Factions and Orders: from Machiavelli to Madison

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Factions and Orders: from Machiavelli to Madison

A dissertation presented

by

Sungho Kimlee

to

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Abstract

Since antiquity, thinkers have held that every society consists of two hostile orders – the few and the many. But they have disagreed on the proper method for defusing this civic divide, and their various proposed remedies can be classified into three approaches. The first approach aims to eliminate the division between the rich and the poor by abolishing private property. Plato’s Republic inaugurated this method, which was later embraced with ambivalence by Thomas More and vigorously defended by Karl Marx. The second approach merely aims to contain the harmful effects of the binary civic divide. Plato proposed two methods for accomplishing this in the Laws: (1) Lycurgan agrarian laws combined with Solonic property regulations; and (2) mixing in the constitution principles favored by the few (proportional equality) and by the many (numerical equality). Plutarch championed the first method, and Aristotle the second.

My dissertation traces the genealogy of the third approach – the method of supplanting the binary civic divide with more numerous divisions. This oft-neglected method was pioneered by Rousseau, who prescribed the creation of artificial divisions by the state as a remedy for majority factions. His debt to Machiavelli’s analysis of humors (umori) is studied in the first part of this dissertation. Part two examines Rousseau’s notion of partial associations and reveals that this concept refers to major civic divides, not voluntary associations. In the last part, I show that Rousseau’s remedy for social divisions provided the theoretical framework for Madison’s celebrated analysis of factions.
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Introduction

Since antiquity, thinkers have held that every society consists of two hostile orders – the few and the many. But they have disagreed on the proper method for defusing this civic divide, and their various proposed remedies can be classified into three approaches.

The first approach aims to abolish the division between the rich and the poor. Plato illustrates two ways of achieving this in the *Republic*: (1) primitivism or the city of pigs (renouncing the luxuries of civilization, with everyone happily subsisting on basic necessities); and (2) “communism” or the *kallipolis* (banning private property to citizens who possess full political rights). Both had its followers. Rousseau famously cherished a primitive, healthy society while lamenting its impracticality in the modern world. Communal ownership was embraced with ambivalence by Thomas More and vigorously defended by Karl Marx.

The second approach for defusing the binary civic divide aims to contain its harmful effects. This is Plato’s less preferred approach, and he presents two methods for accomplishing this in the *Laws*: (1) Lycurgan agrarian laws combined with Solonic property regulations; (2) mixing in the constitution principles favored by the few (proportional equality) and by the many (numerical equality). Plutarch championed the first method,¹ and Aristotle the second.

The third approach aims to defuse the binary civic divide by supplanting it with more numerous divisions. Again, there are two ways of achieving this: (1) Rousseau proposed the

¹ But unlike Plato who believes that complete civic unity requires abolishing private property, Plutarch thinks that agrarian laws suffice. For Plutarch, Lycurgus is the proof that one can unify citizens by equalizing rather than banning private possessions.
creation of artificial divisions by the state; and (2) Madison endorsed a natural proliferation of factional divides in a large territory. The first method has been forgotten; and the second, widely acknowledged.

My dissertation investigates the genealogy of Rousseau’s remedy for civic divides and its influence on later thinkers. It consists of three essays. The first essay examines Machiavelli’s notion of humors (umori), a key influence on Rousseau’s thought on factions. The second essay investigates Rousseau’s notion of partial associations and reveals that this concept refers to major civic divides, not voluntary associations. In the third essay, I show that Rousseau’s remedy for social divisions provided the theoretical framework for Madison’s analysis of factions.

Before summarizing the three essays, this introduction first provides an overview of the two alternative approaches that are mentioned above but are not treated in this dissertation: the remedies for civic divide prescribed by Plato in the Republic and the Laws, and their reception by Aristotle and Polybius.²

For Plato, every existing society contains divisions between the few and the many, two of which are fundamental: (1) the rich and the poor, and (2) the wise and the ignorant. The economic divide is a source of social conflict and political instability. The rich minority prefer oligarchy, and the poor masses democracy. Since the rich have wealth and power on their side, and the poor numerical superiority, their clash rarely gets resolved decisively or permanently. But neither of these groups possess the knowledge of statesmanship. Only the wise do, but they are superior neither in power, wealth, nor number. The ignorant rule everywhere, so good government is nowhere to be found.

In the Republic, Plato describes two ideal states free from social conflict: the healthy city (the city of pigs) and the beautiful city (kallipolis). In the city of pigs, the division between the rich and the poor does not exist because all its citizens happily subsist on basic necessities. Since this city does not pursue luxury, it does not need neighbors’ lands, so it lives peacefully without

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3 To be sure, Plato’s kallipolis consists of three political elements that mirror the tripartite division of the soul: guardians (reason), auxiliaries (spirit), and producers (appetite). But this famous city/soul analogy does not prove that Plato holds a tripartite view of society. He is merely arguing that the ideal city should divide its citizens into three classes. He concedes that every other city consists of two fundamental orders – the rich and the poor. See Republic 422e-423a: “You are the lucky one,” I said, “because you think that it’s worth applying the term ‘state’ to a place other than the kind we were establishing.’ ‘Well, what else?’ he asked. ‘You must apply the term to the others in a broader sense,’ I said, ‘because each of them are countless states, not just a state as in the game. Two, of whatever composition they may actually be, are at enmity with each other, the one of the poor and the other of the rich. And there are very many within in each of these.’”

4 Laws 744d-e, Republic 422e-423a.

5 The wise and the rich are the minority in every society, but they are not identical. For Plato, who denies akrasia (the weakness of will), the wise and the virtuous are identical. See Protagoras 358b-c.

6 Statesman 300e: “Then if there is a kingly art, neither the collective body of the wealthy nor the whole people could ever acquire this science of statesmanship.”

7 Republic 372d. Glaucon calls it the city of pigs presumably because its residents live primitively like animals, that is, without luxury. Socrates points out the irony that there are no pigs in the city of pigs (Republic 373c).

8 Republic 399e, 527c.
war. The absence of luxury thus eliminates both internal discord (rich vs. poor) and external conflict over territory. This removes (or at least minimizes) the need for justice and defense – the two pillars of the science of statesmanship – thus making the divide between the wise and the ignorant irrelevant: the healthy city does not need experts in war and politics; guardians and philosopher-kings are unnecessary luxuries.10

The influx of luxury transforms the healthy city into an inflamed city. Rather than banishing luxury, Plato purges its negative effects and thereby arrives at his other ideal – the kallipolis. The “purge” famously entails a number of radical measures. To prevent the dangerous combination of wealth and political power, the guardians (gold and silver souls) are prohibited from owning private property.11 The guardians in turn are assigned the task of preventing economic inequality within the property-owning class – farmers and artisans with iron and bronze souls.12 Thus the economic divide has been eliminated: the rulers are all equally dispossessed of property; and producers all possess a similar amount of wealth.

In the kallipolis, the divide between the wise and the ignorant remains, but it is used to the advantage of the whole state: the wise few rule for the sake of the ruled,13 and the ignorant

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9 Republic 372c-d, 373d-e.

10 The healthy city does not need individuals dedicated to war and ruling. It only needs to engage in occasional defensive war and mediate minor conflict among its citizens. For such purposes, militia and citizens taking turns in ruling suffice. Such arrangement goes against Socrates’ definition of justice – each person performing only one task to which he is best suited.

11 Republic 416d-417b. The guardians are “rich” in virtue and wisdom (they possess gold and silver in their soul), but “poor” in material sense (they are prohibited from owning gold or silver).

