nature and his conception of a cycle of history tied to human nature, he rejects Machiavelli’s account of Rome’s decline. Montesquieu does not think that any state can exist forever (SL 11.6 p. 166). But he identifies Rome’s single-minded quest for world domination as the chief reason for its decline. As we have seen, republics have an inherent tendency to pursue empire. Rome embraced the goal of empire with every ounce of its energy, making it the very principle of its government (GD 1, p. 27). It was bound to become corrupted neither

---

2 Montesquieu says that all states have a principle that is specific to them in addition to the general principle of its government. Thus, the Romans made expansion a principle of their government, just as Sparta made war its principle (SL 11.5, p. 156).
because all things that reach their peak must necessarily decline, nor because the "beast" within human beings must eventually rebel against even the best orders, but because empire undermines the physical, economic, and moral conditions of virtue. For Montesquieu, there is scientific cause and effect at work. Once we know what human nature is really like, and once we know the conditions that must be in place for humans to embrace virtue, we can see how the change in these conditions that accompanies empire will corrupt virtue. But Montesquieu does not stop at the corruption of the republic; he follows the corruption to its end point. All republics that pursue empire will ultimately become the worst of all forms of government: despotic states. Rome is, of course, the paradigm example, and Montesquieu forces us to see the necessary connection between Rome's virtuous beginnings and its ignominious end. Only when we come to grips with Caesar, Caligula, Heliogabalus, and the Byzantine Empire can we evaluate the true worth of Rome's project of universal empire.

The Romans were able to maintain their virtue for an extraordinarily long time, given their ambition to create a universal empire. Machiavelli saw the security upon which Rome's extraordinary longevity was based as proof of the necessity of empire. Yet for Montesquieu, the Romans relied as much on Fortuna as they did on their own efforts. He does not deny that the Romans possessed great constancy and courage, and that they always worked to make themselves better warriors. Moreover, the Roman senate masterfully executed its plan to conquer and rule the entire world. But the Romans were fortunate that they were surrounded by a host of small, poor, bellicose republics, and that their early wars enabled them to develop their martial prowess without being able to attain empire.
In the republic’s early history, the army was not paid a salary, so it was impossible to keep soldiers in the field for a long time. This made long sieges impractical, and Rome’s victories were temporary. For though the Romans defeated (or often merely dispersed) their enemies and carried off their possessions in triumph, they did not raze their cities or keep them under permanent subjection. The vanquished lived to fight another day, and to pillage Rome’s lands as theirs had been pillaged. Booty was equally divided between the citizen-soldiers, with a portion going to the republic. The fruits of a successful campaign provided a modest sum for the republic’s treasury, but not enough to make Rome rich. And because their enemies were only temporarily defeated, the Romans could never rest. Their chief rivals, “the Latins, Hernacians, Sabines, Aequians, and Volscians loved war passionately. They were all around Rome. Their resistance to it was unbelievable, and they outdid it in their obstinacy” (GD 1, p. 29).

Thus, a fortuitous combination of factors allowed Rome to conquer constantly, and yet to avoid corruption. It gained little from its victories, and given its poverty and the absence of arts, what it gained it needed. Moreover, its neighbors had nearly the same customs and military discipline, making them formidable enemies. And as Machiavelli finds most impressive, these republics, inflamed by a love of liberty, fought desperately against Roman domination (D 2.2, pp. 129-33). In the early history of Rome, victory was never complete. Had it been, Roman history would have been much shorter.

If they had rapidly conquered all the neighboring cities, they would have been in decline at the arrival of Pyrrhus, the Gauls, and Hannibal. And following the fate of nearly all the states in the world, they would have passed too quickly from poverty to riches, and from riches to corruption. But, always striving and meeting
obstacles, Rome made its power felt without being able to extend it, and, within a very small orbit, practiced the virtues that were to be so fatal to the world (GD 1, p. 29).

But Rome’s ambition from its beginnings was the conquest of the entire world. Tactics had to change for Rome to succeed. Although the Romans always attempted to keep its wars short, they realized that conquest often required sieges and long campaigns that were impossible to undertake when the citizen-soldiers were paid only in booty and a share of the conquered land. They instituted military pay for the soldiers and at once laid siege to Veii, a campaign that lasted for ten years. Rome was beginning to convert its military prowess into empire. “The Romans employed a new art and a new way of waging war. Their successes were more brilliant; they profited more from their victories; they made larger conquests; they sent out more colonies. In short, the taking of Veii was a kind of revolution” (GD 1, p. 30). This “revolution” in Roman warfare redoubled the resolve of Rome’s neighbors to resist. All of Italy, at one time or another, waged war on Rome, further delaying its imperial designs and, paradoxically, preserving the Roman republic. Eventually, however, Rome either subdued or destroyed the Italian republics, forming alliances with those they did not completely raze. The Italian allies enjoyed certain privileges, but were merely instruments of Rome’s conquests. They participated in the dangers of empire-building, but not in the benefits (GD 6, p. 69-70).