12 Republic 421e-422a.

13 Republic 342a-e, 346e-347a. Art of ruling is for the sake of the ruled.
masses produce for all without a share in ruling. The beautiful city meets Plato’s definition for a true regime – one whose rulers possess the knowledge of statesmanship. Every other state is its “imitation” or a “faction-state” [stasioteia]. Its rulers are sophists and partisans [stasiastikous], since they lack the knowledge of statesmanship and govern for the sake of sectional interest rather than for the whole state.

Like every other regime, however, the kallipolis also decays and its constitution undergoes change when its ruling class succumbs to factionalism. In the beautiful city, corruption occurs when the guardians fail to distinguish the wise and the ignorant: gold and silver souls accidently admit iron and bronze souls to their ranks, thus making the ignorant partake in governing. This produces conflict between two groups of rulers over the constitution: guardians with gold and silver souls defend its original form, while those with iron and bronze souls call for lifting the ban on private property. This civil conflict [stasis] results in a compromise – allocation of private property to guardians and the enslavement of the producing

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14 Statesman 300e-303c. Plato classifies government into seven types based on three criteria: rule according to science, rule of law, and the number of rulers. Scientific monarchy is the only true form of government. The other six that are ruled without science are merely its imitations. The lawful ones are called monarchy, aristocracy, and democracy, and the lawless ones tyranny, oligarchy, and democracy (Plato uses the term ‘democracy’ for both lawful and lawless rule of the many).

15 Statesman 301a, 303c.

16 Laws 832c-d. In the Laws, Plato presents Magnesia as another true polity.

17 Statesman 303c.

18 Republic 545d.

19 Republic 546e-547a. The very first stage of corruption occurs with the mismanagement of procreation and education among the guardians (Republic 546a-e).

20 Republic 547b.
class (farmers and artisans). The resulting constitution is called timocracy, which, unlike the *kallipolis*, is divided both at the top and as a whole. In this “faction-state,” the ruling class is divided into two hostile camps: the wise guardians who pursue virtue against the ignorant ones that seek material gain. The city itself is also divided. The guardians who treated the producers as “free friends” in the beautiful city have now enslaved and thereby antagonized them.

Aristotle condemns Plato’s *kallipolis* even in its uncorrupt form as an unworkable solution to the problem of civic division. This famous disciple views communal ownership as impracticable. It increases conflict. It destroys the “immeasurably greater pleasure” that humans feel for their own possession. And it reveals a seeming paradox that lies at the heart of Plato’s project: despite the strong emphasis on the reforming power of education, the *kallipolis* features a bewildering array of measures to regulate the lives of the guardians as if their education would fail to make them virtuous.

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21 Republic 547c.

22 Republic 544c, 545b, 547c-548d. Plato’s timocracy corresponds to the political regime of Crete and Laconia.

23 Republic 547b-c.

24 Republic 547c.

25 In Book II of Politics, Aristotle criticizes Plato’s beautiful city and Magnesia. And he considers the healthy city described in the Republic as an incomplete city (Politics 1291a11-29).

26 Politics 1262b38-1263b25.

27 Politics 1263a15-29, 1263b22-25.

28 Politics 1263b1-4.

29 Politics 1263b38-42: “it is strange that the author of a system of education which he thinks will make the state virtuous, should expect to improve his citizens by regulation of this sort, and not by philosophy or by customs and laws, like those which prevail at Sparta and Crete respecting common meals, whereby the legislator has made property common.”
But the reliance on ingenious institutions like common property does not stem from Plato’s lack of faith in education. Plato endorses such radical measures because he aims at the highest goal in the Republic – a goal that cannot be achieved solely through education: establishment of the perfect regime in which the wise constantly rule over the ignorant. Since the same ruling group (the guardians) would exercise political power permanently, protecting them from factionalism became of paramount importance: division among the guardians would lead to regime-change; and the pursuit of their group interest would lead to tyrannical rule over the producing class. To defuse these dual threats, Plato sought to suppress their source – private interest – by uniting the guardian class to a degree that transcends human nature. This forced him to advocate novel measures like communal ownership since education alone cannot achieve the required level of unity.

Unlike Plato, Aristotle never considers establishing the permanent rule of the wise. He seems to have deemed it impossible: he presents a sixfold classification of regimes, omitting Plato’s seventh type (“scientific rule”); and although Plato labels only this seventh one as a true regime since it is ruled according to knowledge, Aristotle calls the three regimes ruled according to common interest (kingship, aristocracy, and polity) true ones. Aristotle also deems unrealistic the degree of unity required to establish the permanent rule of the wise. Civic unity

30 Aristotle points out the problem of corruption arising from permanent ruling class in the kallipolis. See Politics 1264b6-10.

31 Statesman 300e-303c.

32 Politics 1279a17-b20.
must be achieved without collapsing natural plurality into excessive unity – without turning the state into a family as Plato did in the Republic.\textsuperscript{33}

In the Laws, Plato presents an ideal regime inferior to the kallipolis: Magnesia, a city that features neither common property nor the permanent rule of the wise.\textsuperscript{34} For this second-best regime, Plato accepts a more modest degree of civic unity. So he allows private property, which unleashes private interest and thereby makes complete civic unity impossible. He also prescribes more conventional measures\textsuperscript{35} that reduce rather than abolish inequality: an agrarian law that distributes land of equal value to every citizen guarantees minimum livelihood for all;\textsuperscript{36} limits on both maximum and minimum amount of possession allowed to citizens prevent excessive wealth and poverty;\textsuperscript{37} creation of four property classes enables the distribution of office and honors according to one’s contribution, and thereby decreases quarreling;\textsuperscript{38} and finally, the mixing of monarchical\textsuperscript{39} and democratic principles in its constitution\textsuperscript{40} defuses the tension between the richer and poorer citizens. In short, while the best regime kallipolis achieves perfect unity by abolishing civic divides, Magnesia merely suppresses their harmful effects.

\textsuperscript{33} Politics 1261a10-b15.

\textsuperscript{34} Laws 739b-e.

\textsuperscript{35} Politics 1265a1-5: “In the Laws there is hardly anything but laws; not much is said about the constitution. This, which he had intended to make more of the ordinary type, he gradually brings round to the other form.”

\textsuperscript{36} Laws 745b-d

\textsuperscript{37} Laws 744d-e.

\textsuperscript{38} Laws 744b-c.

\textsuperscript{39} What Plato calls “monarchic,” Aristotle calls “oligarchic” and criticizes Plato’s usage. See Politics 1266a1-27.

\textsuperscript{40} More precisely, a constitution that hits the mean [metrion or metriotes]. The word “mixed constitution” [politeia meikte or memeigmene] does not appear in Plato’s Laws.
Aristotle is less critical of Plato’s *Laws* since it aims at a more reasonable level of civic unity. But he questions the efficacy of the agrarian laws prescribed for Magnesia. In fact, he rejects the underlying assumption that equalizing property will extinguish civil conflict. For Aristotle, “the regulation of property” is simply not the “chief point of all” or “the question upon which all revolutions turn.” Although equalizing property tends to reduce conflict, the gain in this direction is relatively small. Moreover, agrarian law can fulfill its aim – eliminating the divide between the rich and the poor – only when a moderate amount of wealth is assigned to everyone. But “the avarice of mankind is insatiable,” so most citizens will soon be dissatisfied with the allocated amount of wealth. And even if property is completely equalized, the nobles will clash over the unequal distribution of honor. Ultimately, it is desires and not possessions that need to equalized, and this requires “sufficient” and “equal education” for all.