Rome’s innovations in waging war were complemented by the wisdom of the Roman senate in holding on to nations it had vanquished (GD 6, p. 67). For Montesquieu, the “profundity” of the senate—the maxims it used from its earliest history—is the use of “fraud” which Machiavelli says a nation must employ if it is to rise from a lowly position
"Since they never made peace in good faith, and since universal conquest was their object, their treaties were really only suspensions of war, and they put conditions in them that always began the ruin of the state accepting them" (GD 6, p. 68).\(^3\) States had little choice but to accept them. Because Rome was constantly at war, it continued to improve its military prowess, retaining lessons and innovations that other states, at war only intermittently, forgot (GD 1, p. 28). And the virtue of the Roman soldiers, their willingness to submit to unbelievable hardship and danger for the patria, made them all the more formidable. And their cruelty was legendary. Upon sacking a city, they often killed not only all the citizens, but every living thing.\(^4\) Thus, states that were not at war with Rome had little desire to enter into an alliance with those that were (GD 6, p. 68, 74). One by one, the Romans defeated their enemies in battle, used them as instruments of further conquests, then destroyed them utterly (GD 6, p. 67). The Romans were savage in war, and in peace practiced "not even the justice of brigands" (GD 6, p. 74). By these means, the empire grew greater, wealthier, more powerful, and of course, more glorious. But its greatness would soon lead to corruption and tyranny.

\(^3\) The whole of chapter six of *Greatness and Decline* is devoted to the iniquitous means the Romans employed in foreign policy to extend and maintain their empire.

\(^4\) Polybius, documenting Scipio's exploits in Spain, reveals the Roman method of sacking a city: "Scipio, when he judged that a large enough number of troops had entered the town, let loose the majority of them against the inhabitants, according to the Roman custom; their orders were to exterminate every form of life they encountered, sparing none, but not to start pillaging until the word was given to start doing so. This practice is done to inspire terror, and so when cities are taken by the Romans you may often see not only the corpses of human beings but dogs cut in half and the dismembered limbs of other animals, and on this occasion the carnage was especially frightful because of the large size of the population" (Polybius 1979, p. 415).
Wealth, Luxury, and Inequality

As Rome's conquests became larger, and as it subdued rich peoples outside of Italy, such as Carthage, treasures flooded into the city. A conquering general's triumph, and therefore his glory, was judged by the amount of gold and silver, not to mention slaves, he led into Rome (GD 6, p. 73). As the power and influence of the Romans grew, they stole as much gold through their legislation and diplomacy as they did through their arms, forcing the richest kings to compete with one another in buying protection from Roman arms. In addition, when the senate began to pay the soldiers, which allowed Rome to build its empire, it ceased distributing the conquered lands to them. The vanquished were forced to pay a tribute to Rome for the cost of the war. If lands were confiscated, they went to the republic rather than the soldiers. All of these innovations ran counter to Montesquieu's cardinal rule for maintaining virtue: the necessity of poverty and frugality. Only when the republic's citizens and the public treasury are poor can a republic subsist. When citizens have nothing but the essentials, they think only of the republic. When magistrates preside over meager sums, it is easy for them to think of their duty. Self-interest is repressed by poverty itself. But when there is vast wealth, citizens' desires for comfort, felicity, even luxury are excited. When sums in the treasury become too great, not even the republic's intense indoctrination is enough to prevent magistrates from pilfering it (SL 8.16, p. 124). The lands that formerly went to the soldiers, and ostensibly to the public, were now snatched up by those with political power, who

5 "Masters of the world, they assigned all its treasures to themselves, and in plundering were less unjust than in conquering. . . . A thousand crimes were committed just to give the Romans all the money in the world" (GD 6, p. 74).
obtained enormous estates. Inequality of lands was introduced. And as gold flooded in from all parts of the world, public frugality was flouted and virtue corrupted.

As soon as the Romans were corrupted, their desires became immense. This can be judged by the price they put on things. A jug of Falerian wine sold for one hundred Roman deniers; a barrel of salt meat from the Black Sea cost four hundred deniers; a good cook, four talents; young boys were priceless. When everyone, by a common impulse, was carried to voluptuousness, what became of virtue? (SL 7.2, p. 98).

The Romans, whose passions had long been starved by austerity, glutted themselves. They were like adolescents who were on their own for the first time, free from the reproaches and discipline of overly-strict parents. Moderation in desires cannot be acquired by privation.

Between the growing inequality of landed property and the incredible influx of gold, which created boundless luxury, the Romans became a people with a few very rich and many dependent poor. Riches won through conquest are pernicious because they produce inequality and general poverty, rather than general prosperity. The powerful

6 The grave inequality and poverty in Rome after amassing its immense wealth provides Montesquieu with one of his best arguments in favor of commerce—provided that commerce does not accompany a constitution based on virtue, of course. Without the shrewd investment of a large fortune through commercial and manufacturing ventures, gold simply causes trouble. Montesquieu wrote to an English acquaintance, "At bottom, the source of your wealth is commerce and industry, and that source is of a nature that can enrich you only by enriching others. The source of wealth in Rome was gain from tribute and pillage from subordinated nations. Those sources of wealth could not enrich one without impoverishing an infinity of others. As a result, in that state and others like it, there were extremely rich people and extremely poor ones. There could be neither people in the middle nor the spirit of liberty, as among you. There could be only on the one hand a spirit of ambition, and on the other a spirit of despair, and as a result, no
ignored and abused the laws in order to acquire; they spent money, often squandering their fortunes on luxuries. The powerless and poor became destitute, losing their lands and, as a consequence, their vaunted independence and citizen spirit. No longer farmers and soldiers, citizens became agents of powerful clients or were forced to turn to the arts that were formerly proscribed. Rome’s power and virtue came from its equal division of lands, which allowed the greatest number of citizens to be soldiers. Both were mortally wounded by the inequality that must always accompany wealth in a republic (GD 3, p. 40).