Unfortunately, “it is of the nature of desire to be unlimited, and most men live only for the

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41 For Aristotle’s discussion of Plato’s *Laws*, see *Politics* 1264b26-1266a30.

42 *Politics* 1265a28-b17.

43 Aristotle considers laws regulating property in Magnesia as measures equalizing property. See *Politics* 1265a38-39, 1266b5-24.

44 *Politics* 1266a27-39.

45 *Politics* 1267a38-40. See also *Politics* 1266a37-40, 1266b15-24.

46 *Politics* 1266b24-28.

47 *Politics* 1267b1-4.

48 *Politics* 1266b28-1267a2, 1267a40-42.

49 *Politics* 1266a30-34.
gratification of it.” Equal education will not do since most individuals cannot be reformed. So instead, the legislator must “train the nobler sort of natures not to desire more, and to prevent the lower from getting more; that is to say, they must be kept down, but not ill-treated.”

Although Aristotle dismisses agrarian laws, he shares Plato’s view that extreme wealth and poverty are the main cause of civil conflict. For this reason, Aristotle prefers a regime with a large middle class. The very rich and the penurious are antagonistic and prefer opposing forms of government. The middle class obfuscates this binary economic divide. Citizens possessing moderate amount of wealth belong neither to the rich nor the poor, and they lack strong regime-preference. Their immunity to factionalism brings stability to government.

For Aristotle, the best regime attainable by ordinary society is middle class rule – a state with a large and strong middle class who naturally endorse a constitution that hits the mean between oligarchy and democracy. But he rejects the possibility of creating and maintaining a large middle class by institutional design: as noted above, he thinks that agrarian laws cannot impose moderation on citizens since most human beings cannot resist the desire for infinite accumulation. Wealth and poverty cannot be suppressed, and the rich and the poor will always

50 Politics 1267b3-4.
51 Politics 1267b5-9.
52 Politics 1295a25-1296b11, 1296b35-1286a13, 1302a9-15.
53 Politics 1296a1-5.
54 Politics 1296a6-9: “The man condition of states is clearly best, for no other is free from faction; and where the middle class is large, there are least likely to be factions and dissensions.”
55 Politics 1295a25-1296b11.
fight to establish their preferred regime. So Aristotle simply accepts the reality that “the middle class is seldom numerous” and that as a result “most governments are either democratic or oligarchical.” History confirms this sad reality: “the middle form of government has rarely, if ever, existed, and among a very few only. One man alone of all who ever ruled in Greece was induced to give this middle constitution to states.”

Among Plato’s proposed remedies for conflict between the rich and the poor, Aristotle endorses the fusing of oligarchic and democratic principles as the correct method. His chain of reasoning can be reconstructed as follows. Communal ownership is impracticable; and agrarian laws that equalize and regulate property cannot create a large middle class. The few who are rich and many that are poor are fundamental parts of a state. So every constitution must satisfy these two economic classes: achieving stability and longevity requires support from the main political elements. The rich defend oligarchical notion of justice (proportional equality according to wealth), and the poor defend democratic justice (numerical equality according to

56 Politics 1296a27-1296b3.

57 Politics 1296a22-27.

58 Politics 1295a39-1296b3.

59 As noted in the footnote above, what Plato calls monarchic principle is considered by Aristotle as oligarchic. See Politics 1266a1-27, Laws 756e-757e.

60 Politics 1291b2-13, 1318a31-32.

61 Politics 1270b20-22: “For if a constitution is to be permanent, all the parts of the state must wish that it should exist and these arrangements be maintained.” Politics 1296b14-17: “I may begin by assuming, as a general principle common to all governments, that the portion of the state which desires the permanence of the constitution ought to be stronger than that which desires the reverse.”
free birth).\textsuperscript{62} Since both notions of justice have some validity and their defenders constitute every society, fusing oligarchic and democratic principles will bring stability. But the rich and the poor will constantly pull the constitution away from the mean. For permanence, the middle constitution requires its own defenders – the middle class – who are unfortunately seldom numerous or powerful.

Unlike the few and the many, the one (king) is not a fundamental part of society. A king or royal family exists only in some political regimes. Moreover, unlike the rich and the poor, kings lack a unique notion of justice that corresponds to their group: there exists no monarchic justice or concept of equality that grounds the monarch’s claim to political power.\textsuperscript{63} Kingship is also a purely political category; it is not an economic class. The monarchic element thus differs from the democratic and oligarchic element which are grounded on the economic divide between the rich and the poor. Ultimately, no fundamental difference exists between the one and the few: kings typically belong to the rich and are of noble birth. Probably for this reason, Aristotle lumps together the kings and elders as an oligarchic element when discussing the constitution of Carthage.\textsuperscript{64} And he describes Sparta as a perfect fusion of democracy and oligarchy.\textsuperscript{65}

\textsuperscript{62} \textit{Nicomachean Ethics} 1131a21-1132a6; \textit{Politics} 1280a7-1281a10, 1282b15-1284a3, 1301a26-39, 1301b26-1302a34, 1317b3-10, 1318a4-b6; \textit{Laws} 757a-758a.

\textsuperscript{63} Monarchs typically justify their rule by appealing to proportional equality according to merit. But this aristocratic notion of justice belongs to the virtuous. Moreover, in the present age, no king possesses excellence that surpasses the combined excellence of the rest (\textit{Politics} 1313a11, 1332b16-27).

\textsuperscript{64} \textit{Politics} 1273a2-31. Aristotle characterizes Carthage as both oligarchy (\textit{Politics} 1273b17-24) and aristocracy (\textit{Politics} 1293b15-16).

\textsuperscript{65} \textit{Politics} 1294b16-39. Aristotle also characterizes Sparta as an aristocracy (\textit{Politics} 1293b15-19). When Aristotle describes Sparta as a combination of three regimes – monarchy, democracy, and oligarchy – he is merely reporting the opinion of others. See \textit{Politics} 1265b34-1266a1: “Some, indeed, say that the best constitution is a combination of all existing forms, and they praise the Lacedaemonian because it is made up of oligarchy, monarchy, and democracy, the king forming the monarchy, and the council of elders the oligarchy, while the democratic element is
When discussing the method of fusing political regimes, Aristotle leaves out monarchy.

To be sure, since he believes that satisfying all political elements is a key to stability, he defends giving a share of power to the king in a society where a royal family exists. But where royalty does not exist or is powerless, he would not advocate establishing a kingly office; for such a society, simply mixing oligarchic and democratic principles suffices. Indeed, Aristotle merely mentions rather than endorses the claim that the best constitution is a combination of all existing regimes. He holds a more nuanced view: the best easily attainable constitution for an ordinary society is that which incorporates all its political elements. Unlike the rich and the poor, royalty does not exist in every society. And even where royalty exists, it can be grouped together with

represented by the Ephors; for the Ephors are selected from the people. Others, however, declare the Ephorate to be a tyranny, and find the elements of democracy in the common meals and in the habits of daily life.”

66 Politics 1270b20-26: “For if a constitution is to be permanent, all the parts of the state must wish that it should exist and these arrangements be maintained. This is the case at Sparta, where the kings desire its permanence because they have due honour in their own persons; the nobles because they are presented in the council of elders (for the office of elder is a reward of excellence); and the people, because all are eligible for the Ephorate.”