Revenue from subject states paid the salary of a professional army, while the city was populated by the effete, rich few and the desperate and lowly many. Both were corrupt and unfit for war. The rapid descent into inequality was due in part to the abolition of taxes for Roman citizens. Formerly the superfluous wealth of individuals was taxed by the republic; but with conquest, tribute, and extortion reaping such enormous revenue, the wealth of individuals grew out of control (SL 11.19, p. 186). The rich no longer cared about the republic, its safety, or its glory. They cared only about themselves (GD 10, p. 98). The poor were nothing but a rabble of paupers.

Because the Roman republic had lost its equality and its virtue so quickly once the gold started pouring in, Montesquieu has great sympathy for Tiberius Gracchus’ attempt to reintroduce the long-flouted Agrarian law (GD 3, p. 41). Although Machiavelli recognizes that inequality was ruining Rome, he believes that the best policy for Rome was to allow it freedom” (Montesquieu, in Devletoglou 1963, p. 42). Compare the inequality and poverty of Rome to that of Spain, which was also weakened by its tremendous quantities of gold obtained through conquest. “Spain acted like the foolish king who asked that everything he touched turn into gold, and who was obliged to go back to the gods and beg that they put an end to his destitution” (SL 21.22, p. 395).
to continue, since the last prerogative of the great was the riches they gained from their estates (D 1.37 pp. 78-81). Machiavelli praises Agis and Cleomenes, who attempted to return Sparta to its former power by re-establishing an equal division of lands (D 1.9.4, p. 30; Plutarch 1932, p. 960-93). Nevertheless, he blames the Gracchi for pushing for land reform when they knew it would be fought intensely by the nobles and of dubious benefit to the people (D 1.37.2, p. 80). He did not see, or did not mention, that the economic underpinning of Roman virtue—the equality and poverty of its citizens—was gone.

Montesquieu’s point is not that Rome could have been saved—it was already too corrupt. But he wants his readers to realize why it had become corrupt: the riches and inequality that came with Rome’s “greatness.”

Political Disintegration

Before Rome became “great” citizens were willing to submit to the public authority, putting their own interests far behind those of the republic. But once Rome admitted citizens from the states it conquered, factions arose that represented this or that particular interest, not Rome as a whole. When this occurred, the tumultuous relations that always existed between the patricians and the plebeians took a disastrous turn. Montesquieu, like Machiavelli, says that the rivalry between the patricians and plebeians was a source of strength for Rome. Authors who attribute the fall of the republic to class strife between the nobles and the people stop short of the true cause. According to Montesquieu, this includes Machiavelli. “We hear in the authors only of the dissensions that ruined Rome, without seeing that dissensions were necessary to it, that they had always been there and always had to be. It was Rome’s greatness that caused all the
troubles and changed popular tumults into civil wars” (GD 9, p. 93). The demands the plebeians made throughout Roman history were in the interest of liberty and even their heated confrontations with the senate were tempered by their love for and awe of the “Conscript Fathers.” There “had to be” conflict in Rome because the spirit of the Roman citizens was created by their constant warfare. They were bold, and had been imbued with a love of liberty that strained against the authority the patricians enjoyed, authority that was a vestige of Rome’s early monarchy (SL 11.13, p. 172; GD 9, p. 93). With the profusion of wealth and the emergence of grave inequalities in Rome, the stage had already been set for an escalation in class conflict. The senate, which was full of virtuous patricians, was now occupied by the wealthy, be they patrician or plebeian. They were now called “nobles” and they were poised to defend their wealth with more ferocity than that with which the patricians had defended their prerogatives (GD 8, p. 85). The extension of Roman citizenship to the Italian allies exacerbated this situation; tumults restrained by a love of the patria became civil wars waged between self-interested factions for wealth and political power.

Machiavelli believes that Rome’s decision to turn the subject nations of Italy into associates instead of subjects was crucial to its ability to gain and maintain empire. Rome led its own allies into slavery while they helped it to conquer other peoples. The Latin republics were compelled to make an alliance with Rome; this alliance was maintained under the guise of a partnership, a confederation of republics of which Rome was “merely” the head. Using half allied troops and half its own, Rome subdued other Italian republics and foreign nations. Despite the veneer of an equal partnership, the conquests primarily
benefitted Rome, adding to the grandeur of the Roman empire while at the same time surrounding Roman allies with subject peoples.\footnote{"[Rome] got many partners throughout all Italy who in many things lived with it under equal laws, and, on the other side... it always reserved for itself the seat of empire and the title of command. So its partners came to subjugate themselves by their own labors and blood without perceiving it. For they began to go out of Italy with their armies, to reduce kingdoms to provinces, and to get subjects who did not care about being subjects since they were accustomed to living under kings and who did not acknowledge a superior other than Rome since they had Roman governors and were conquered by armies with the Roman title. In this mode the partners of Rome who were in Italy found themselves in a stroke encircled by Roman subjects and crushed by a very big city, such as Rome was. And when they perceived the deception under which they had lived, they were not in time to remedy it..." (D 2.4.1 p. 136).}

This plan of having associates rather than subjects is a main ingredient of republican empire-building for Machiavelli (D 2.19.1, pp. 172-73). Even though the associates were independent in domestic politics, meaning that they lived according to their own laws, they were forbidden to wage war without the consent of the Romans, and when Rome fought wars of conquest, they were obliged to supply troops. The glory, wealth, and power of empire went solely to Rome. And eventually, they were forced to abandon sovereignty over their own affairs to Rome. Like the vanquished they helped to conquer, they were swallowed up by the republic's empire. Rome gained power in two ways: first, it expanded more with the help of its allies than it could by itself; second, the allies eventually became citizens as well, giving Rome even more soldiers to put in the field.

Montesquieu has a contrary interpretation of the extension of Roman citizenship to the \textit{socii}. For Montesquieu the extension of Roman citizenship to her allies was coerced, of great harm to Roman virtue, and was a catalyst for the republic's fall. Montesquieu
briefly recounts the history of the Social War, stressing that Rome was compelled by her
allies to grant them citizenship. Rome’s power and prestige were so great that republics
that formerly preferred to keep their own laws and customs began to clamor for Roman
citizenship, especially since the allies understood that much of the blood that had been
shed for the sake of Rome’s aggrandizement was theirs. They vowed to go to war for the
right of abandoning their own laws and orders for Rome’s. “Forced to fight against those
who were, so to speak, the hands with which it enslaved the world, Rome was lost. It was
going to be reduced to its walls; it therefore accorded the coveted right of citizenship to the
allies who had not yet ceased being loyal, and gradually to all” (GD 9, p. 92). According
to Montesquieu’s version of the same historical event, it was the Romans, not the socii,
who were coerced. They had begun to be conquered by those whom they had vanquished.

Apart from the demands of its allies, Montesquieu recognizes that Rome needed to
replace the great number of citizens it lost on the field of battle. “The Romans, by
destroying all the peoples, destroyed themselves; constantly active, striving, and violent,
they wore themselves out, just as a weapon that is always in use wears out” (SL 23.20, p.
440). Rome could not replace its citizens fast enough through policies that encouraged
large families, so they were constrained to offer the rights of citizenship not only to allies
and associates, but also to manumitted slaves. Once Rome extended the right of Roman
citizenship to the allied republics and to slaves, foreigners had influence over public
policy. Factions grew as each (former) republic, each region, vied for political influence,
ruining the cohesion that is vital to a republic.

After this, Rome was no longer a city whose people had but a single spirit, a single
love of liberty, a single hatred of tyranny—a city where the jealousy of the senate’s
power and the prerogatives of the great, always mixed with respect, was only a love of equality. Once the peoples of Italy became its citizens, each city brought to Rome its genius, its particular interests, and its dependence on some great protector. The distracted city no longer formed a complete whole. And since citizens were such only by a kind of fiction, since they no longer had the same magistrates, the same walls, the same gods, the same temples, the same graves, they no longer saw Rome with the same eyes, no longer had the same love of country, and Roman sentiments were no more. (GD 9, pp. 92-93).

The Romans were powerful when they were small, like the "family" Montesquieu says every republic must resemble. A republic must remain a single people, with the same customs, the same history, and the same gods. The extension of citizenship ruined Roman unity. The love of country, of living according to one's own laws, vanished from Rome. One cannot sacrifice for a "fiction," which is all Roman citizenship amounted to. Faction resulted largely from peoples coming to Rome and voting in blocks to further their particular interests as a city or province, or simply being bought off. The Romans no longer governed themselves; they were governed by their allies and former slaves. The struggle for supremacy between the grandi and the popolo reared its head after Rome extended citizenship to the other nations of Italy. As we have seen, Machiavelli defines this problem in terms of Rome's ambitious citizens, who were always trying to elevate themselves by favoring the masses. Montesquieu agrees that ambitious citizens played a role, but the addition of thousands of new 'Romans' whose interests ran counter to Rome's set the stage for the civil wars (GD 9, p. 93). The new citizens, the dispossessed rabble, and the profligate rich who had spent their entire fortunes on luxurious living, were all
willing to pursue their interests through powerful men who had greater ambitions. Men from great and influential families who had lost themselves in luxury and squandered their fortunes were particularly dangerous. Caesar told them, “What you need is a civil war” (Suetonius 1989, p. 25).