67 Politics 1265b34-40.

68 The best easily attainable constitution for most societies is a fusion of oligarchy and democracy since kings exist only in some societies. The best possible constitution for an ordinary society is middle class rule; a large and strong middle class combined with a constitution that hits the mean between oligarchy and democracy. The absolutely best (or perfect) constitution is the happiest and most excellent regime – one in which all citizens are just and virtuous men (Politics 1288a37-39, 1293b2-22, 1328b33-1329a2). In this state, all citizens have achieved a high standard of excellence and have received an education exceptionally favored by nature and circumstances (Politics 1295a25-31). Aristotle’s perfect state shares many features with Plato’s Magnesia: citizens are leisured property-owners who spend their time developing excellence and performing political duties; they serve as warriors, councilors, or priests; no citizen practices commerce, craftsmanship, or agriculture; slaves or barbarian country people serve as farmers; and aliens presumably serve as artisans and tradesmen (Politics 1328b33-1329a39). For Aristotle’s classification of best regimes, see Politics 1288b34-1289a1, 1295a25-34, 1295b34-39, 1296b3-11, 1328b33-1329a2.

69 Politics 1266a4-6: “But they are nearer the truth who combine many forms; for the constitution is better which is made up of more numerous elements.” Politics 1297a4-13: “the rich and the poor will never consent to rule in turn, because they mistrust one another. The arbiter is always the one most trusted, and he who is in the middle is an arbiter. The more perfect the admixture of the political elements, the more lasting will be the constitution. Many even of those who desire to form aristocratic governments make a mistake, not only in giving too much power to the rich, but in attempting to cheat the people. There comes a time when out of a false good there arises a true evil, since the encroachments of the rich are more destructive to the constitution than those of the people.”
the rich and the nobles as an oligarchic element. Probably due to these reasons, Aristotle prescribes only the fusion of oligarchy and democracy, leaving out monarchy. His prescribed method is to combine oligarchic and democratic principles within each of the three components of the constitution – the deliberative, the executive, and the judicial element.

Aristotle’s theory of fused government is thus very different from the Polybian theory of a mixed regime. For Polybius, the best constitution is simply a combination of three good regimes – monarchy, aristocracy, and democracy. And it achieves stability through checks and balances between the three political elements that share sovereignty – the one, the few, and the many.

But Polybius does not satisfactorily explain why the best constitution must mix these three types of government. If its superiority lies in the stability arising from checks and balances,

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70 For Aristotle’s discussion of fusing oligarchy and democracy, see Politics 1294a30-b41. See esp. 1294a35-b13: “Now there are three modes in which fusions of government may be effected. In the first mode we combine the laws made by both governments, say concerning the administration of justice. In oligarchies they impose a fine on the rich if they do not serve as judges, and to the poor they give no pay; but in democracies they give pay to the poor and do not fine the rich. Now the union of these two modes is a common or middle term between them, and is therefore characteristic of a constitutional government, for it is a combination of both. This is one mode of uniting the two elements. Or a mean may be taken between the enactments of the two: thus democracies require no property qualification, or only a small one, from members of the assembly, oligarchies a high one; here neither of these is the common term, but a mean between them. There is a third mode, in which something is borrowed from the oligarchical and something from the democratic principle. For example, the appointment of magistrates by lot is thought to be democratic, and the election of them oligarchical; democratic again when there is no property qualification, oligarchical when there is. In the aristocratic or constitutional state, one element will be taken from each – from oligarchy the principle of electing to offices, from democracy the disregard of qualification. Such are the various modes of combination.”

71 Politics 1297b37-1301a15.

72 All English translations of Polybius are from the latest Loeb editions. Polybius 6.3: “For it is evident that we must regard as the best constitution a combination of all these three varieties, since we have had proof of this not only theoretically but by actual experience, Lycurgus having been the first to draw up a constitution – that of Sparta – on this principle.”

73 Polybius 6.10, 6.18.
why cannot this be achieved by mixing two regimes? Polybius briefly hints at a possible answer when describing Sparta: the virtuous senate will play a balancing role between the king and the people. But embracing this idealized conception of the senate makes checks and balances superfluous: if such a virtuous group of men exist, why not simply give them the sole power and establish pure aristocracy? Indeed, both Plato and Aristotle prescribe aristocracy – \textit{kallipolis} and the perfect state – under such idealized circumstances.

When Polybius turns to Rome, he describes its constitution without using the image of the idealized senate. So the questions return: why mix three regimes instead of two to achieve checks and balances? Why is the best constitution a mix of all existing types of good regimes? If every society consisted of the one, the few, and the many, it would make sense to represent all three elements in the constitution by establishing monarchical, aristocratic, and democratic office. But Polybius nowhere endorses a tripartite view of society. He simply observes that three political groups shared power in Sparta, Rome, and Carthage – a contingent circumstance that does not apply to societies which lack royalty or monarchical institutions like consuls.

In the \textit{Discourses}, Machiavelli embraces both the Polybian theory of mixing three regimes and the binary view of society. The resulting tension is explored in my first essay, which studies Machiavelli’s famous notions of \textit{grandi} and \textit{popolo}. Like Plato and Aristotle, Machiavelli considers fundamental the division between the few and the many. But instead of condemning

\begin{itemize}
  \item \textit{Polybius} 6.10.
  \item A possible response is that even the virtuous will become corrupt when given sole power. But Polybius does not make this point.
  \item Polybius 6.11-18. However, Polybius again reveals his preference for the senate over the people when describing the constitution of Carthage (\textit{Polybius} 6.51).
\end{itemize}
the civil conflict that arises from this binary divide, he famously calls for its preservation: to secure liberty and acquire an empire, a republic must create an institutional framework for the healthy contest between the grandi and the popolo.\(^7\) Rome attained this goal by establishing institutions that represent the two humors: the grandi exercised political power through the senate, and the popolo through the tribune of the plebs. In contrast, Florence lost its liberty and empire by allowing artificial divisions to emerge: factions arose in the absence of institutional checks on powerful individuals; and the factional leaders attracted members from both the grandi and the popolo, blurring the natural division between these two humors.

The second essay studies Rousseau’s concept of partial associations, which centered on distinction between artificial and natural civic divides. Contra Machiavelli, Rousseau condemns the natural division that splits the whole populace into two groups, and proposes the artificial creation of cross-cutting divides as a solution. As examples, Rousseau cites the ancient legislators: Numa eliminated the ethnic divide between the Romans of Alban and Sabine origins by dividing the whole Roman populace into eight occupational guilds; Solon defused the class division between the poor and rich Athenians by dividing the entire citizenry into four property classes. By introducing new and more numerous divides, Rousseau argues, the government must eliminate the bipartite division among citizens that tends to produce civil war or a majority faction.

Rousseau’s analysis of partial associations provided the theoretical framework for Madison’s celebrated analysis of factions in the Federalist 10. My third essay establishes this

\(^7\) Machiavelli also advises monarchs to side with the popolo while preserving the grandi. To achieve glory, the prince must secure his rule by winning the support of the popolo. And to avoid infamy, he must abstain from eliminating the grandi even though they pose a great threat to his rule.
hitherto unnoticed link between these two thinkers by scrutinizing Madison’s references to Rousseau in the *National Gazette* essays. Madison accepts Rousseau’s diagnosis: majority faction poses a grave threat to republics; and this danger must be defused by proliferating factions. But he rejects Rousseau’s proposed means for multiplying factions. When government creates artificial divisions, Madison argues, it often generates pernicious side effects. Since only rare enlightened statesmen like Numa and Solon can implement Rousseau’s solution effectively, Madison proposes an alternative way of preventing the emergence of a majority faction: the natural proliferation of factions within the extended territory of a large representative democracy.
**The plebe in the Florentine Histories: Machiavelli’s Notion of umore Revisited**

**Introduction**

Machiavelli famously opens *The Prince* by classifying “all states” as “either republics or principalities.” Each type of regime, he then claims, arises from the two humors that exist in every society: from the *grandi* and the *popolo* “one of three effects occurs in cities – principality or liberty or license.” These three regimes are studied each in turn in his three major works.