From Generals to Tyrants

Machiavelli says that the extension of commands was one of the causes of Rome’s decline (D 3.24.1, p. 270). If the Romans had continued their ancient practice of allowing a general to command an army for one year at a time, perhaps Caesar would have been unable to seize power. For Montesquieu, the fact that Rome was conquered by one of its own generals is due to the greatness of the empire and the city. In order to maintain the empire beyond Italy’s borders, Rome was forced to have its soldiers in the field for years at a time. The experience of extended warfare, especially the Second Punic War, had shown the Romans that their armies functioned better when a general enjoyed an extended command. The citizen-soldier of old, who was in Rome longer than in the military camp, could retain his love of the republic and his citizen spirit. This was not the case with the professional soldiers who policed the boundaries of the empire. The professional soldier came to identify more with his general than with Rome. Generals, who commanded vast

---

8 "The greatness of the state caused the greatness of personal fortunes. But since opulence consists in morals, not riches, the riches of the Romans, which continued to have limits, produced a luxury and profusion which did not. Those who had at first been corrupted by their riches were later corrupted by their poverty. With possessions beyond the needs of private life, it was difficult to be a good citizen; with the desires and regrets of one whose great fortune has been ruined, one was ready for every desperate attempt. And, as Sallust says, a generation of men arose who could neither have a patrimony, nor endure others having any” (GD 10, p. 98).
numbers of armed men who were personally loyal to them, "sensed their own strength and could obey no longer" (GD 9, p. 91). Again, we see that self-interest, which a republic can suppress when it is of middling wealth and power, breaks free from its restraints when power becomes too great to resist.

It is the nature of a republic to have only a small territory; otherwise it can scarcely continue to exist. In a large republic, there are large fortunes, and consequently little moderation in spirits: the depositories are too large to be put in the hands of a citizen; interests become particularized; at first a man feels he can be happy, great and glorious without his homeland; and soon, that he can be great only on the ruins of his homeland. (SL 8.16, p. 124)

This was the path to glory taken by Sulla, Marius, Pompey and Caesar. They controlled powerful armies abroad, and, having plundered the treasury, could easily bribe the self-interested and desperate factions within Rome, who elected them time and again to important posts (SL 8.2, p. 113). Machiavelli is full of hatred for Marius and Caesar; the former corrupted the people, and the latter finished the work of enslaving Rome when, possibly, he could have reordered it. 'What the world owes Caesar' is the death of the republic (D 1.10.5-6 p. 33). Caesar, in Machiavelli's view, is not the ultimate cause of Rome's fall, but he is the efficient cause. Had he been a different man, Rome could have held on longer. In a universe in which political order is so difficult to attain, an unhealthy republic is preferable to the horrors of corruption and disorder. For Montesquieu, such speculation masks the truth, if not the inevitability, of Rome's fall. The conditions necessary for virtue had been gutted, and virtue is the only thing that sustains the constitution. Self-interest had been unleashed with incredible ferocity because the sole
bulwark against it had been removed. The only question was when the diseased republic would die. "If Caesar and Pompey had thought like Cato, others would have thought like Caesar and Pompey; and the republic, destined to perish, would have been dragged to the precipice by another hand" (GD 11, p. 108). Rome's virtue, greatness, glory, and empire could only end in despotism (GD 9, p. 94). Montesquieu condemns it all:

How many wars do we see undertaken in the history of Rome, how much blood shed, how many peoples destroyed, how many great actions, how many triumphs, how much statecraft, how much sobriety, prudence, constancy, and courage! But how did this project of invading nations end—a project so well planned, carried out, and completed—except by satiating the happiness of five or six monsters? What! This senate had brought about the extinction of so many kings only to fall into the meanest enslavement to some of its most contemptible citizens, and to exterminate itself by its own decrees! We build up our power only to see it the better overturned! Men labor to increase their power only to see it fall into more fortunate hands and used against themselves! (GD 15, p. 138).

The worth of Rome's virtue and empire cannot be judged until we contemplate life under its most murderous despots, for this is the end to which virtue and empire are the beginning.

*The Corruption of Mores*

The mores of Rome were corrupted, first and foremost, by wealth, which, as we have seen, awakened self-interest. Each citizen no longer thought, lived, and acted for the republic, but rather for himself. With the suppression of the self, the "extreme obedience"
of the citizen to the magistrate, the family to the father, vanished entirely, and was
replaced by “the spirit of extreme equality” (SL 8.2, p. 112). The people no longer obeyed
the magistrates; the senate’s deliberations were ignored; fathers lost their authority,
women and slaves yielded to no one. Amid this general corruption, the censors were
powerless to punish transgressors. Encouraged by ambitious men who wanted to conceal
their own designs, the people intimidated and coerced public officials and plundered the
treasury. Equality, which could only be maintained by strict obedience, degenerated into
license, license into despotism, and the people lost everything, “even the advantages of
their corruption” (SL 8.2, p. 113).

Contact with foreign peoples was almost as devastating to Roman mores as wealth.
Each republic develops particular manifestations of virtue through the laws and
institutions it establishes, and through the unique character of the citizenry that, at one and
the same time, is shaped by those laws and institutions and places an indelible stamp upon
them. This particularity is a nation’s “spirit.” The Romans became less and less Roman
as they expanded further out of Italy. The more citizens they admitted, the more slaves
they led into Rome, the more foreign customs they embraced. Mores must reinforce the
political and economic institutions. Foreign mores, which buttress foreign institutions, are
poison to a republic. The censors did an admirable job of weeding out pernicious customs
when Rome was smaller, and had contact with peoples with similar customs. But when
Rome became great, when foreign mores came flooding in with the gold, the censors were
powerless. While some of the new ideas, like Stoicism, were compatible with Roman
virtue, others, like Epicureanism, eroded essential doctrines, such as the sanctity of the
oath.
... It was a special trait of the Romans that they mingled some religious sentiment with their love of country. This city, founded under the best auspices; this Romulus, their king and their god; this Capitol, eternal like the city, and this city, eternal like its founder—these, in earlier times, had made an impression on the mind of the Romans that would have been desirable to preserve (GD 10, p. 98).

Even Rome’s foremost citizens could not retain their allegiance to the patria when the doctrines that governed their consciences were challenged. Oriental despotism, which the Romans first encountered in the war with Antiochus, animated the ambition of Caesar, who "drove the Romans to despair over a thing of pure ostentation" (SL 10.14, p. 151).

Montesquieu blames the fall of the Roman republic on inequalities of wealth, the extension of Roman citizenship to its associates, and the emergence of self-interest. He blames the depth of Rome’s fall on the adoption of foreign ways. For Machiavelli, corruption is inevitable. But even he would have to be disgusted with the depths to which Rome plunged, depths which were a direct result of Rome’s program of universal conquest. The Roman empire received citizens, soldiers, ideas, and laws from the entire world. The Roman emperors themselves were often foreigners. The ancient Roman attachment to "Romulus, their king and their god" had vanished. Heliogabalus, a barbarian emperor, went so far as to banish the old gods from Rome, replacing them with those of his homeland, paving the way for the adoption of Christianity. "Apart from the secret means God chose to use and which He alone knows, this did much for the establishment of the Christian religion. For there was no longer anything foreign in the empire, and people were willing to accept all the customs an emperor might wish to introduce" (GD 16, p. 148). Montesquieu follows his history of Rome to the bitter end of
the Byzantine Empire to show how thoroughly the Romans were conquered by the rest of the world. By the end of *Greatness and Decline*, they are not even Romans in name, and the virtue that was so strong in the beginning is completely gone.

For a republic, and the virtue that sustains it, to stay intact, it must not expand. The fact that all republics that instill virtue tend to expand leads Montesquieu to conclude that republican government ought to be rejected. A few republics, like Sparta, fall in a less ignominious fashion and fall to a lesser degree than Rome did.⁹ Although Sparta’s institutions were repressive, demanded excessive conformity and austerity, and were a terrible fit for human nature, Sparta maintained its virtue longer than Rome, and it never devolved into despotism. Sparta, above all else, sought to preserve the social, economic, and moral prerequisites for virtue. It maintained a small citizenry, kept its citizens isolated from foreigners, and conquered without subjugating. “What made Lacedaemonia last so long is that, after all its wars, it always remained within its territory” (SL 8.16, p. 124). Without foreign influences or factions creating discord, they remained united. The Spartans were subdued only when they were forced to give up their institutions (SL 4.6, p. 37). In one sense, the Spartans best understood how both virtue and longevity could be maintained. But Sparta is not Montesquieu’s archetypal republic for two reasons. First, Sparta’s unique ability to maintain its borders while dedicating all its energies and passions toward warfare proves the rule that the predominant tendency of virtue is to lead to empire. The institutions established by Lycurgus had such a strong impact on the

---

⁹ Machiavelli himself says that Sparta was never corrupted to the extent that Rome was (D 1.18.5, p. 50); it was Sparta’s policy of prohibiting foreigners from the city that preserved it from corruption (D 1.6.2, p. 21).
Spartans and those that followed a similar police that they were able to resist the temptation of empire that leads inexorably to corruption.\textsuperscript{10}

But there is another, more compelling reason why Rome, rather than Sparta, epitomizes republican government for Montesquieu. Imperial republics, when they are at the height of their virtue, are too strong for small ones to resist, even though the latter put up incredible resistance. "Lacedaemonia was the last to yield to the Macedonians, and Crete was the last prey of the Romans. The Samnites had these same institutions and they provided the occasion for twenty four triumphs for the Romans" (SL 4.6, p. 37). Resist they did, but all were conquered. The Romans all but exterminated the Samnites; those few that remained were absorbed into the empire. Both the Romans and the Spartans established extreme virtue, and both were successful in war. But when an expansionary republic like Rome sets its sights on a smaller republic that avoids expansion, even if that republic is extremely virtuous and bellicose, as the Samnites were (GD 1, p. 29), the result will be the conquest of the small republic. And empire will corrupt the virtue of the expansionary republic. "If a republic is small, it is destroyed by a foreign force; if it is large, it is destroyed by an internal vice. . . . The ill is in the thing itself; there is no form that can remedy it" (SL 9.1, p. 131).\textsuperscript{11} Republican government is a dead end.