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81 *Principe* 9.2: “perché in ogni città si trovano questi due umori diversi; e nasce da questo, che il popolo desidera non essere comandato né oppresso dai grandi, e li grandi desiderano comandare e opprimere el popolo; e da questi due appetiti diversi nasce nelle città uno de’ tre effetti, o principato, o libertà, o licenzia.” “For in every city these two diverse humors are found, which arises from this: that the people desire neither to be commanded nor oppressed...”
"The Prince" analyzes principalities (servitude), the "Discourses" a glorious republic (liberty), and the "Florentine Histories" a failed republic (license).82

The unity of Machiavelli’s corpus, however, has been downplayed by modern scholarship. In fact, most scholars see a sharp break between his two earlier treatises and his later work the "Florentine Histories." But they disagree on the nature of this historical work commissioned by the Medici. Thus, they have pronounced all kinds of judgment on the supposedly new outlook of the late Machiavelli, the historian: repudiation of his earlier endorsement of civil conflict;83 strategic retreat from populism;84 abandonment of his hope for a

by the great, and the great desire to command and oppress the people. From these two diverse appetites one of three effects occurs in cities: principality or liberty or license.”

82 Istorie fiorentine 4.1.1: “Le città, e quelle massimamente che non sono bene ordinate, le quali sotto nome di república si amministrano, variano spesso i governi e stati loro non mediante la libertà e la servitù, come molti credono, ma mediante la servitù e la licenzia.” “Cities, and especially those not well ordered and are administered under the name of republic, frequently change their governments and their states not between liberty [libertà] and servitude [servitù], as many believe, but between servitude and license [licenzia].” To be sure, the division between the three works is not always clear-cut. Machiavelli occasionally reflects on republics in "The Prince" and on principalities in the "Discourses." And he discusses both Rome and Florence in all three works.


prince-redeemer;\textsuperscript{85} resignation to the historical cycle;\textsuperscript{86} turn to melancholy and pessimism;\textsuperscript{87} or embracement of millenarian hope.\textsuperscript{88}

This article aims to dispel the illusion of the so-called “late Machiavelli.” His principal works on politics, I will show, are marked more by continuity than change. Above all, his unchanging commitment to the balance of humors unifies \textit{The Prince}, the \textit{Discourses}, and the \textit{Florentine Histories}. Together they constitute an exhaustive study of the manifold ways in which the salutary contest between the \textit{grandi} and the \textit{popolo} can be undermined. By tracing Machiavelli’s notion of humors, I hope to demonstrate that his view and method remained largely unchanged in the \textit{Florentine Histories}.

The one novelty of this late historical work, I argue, is the sharp distinction between the middle class \textit{popolo} and the lower class \textit{plebe}. But this novel distinction did not arise from a change in Machiavelli’s outlook. Rather, it was caused by a change of subject between the \textit{Discourses} and the \textit{Florentine Histories}: from Rome to Florence, and this shift made him unbundle the two segments of non-elites that are not differentiated in the \textit{Discourses}. In this earlier work, Machiavelli relies on the binary framework of \textit{grandi} (elites) and \textit{popolo/plebe} (non-elites) to analyze the political contest between Roman patricians and plebeians. But when


he turned to writing the history of Florence – a republic that experienced both middle-class rule and lower-class uprising – he sharply distinguished the *popolo* from the *plebe*. Only a tripartite scheme (*grandi, popolo, plebe*), he must have realized, could adequately capture the complex social divisions within Florence.

The argument is divided into five parts. Part I begins with a brief survey of Machiavelli’s usage of the term *plebe* in *The Prince* and the *Discourses*. Then it closely examines how the *plebe* are portrayed in the *Florentine Histories*, especially in the two episodes in which the lower class acquired some political power: the Ciompi Revolt and the *signoria* of the duke of Athens. Part II studies the “third humor,” that is, the *plebe* (lower class) in the *Florentine Histories* and the *soldati* (professional soldiers) in *The Prince*. Machiavelli views these contingent humors as a grave threat to government because they disrupt the healthy dynamics between the two natural humors (the *grandi* and the *popolo*). Part III analyzes Machiavelli’s discussion of these natural humors in *The Prince*, the *Discourses*, and the *Florentine Histories*. The analysis reveals that Machiavelli never completely sides with either of the two humors. Despite his preference for the *popolo*, he argues against suppressing the *grandi* because his ultimate commitment is to preserve their balance. In Part IV, I examine Machiavelli’s curious departure from his theory of humors in Book I chapter 2 of the *Discourses*. I argue that (1) this is the only chapter where Machiavelli uses the Polybian theory of mixed constitution and that (2) Polybius’s idea of mixing three regime types is incompatible with Machiavelli’s theory of two humors. Finally, Part V compares Machiavelli’s notion of humor (*umore*) and faction. Underlying his scandalous defense of tumult

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89 Machiavelli sometimes uses the term *popolo* to refer to all non-elites. But he usually distinguishes the *popolo* and the *plebe* in the *Florentine Histories*, especially in Book II and III.
is an equally radical belief that all societies are necessarily divided. The two natural humors – the \textit{grandi} and the \textit{popolo} – can never be eliminated.

\section{The \textit{plebe} in The Prince, the Discourses, and the Florentine Histories}

1.1 The \textit{plebe} in Machiavelli’s early and later writings

In Machiavelli’s early works, his political analysis relies on the dualistic scheme of \textit{grandi} and \textit{popolo}. This binary framework obscures the split within the \textit{popolo}, the divide between the middle class and the poor.\textsuperscript{90} The \textit{plebe} (the lower class) is subsumed under the \textit{popolo}, a broad category capturing all citizens who are not \textit{grandi}. In \textit{The Prince}, the word \textit{plebe} appears only three times. In chapter 10, the term is used twice and in both instances refers to the poor laborers who work for subsistence.\textsuperscript{91} In chapter 12, Machiavelli uses the term \textit{plebe} to refer to the Venetian commoners in contradistinction to the gentry [\textit{gentili òmini}].\textsuperscript{92} In the \textit{Discourses}, he often uses the words \textit{plebe} and \textit{popolo} interchangeably, following Livy’s loose usage of the terms \textit{plebs} and \textit{populus}.\textsuperscript{93} In sum, Machiavelli rarely distinguishes the \textit{plebe} from the \textit{popolo} in

\textsuperscript{90} I use the term “class” to refer to the basic group units that constitute society. I do not attach a Marxist meaning to the term.

\textsuperscript{91} \textit{Principe} 10.7–9: “Le città di Alamagna sono liberissime ... per potere tenere la plebe pasciuta e senza perdita del publico, hanno sempre in comune per uno anno da potere dare loro da lavorare in quelli essercizii che sieno el nervo e la vita di quella città e della industria de’ quali la plebe pasca.” “The cities of Germany are very free ... so as to keep the plebs fed without loss to the public, they always keep in common supply enough to be able to give them work for a year in employments that are the nerve and the life of that city and of the industries from which the plebs is fed.”

\textsuperscript{92} \textit{Principe} 12.23: “De’ Viniziani, se si considerà e progressi loro ... dove co’ gentili òmini e con la plebe armata operorono virtuosissimamente.” “If one considers the progress of the Venetians ... With their own gentry and armed plebs, they performed most virtuously.”

\textsuperscript{93} The Latin word \textit{plebs} has a dual meaning, and can refer to either (1) the poorest citizens of Rome or (2) citizens who are not patricians. In the early Roman republic, the \textit{plebs} (as non-patricians) were the \textit{populus}, and the \textit{patricii} constituted the \textit{senatus}. This probably explains why Livy often uses the words \textit{plebs} and \textit{populus} interchangeably in
his early works. His political analysis focuses on the distinction between the *grandi* and the *popolo* rather than the one between the middle and lower class.

But in his later work the *Florentine Histories* Machiavelli sharply differentiates *grandi*, *popolo*, and *plebe.* In fact, he enunciates his plan to use a tripartite scheme in the preface:

If in any other republic there were ever notable divisions, those of Florence are most notable. For most other republics about which we have any information have been content with one division by which, depending on accidents, they have sometimes expanded and sometimes ruined their city; but Florence, not content with one, made many. In Rome, as everyone knows, after the kings were driven out, disunion between the nobles[^95] and the plebs[^95] arose and Rome was maintained by it until its ruin. So it was in Athens, and so in all the other republics flourishing in those times. But in Florence the nobles[^95] were, first, divided among themselves; then the nobles and the people[^95]; and in the end the people and the plebs[^95]. And many times it happened that one of these parties, having conquered the others, was itself divided into two.[^96]

Most republics contain only one internal division, so their citizens are divided into two opposing camps. The division between *grandi* and *popolo* – which Machiavelli describes above as the

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[^94]: However, Machiavelli continues to hold the binary division of *grandi* and *popolo* as the fundamental one. See *Istorie fiorentine* 3.1.

[^95]: A more precise term would be “patricians.” The early Roman republic was divided between patricians and plebeians. The term “nobles”[^95] comes in use only in the late republic to describe the descendants of consuls.

[^96]: *Istorie fiorentine* proemio.6–8: “E se di nuna repubblica furono mai le divisioni notabili, di quella di Firenze sono notabilissime: perché la maggior parte delle altre repubbliche delle quali si ha qualche notizia sono state contente d’una divisione, con la quale, secondo gli accidenti, hanno ora accresciuta ora rovinata la città loro; ma Firenze, non contenta d’una, ne ha fatte molte. In Roma, come ciascuno sa, poi che i re ne furono cacciati, nacque la disunione intra i nobili e la plebe, e con quella infino alla rovina sua si mantenne; così fece Atene, così tutte le altre repubbliche che in quelli tempi fiorirono. Ma di Firenze in prima si divisono infra loro i nobili, di poi i nobili e il popolo, e in ultimo il popolo e la plebe; e molte volte occorse che una di queste parti rimasa superiore, si divise in due.”
divide between nobili\textsuperscript{97} and plebe\textsuperscript{98} – dominated the internal politics of Rome and Athens. In contrast, Florence contained multiple divides that evolved over time. Its complex constellation of social groups defies the binary category of grandi and popolo.

The preface also hints at a historical fact that led Machiavelli to posit the plebe as a distinct social category: the emergence of a sizeable middle class in Renaissance Europe. In the ancient republics, the plebe were not self-conscious. The lower class was submerged under the popolo, deriving their identity in opposition to the slaves below and the nobles above.\textsuperscript{99} As a result, the grandi and the popolo constituted the two dominant citizen groups in Rome, Athens, and “all the other republics flourishing in those times.”\textsuperscript{100}

But the plebe started to develop a separate identity in medieval Italy. This was caused by both economic and political factors. The increasing social mobility between the upper and middle segments of society widened the gulf between the middle class and the poor. With the rise of banking and international commerce, an increasing number of non-noble citizens

\textsuperscript{97} Machiavelli often uses the terms nobili and grandi interchangeably. But he sometimes uses the term nobili to refer to a specific group of aristocrats in a given state: senators or patricians in Rome, and magnates in Florence. The Florentine people passed laws that subjected old elite families to magnate status, and thereby prohibited them from serving in major political offices. Machiavelli discusses these laws in \textit{Istorie fiorentine} 2.11, 2.13, and 2.42.

\textsuperscript{98} Here, Machiavelli is using the terms plebe and popolo interchangeably. This can be inferred from his frequent conflation of plebe with popolo when analyzing ancient republics in the Discourses. In Florentine Histories, where the focus of analysis is Florence and other Italian city-states, he distinguishes the plebe from the popolo though not always.

\textsuperscript{99} Machiavelli does not explicitly claim that the presence of a slave class prevented the split between the popolo and the plebe. But he clearly suggests that the emergence of the plebe is a modern phenomenon. On slavery in Florence, see Iris Origo, “The Domestic Enemy: The Eastern Slaves in Tuscany in the Fourteenth and Fifteenth Centuries,” \textit{Speculum} 30 (3) (1955), pp. 321–366.

\textsuperscript{100} \textit{Istorie fiorentine} proemio.7: “così tutte le altre repubbliche che in quelli tempi fiorirono.”
accumulated significant wealth and intermarried with the nobles.\textsuperscript{101} By the early fourteenth century, the rich urban bourgeoisie and the old nobility together constituted the grandi.\textsuperscript{102} Situated below them were the middle-class citizens – the popolo. In Florence, these were the non-elite guildsmen whose quality of life improved greatly thanks to the flourishing economy. Their lifestyle naturally became very different from that of the plebe – the lower-class wage laborers.

Ironically, what precipitated the Florentine plebe to break ranks from the popolo was the emergence of a guild government that distributed political power more widely. The allocation of political office to major and minor guilds gave the popolo a greater say in politics. But no benefit accrued to the plebe, whose constituents were completely marginalized by the existing guild structure: most salaried workers were sottoposti, subject to the authority of the guilds but lacking guild membership; they were forbidden to form or join guilds of their own.\textsuperscript{103} Because the plebe lacked representation in the guilds, the empowerment of the guilds widened the political gap between the plebe and the popolo. Allocating more political offices to the minor guilds merely heightened the sense of injustice the plebe felt about the existing guild system, as became evident at the time of the Ciompi Revolt.


\textsuperscript{102} In the ancient world where birth and wealth almost always coincided, the nobles were the grandi. In the modern world, the old noble families and rich commoners together constituted the grandi.

1.2 The plebe and the duke of Athens

The Florentine plebe made its first appearance as a distinct political force under the rule of Walter of Brienne, the duke of Athens. When describing Brienne’s prosecution of unpopular citizens, Machiavelli deploys the word plebe for the first time since using that term in the preface: “to give himself the reputation of a severe and just man, and in this way to increase his favor with the plebs [plebe], he prosecuted those who had directed the war against Lucca.” In the very next sentence, Machiavelli leaves no doubt that he is using the term plebe to refer to the lower class: “These executions frightened the middle citizens [mediocri cittadini] very much; they satisfied only the great [grandì] and the plebs [plebe] – the latter because their nature is to rejoice in evil and the former so as to see themselves avenged for the many injuries received from the people [popolani].” Here Machiavelli intimates that the plebe are a distinct and malicious humor. In sharp contrast with the middle class popolo, the plebe applaud the overly

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105 Istorie fiorentine 2.33.17: “e per darsi riputazione di severo e di giusto, e per questa via accrescersi grazia nella plebe, quelli che avevano amministrata la guerra di Lucca perseguitava.”