\textsuperscript{10} Montesquieu concedes that the Spartans finally succumbed to the desire for empire after Athens infected Sparta with ambition (SL 8.16, p. 124). However, he rejects Machiavelli's conclusion that Sparta made a fatal error in remaining small and insular. Republics cannot endure whether they are commercial, like Athens and Carthage, eschew empire, like Sparta, or embrace it, like Rome.

\textsuperscript{11} Montesquieu mentions that the federal republic offers the internal benefits of republican government and the external force of monarchy (SL 9.1, p. 131). But Montesquieu's intention here is to point the way for a peaceful, united Europe. In his "Critique of Universal Monarchy," Montesquieu compares the states of Europe to
The failure of republican government, especially the dialectic of virtue which Rome's fate reveals so clearly, is the vindication of both human nature and the laws of nature we examined in chapter four. Virtue represses the individual and attempts to override the laws of nature, which preserve humans through the satisfaction of passions. Republics attempt to preserve society as a whole by negating the individual. But “what’s useless to the bee is useless to the hive.” A form of government that oppresses the individual cannot flourish. Republics are driven into a desperate, breathless cycle of suppressing the passions for the sake of virtue, and then seeing the passions re-emerge with a vengeance through empire and corruption. The tragedy is that human nature, after breaking free of the repression of republican institutions, finds itself all the more enslaved by despotism.

Empire itself is a violation of the laws of nature. In Machiavelli's universe, only one nation is capable of supremacy at any one time—the goal of the republic is to increase its own power and enervate all others. But the world is compensated, in a way, by the spread of a superior political order. As Rome expanded, others were able, through assimilation into the empire, to enjoy the benefits of its laws and arms. For Montesquieu, members in a great republic. If they were to form protective alliances instead of engaging each other in mindless, costly wars of conquest, all of Europe would be better off. Montesquieu is not trying to vindicate ancient republican government. Apart from virtuous republics' inherent tendency to expand, the failure of ancient federations is manifest. The Romans were able to use their "constant maxim" of divide and conquer with the Greek republics, whose federations were famous for creating more conflicts than they resolved. Montesquieu says of the Greek republics, "It is easy to see that these small republics could only be dependent" (GD 5, p. 60). As for the Romans, they used their 'alliance' as a means of expansion, not as a bulwark against it.
one nation cannot benefit from the suffering of others. Empire is as bad for the republic, and indeed for the entire world, as virtue is for the individual. Republics cannot expand and maintain their orders. The world cannot benefit from the spread of republican orders because republics must maintain a small number of citizens. We can see that Rome was corrupted by the influx of new citizens. Furthermore, because of the limits inherent in republican government, republics can only govern subject nations as the harshest despots, bleeding them of money and citizens, and destroying their liberty (SL 10.6-7, pp. 143-4). This, for Montesquieu, is not the spread of order, but of tyranny. Rome’s wars of conquest produced unparalleled bloodshed, and led to the destruction of so many nations. To weaken them and preserve their conquests, the Romans razed cities and brought back entire nations as slaves, depopulating the entire world as they spread their empire (SL 23.19, p. 439); those unlucky enough to remain were deprived even of their mores. “The Romans conquered all in order to destroy all” (SL 10.14, p. 150). The extension of Rome’s power enervated all other nations only to enervate itself. Concluding his remarks on the effects of Rome’s conquests, he says, “One would have said that they had conquered the world only to weaken it and deliver it defenseless to the barbarians” (SL 23.23, p. 451). When the republic fell and emperors ruled Rome, they used the very same brutal, bloody means against Romans that the Romans had used so effectively against their

---

12 At several points in *The Spirit of the Laws*, Montesquieu expresses sadness and even disgust at the Romans’ treatment of conquered states, which was to “exterminate all the citizens” (SL 10.3, p. 139). While Machiavelli laments the passing of an era in which battle was waged over the highest stakes, Montesquieu avers the superiority of the moderns. “. . . I leave others to judge how much better we have become. Here, homage must be paid to our modern times, to contemporary reasoning, to the religion of the present day, to our philosophy, and to our mores” (SL 10.3, p. 139).
enemies; Rome itself was treated like a conquered city (GD 15, p. 136). The "civilization" that was the legacy of the Roman empire cannot be understood apart from the sedition and slaughter of the emperors, and the gladiatorial combats with which they amused themselves and the people. Montesquieu questions the worth of a civilization that lacked humanity itself.

The corruption of both virtue and empire has its origins in the "anterior relations of justice" and in the laws that make the entire universe function. The prosperity of the state is impossible without the prosperity of individuals; the prosperity of one nation is impossible without the prosperity of all. Machiavelli's conception of power—growing mighty through the destruction of others—violates the laws of nature. "It is not fortune that rules the world. Ask the Romans..." (GD 18, p. 169). Nature rules the world, and Rome's fate makes it clear that her laws must be obeyed.

**Conclusion: Leaving the Romans**

One can never leave the Romans; thus it is that even today in their capital one leaves the new palaces to go in search of the ruins; thus it is that the eye that has rested on flower-strewn meadows likes to look at rocks and mountains. (SL 11.13, p. 172)

We must leave the Romans. The "rocks and mountains" of antiquity are marvelous to behold from afar, but one cannot live on them. The virtuous republic epitomized by

---

13 Lowenthal translates *la fortune* as "chance" rather than "fortune." But Montesquieu is clearly attacking Machiavelli's notion of Fortuna.
Rome is relegated to a bygone age that did not know the pleasures and refined mores of modern times; it could not even sustain the harsh and austere men of antiquity. Upon closer examination, we can see that republics violated the fundamental tenet of human nature—the primacy of the individual. They were always wrong for human nature, and that is why they followed a predictable cycle of ascent and decline. The ancient republic is attractive only to those who lie to themselves about their true desires for distinction, felicity, and security. If the only danger in admiring ancient republics was self-delusion or escapism, perhaps Montesquieu would not have bothered to write either *Greatness and Decline* or *The Spirit of the Laws*. Perhaps he would have allowed men to cling to their fantasies. But the love of virtue, ancient republican government, and empire threatened to close the eyes of moderns to the incredible opportunity that was opening before them.

Following Machiavelli, Harrington had sought to return to ancient republican institutions even though England, the paradigm of the new politics, was his native land. “Of him it can be said that . . . he built Chalcedon with the coast of Byzantium before his eyes” (SL 11.6, p. 166). Louis XIV had pursued power and wealth through empire, even though Rome’s history had shown, for all who cared to see, that empire yields only destruction. These men, and countless others, made the terrible mistake of believing not only that humans can live on the rocks and mountains, but that such a life was the greatest human achievement. Montesquieu was forced to debunk antiquity, and all that men loved about it, in order to convince them of the superiority of a new set of political, economic, social arrangements. Only when antiquity and its “greatness” was revealed for what it was—barbaric, bloody, and tragic—could men assent to a politics that was, in effect, a direct repudiation of antiquity.
Montesquieu supplants the old politics with a new vision. He directs our attention to the beauty and fecundity of the flower-strewn meadow. The modern world may be less glorious, its men weaker and even full of vices by the standards of the ancients. But the paradoxical effect of the “pure mores” of antiquity was to spark an unbelievably violent series of wars for the sake of glory that ended by corrupting Rome itself and devastating the entire world. Impure mores, which encourage self-interest, vanity, pettiness, and luxury—the mores cultivated by *doux commerce*—can lead to the greatest happiness of which humans are capable. Nature spreads her gifts lavishly and leads humans to the good through pleasure rather than repression. What self-sacrifice could not produce, self-interest can, under the right political and economic conditions, that is, through commerce.

In commerce, Montesquieu sees hope for a world freed from the oppressive weight of antiquity. Commerce seems to provide the unity between the individual good and the common good, between the individual and society, that has eluded humans since the dawn of society. Central to its success is its gentle constraint of otherwise asocial passions. Politics needs neither to modify human nature greatly, nor to suppress natural human passions. Commerce restrains passions through a complex web of inducements and disincentives that encourage the individual himself to restrain the worst manifestations of his own passions through *self-interest*. Commerce liberates the individual. It allows him to obey self-interest, “the greatest monarch on earth,” while at the same time securing the interests of others (PL 106, p. 195). The common good is attained “sweetly,” effortlessly, and naturally. The individual is free to indulge his fancies, even his hatred, envy, jealousy, and avarice (SL 19.27, p. 325; PL 106, p. 195). The citizen does not need to love the state, and he does not need to be a good man. If he loves only himself, that is enough to bring
about the common good. Commerce proves that “not all political vices are moral vices, and not all moral vices are political vices...” (SL 19.11, p. 314).

Perhaps the most salutary effect of commerce is that it demands government to wield its power delicately. Commerce flies from oppressive domestic policies. Above all, commerce leads to peace and moderation (SL 20.2, p. 338). Since the invention of the letter of exchange, commerce and the wealth it creates had been liberated from the clutches of princes. Once they understand their own interests, governments will restrain their own passions for the sake of attaining the object of their passions. Montesquieu declares:

Since that time princes have had to govern themselves more wisely than they themselves would have thought, for it turned out that great acts of authority were so clumsy that experience itself has made known that only goodness of government brings about prosperity. One has been cured of Machiavellianism, and one will continue to be cured of it. There must be more moderation in councils. What were formerly called coups d'etat would at present, apart from their horror, be only imprudences. And, happily, men are in a situation that, though their passions inspire in them the thought of being wicked, they nevertheless have an interest in not being so. (SL 21.20, pp. 389-90)

If they can put away their desire for glory, act prudently, give their subjects liberty, and follow the example of England instead of Rome, the kings of Europe can have all that they desire. Humans can enjoy a form of government that allows them to satisfy their passions, even the passions of the powerful, while enjoying liberty, peace, and prosperity.
Commerce did not come about by magic; it was born of particular technological and historical developments. Above all it requires moderate politics. It could not have come earlier in history. But now that it has come it is absurd, Montesquieu reasons, to look to antiquity for models that failed in the past and run contrary to the "genius" of the modern age. Through commerce, humans can escape what Machiavelli thought was inescapable: a cycle of history in which the violence and incompatibility of human passions with political order lead inevitably to the corruption and dissolution of political order.
References