106 Istorie fiorentine 2.34.1: “Queste esecuzioni assai i mediocri cittadini sbigottirono; solo ai grandi e alla plebe sodisfacevano: questa perché sua natura è rallegrarsi del male, quelli altri per vedersi vendicare di tante ingiurie dai popolani ricevute.”
harsh measures of the duke. As we shall see, this negative portrayal of the *plebe* remains constant throughout the *Florentine Histories*.

Machiavelli’s narration of ensuing events – Brienne’s political reforms and his eventual ouster – depicts the *plebe* as the duke’s key constituency. Indeed, historical records show that the lower class benefitted from Brienne’s reforms. The duke established a new guild for the *sottoposti* dyers and related group of artisans; and he appointed new officials to monitor the mistreatment of wage laborers working for the Wool guild. He also organized them into

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107 Leonardo Bruni also contrasts the different behaviors of the three classes during the rule of Brienne. Like Machiavelli, Bruni portrays the *plebe* in a negative light and depicts the middle class as the only group that was hostile to the duke’s rule from the beginning. *Historiae Florentini populi* 6.112–3: “Faciebat vero animos discordia civium plenaque odiorum mentes. Primo nobilitatem duris legibus obnoxiam, iniquo animo constituta ferentem, suam fore totam arbitrabatur, propterquae quod pars civitatis premitur, ea semper novas res consuevit optare. Tenues vero et opifices ac totam illam civitatis turbam nullum negotium putabat ad se traducere; nullam enim iis neque dignitatis neque libertatis curam intelligebat esse. Restabat medius populus. In eo difficultas omnibus versabatur. Igitur in hunc audendum putans, homines proximo lucensi negotio versatos atque ob id recenti infamia flagrantes arripi iubet.”


109 Bruni holds a similar view. *Historiae Florentini populi* 6.121: “In civium autem favore ita variavit, ut modo nobilitatem, modo populum videretur praeferre; saepe his reiectis ad plebem magnis inclinavit. Et sane multitudini plura indulsit quam aliui cuiquam parti civitatis.” “He seemed variable in his marks of favor towards citizens, so that now he appeared to prefer the nobility [nobilitatem], now the people [populum]; and often he rejected both, favoring the lowest classes [*plebem*] instead. Indeed, he was much more indulgent towards the multitude [*multitudini*] than towards any other part of the city.”

military companies, which Machiavelli portrays as Brienne’s attempt to bolster his tyrannical rule: “he turned to benefiting the plebs [plebe], thinking that with their favors and with foreign arms he could preserve the tyranny. Therefore, he made more companies of the plebs [plebe] and the lesser people [popolo minuto], to which, honoring them with splendid titles, he gave ensigns and money: so one part of them went about the city celebrating and the other accepted the celebrations with very great pomp.”

Indignant at Brienne’s tyrannical rule, the Florentine elites conspired to oust him. Following the lead of these elites, the Florentine popolo revolted against the duke. But the plebe defended him: joining the few “popular families who had contributed to making him lord,” “the butchers and others of the basest plebs [infima plebe]” did not participate in the uprising but


112 This marks the first appearance of the word popolo minuto in Machiavelli’s Florentine Histories. Although Machiavelli seems to distinguish the plebe and popolo minuto in this sentence, he does not specify the difference between these two groups. One possible reading is that he subdivides the plebe into two groups: the slightly better-off members of the lower class (popolo minuto) and the poorest of the poor (infima plebe or plebe minuta). In most passages, however, he seems to use the words plebe and popolo minuto interchangeably; this view is shared by the Italian editor (see Istorie fiorentine 2.34n1, 3.1n19, and 3.18n8). On the popolo minuto in Florence, see Gene Brucker, “The Florentine Popolo Minuto and its Political Role, 1340–1450” in Violence and Civil Disorder in Italian Cities, 1200–1500, ed. Lauro Martines (Berkeley, CA: University of California Press, 1972), pp. 155–183.

113 Istorie fiorentine 2.36.6–7: “e perciò si volse a beneficare la plebe, pensando con i favori di quella e con le armi forestiere potere la tirannide conservare. Venuto per tanto il mese di maggio, nel qual tempo i popoli sogliono festeggiare, fece fare alla plebe e popolo minuto piú compagnie, alle quali, onorate di splendidi tituli, dette insegne e danari.” For more details about these plebeian companies that participated in public games and entertainment, see Istorie fiorentine 2.36n18.

114 Istorie fiorentine 2.36.16–19. The Italian editor points out that the middle and lower class did not participate in the conspiracies against the duke (Istorie fiorentine 2.36n30). Bruni also portrays the three conspiracies as organized by the magnate and non-magnate elites. Historiae Florentini populi 6.125: “Tunc demum compertum est tres in civitate coniurationes iampridem adversus tyrannum initas viguisse; nec erat ferme ulla paulo amplior familia ex nobilitate aut plebe quae exsers esset coniurationis.” “At that point it was discovered that there were three separate conspiracies against the tyrant that had long been active in the city, and that practically every family of any importance, whether from the nobility or the common people [ex nobilitatem aut plebe], was involved in some conspiracy.”
instead “ran armed to the piazza in favor of the duke.” But in the end, the grandi and the popolo together succeeded in expelling the duke from Florence.

The rule of Brienne and the guild he created for the poor wool-workers lasted only for ten months. But having tasted the sweetness of liberty for the first time, the plebe continued to seethe with discontent under the guild government which benefitted only the grandi and the popolo. Their discontent eventually spurred the old elites to challenge the popular government: these grandi calculated that “they could compel the people [popolo], since they saw that the lesser plebs [plebe minuta] was in disaccord with it.” But this was a miscalculation. In the ensuing showdown, the old elites were crushed by a joint force of the popolo and the rich popolani families.

Victory in hand, the popolo established the most popular government in Florentine history. The government of October 1343 made two radical innovations. It changed the nomination and election procedures to make political office more accessible to the non-elites. It

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116 Istorie fiorentine 2.37.2: “Tutti i capi delle famiglie, così nobili come popolane, convennero, e la difesa loro e la morte del duca giuròrono, eccetto che alcuni de’ Buondelmonti e de’ Cavalcanti e quelle quattro famiglie di popolo che a farlo signore erano concorse, i quali, insieme con i beccai e altri della infima plebe, armati in piazza in favore del duca concorsono.” Bruni does not mention the plebe’s support for the duke when the grandi revolted against him. See Historiae Florentini populi 6.125–128.

117 The dyer’s guild created by the duke was abolished as soon as he was expelled. See Najemy, A History of Florence, p. 136

118 Istorie fiorentine 2.40.4: “dette speranza a’ grandi di potere sforzar il popolo, veggendone che la plebe minuta era in discordia con quello.”

119 Istorie fiorentine 2.41.

120 Machiavelli does not explicitly mention that he is describing the October 1343 government. But a comparison of his description with other Florentine accounts (for example, Villani’s Nuova Cronica 13.22–23) leaves no doubt that he is indeed describing that regime. The Italian editor also holds this view (see Istorie fiorentine 2.42n2).
also guaranteed three seats for the minor guildsmen in the priorate. Machiavelli describes these reforms with the following words: “The great [grandi] having been conquered, the people [popolo] reordered the state; and because the people were of three sorts – the powerful [potente], middle [mediocre], and low [basso] – it was ordered that the powerful should have two Signori, the middle people three, and the low three.” Following Villani, Machiavelli portrays the priorate as being allocated to three classes of citizens: potenti (rich major guildsmen who had supplanted the defeated nobles as the new grandi); mediocri (major guildsmen of moderate wealth); and bassi (minor guildsmen).

Machiavelli’s division of Florentine citizens into three groups (potenti, mediocri, and bassi) matches the tripartite scheme of his Discursus florentinarum rerum. In this work, Machiavelli distinguishes “the three different sorts of men who exist in all cities, namely, the most important [primi], those in the middle [mezzani], and the lowest [ultimi].” Then he counsels the creation of three corresponding political offices: “I believe it is necessary, since there are three sorts of men, as I said above, that there be also three ranks in a republic, and not

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121 For details of these reforms, see John M. Najemy, Corporatism and Consensus in Florentine Electoral Politics, 1280–1400 (Chapel Hill, NC: University of North Carolina Press, 1982), pp. 133–152.

122 Istorie fiorentine 2.42.1: “Vinti i grandi, riordinò il popolo lo stato; e perché gli era di tre sorte popolo, potente, mediocre e basso, si ordinò che i potenti avessero duoi Signori, tre i mediocri e tre i bassi.”

123 Villani, Nuova Cronica 13.22.24–26: “dovessono esere per priorato popolani II grassi, III mediani, III artefici minuti.”

124 For a more detailed discussion of the three classes of citizens who shared the priorate, see Najemy, Corporatism and Consensus, p. 139, pp. 141–2.

125 Machiavelli composed Discursus florentinarum rerum post mortem Iunioris Laurentii Medices around year 1520 when the Medici solicited plans for reforming the Florentine government.

126 Discursus 57: “Coloro che ordinano una republica debbono dare luogo a tre diverse qualità di uomini che sono in tutte le città: cioè primi, mezzani e ultimi.”
more.” He proposes a reformed Signoria for the *primi*, the Council of Two Hundred for the *mezzani*, and the Great Council for the *ultimi*. He concludes with a claim that distributing political office to all three groups is the sole guarantee of stable government.

The parallel between the two tripartite schemes suggests that the lowest citizens (*ultimi*) refer to minor guildsmen (the lower segments of the *popolo*) and not to the working poor (the *plebe*). Indeed, it is perfectly plausible that Machiavelli would consider major and minor guildsmen together as constituting the entirety of *popolo* citizens. Historically, the Florentine *plebe* were not full citizens. The poor laborers who lacked guild membership were never admitted to the Great Council. Moreover, many of them were not even Florentines: they were immigrants or *contadini* (subjects living in the surrounding *contado*). So it is unsurprising that Machiavelli refuses to open political office to the *plebe*. Like other Florentine writers, he is skeptical about the *plebe*’s capacity to exercise political liberty, and this skepticism pervades his *Florentine Histories*. To be sure, he was a radical who rejected *governo stretto*, the aristocratic

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127 *Discursus* 65: “Io credo che sia necessario, sendo tre qualità di uomini, come di sopra si dice, che sieno ancora tre gradi in una repubblica e non piú.”

128 On these political institutions, see *Discursus* 67–77. I will not enter into the details of Machiavelli’s proposed constitution. It contains many fascinating features which deserve a separate article. The *Discursus* also poses two difficult questions for the readers. First, is Machiavelli’s reform plan applicable only to Florence? Since he claims that three types of men exist in all cities, all republics seem to require three levels of political office. Second, which of his proposed institutions are concessions to the Medici? Since Machiavelli is addressing the ruling Medici, he is constrained to suggest reforms that have some chance of being accepted by them.

129 *Discursus* 78: “Senza satisfare all’universale, non si fece mai alcuna repubblica stabile.” See also *Discursus* 73, 79, 113.

form of republican government preferred by most Florentine literati. He had irreverently
defended the *popolo* and *governo largo*. But his radicalism had its limit. Machiavelli was a
defender of the *popolo*, not the *plebe*.

The constitutional reform of 1343 sealed the fate of the Florentine nobles. In the years
between 1343 to 1348, the old elites were virtually excluded from the priorate.\(^{131}\) They would
never fully recover from this defeat: “The ruin of the nobles [*nobili*] was so great and afflicted
their party so much that they never again dared to take up arms against the people [*popolo*].”\(^{132}\)
Hereafter, the *nobili* ceased to be an independent political force. From now on, they would only
play a supporting role for the new *grandi* – the rich *popolani* who supplanted the nobles.

The fading away of the old *grandi* initiated a new phase in Florentine history – the clash
between the *popolo* and the *plebe*. Machiavelli had already alluded to the different phases of civil
discord in his preface: “in Florence the nobles [*nobili*] were, first, divided among themselves;
then the nobles and the people [*popolo*]; and in the end the people and the plebs [*plebe*].”\(^{133}\)
After narrating the downfall of the nobles in the last chapter of Book II, he announces the
beginning of a new phase in the first chapter of Book III: “the preceding book ... showed ... how
the parties of the noble [*nobili*] and the people [*popolo*] ended with the tyranny of the duke of

\(^{131}\) *Najemy, History of Florence*, p. 139: “During the almost five years in which the priorates pre-selected in 1343
were drawn and placed in office, exactly one-third of the priors (88 of 265) were minor guildsmen, and the great
majority of the two-thirds from the major guilds were non-elite, with only a few priors from elite families.”

\(^{132}\) *Istorie fiorentine* 2.42.3: “Questa rovina de’ nobili fu si grande e in modo afflisse la parte loro, che mai poi a
pigliare l’arme contra il popolo si ardirono.”

\(^{133}\) *Istorie fiorentine* proemio.8: “di Firenze in prima si divisono infra loro i nobili, di poi i nobili e il popolo, e in
ultimo il popolo e la plebe.”

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Athens and the ruin of the nobility. It remains now to tell about the enmities between the people [popolo] and the plebs [plebe], and the various accidents they produced.”

Despite the growing economic and political gulf, the Florentine plebe had not completely broken away from the popolo as long as their common enemy the nobili remained powerful. But once the popolo defeated the nobles and then instituted a government which did not redress any of the lower-class grievances, the plebe finally turned against the popolo.

1.3 The plebe and the Ciompi Revolt

The Ciompi Revolt, the famous uprising of the plebe was precipitated by the grandi’s attack on the popular government. In Machiavelli’s narrative, the old elites of the Parte Guelfa and the new grandi (powerful non-magnate citizens) first attack the Ghibellines and the supporters of the popular regime. The popolo respond by launching a counter-attack, and they are joined by the plebe who soon rebel against the popolo.

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134 *Istorie fiorentine* 3.1.9: “precedente libro ... avendo mostro il nascimento di Firenze e il principio della sua libertà, con le cagioni delle divisioni di quella, e come le parti de’ nobili e del popolo con la tirannide del duca di Atene e con la rovina della nobiltà finirono. Restano ora a narrarsi le inimicizie intra il popolo e la plebe e gli accidenti vari che quelle produssero.”


136 *Istorie fiorentine* 3.8–3.12. Brucker portrays the first phase of the Ciompi Revolt as a clash between the old elites and the popolo. He argues that the lower class did not participate in this initial phase, but became active once the old elites were defeated (Brucker, “The Ciompi Revolution,” p. 315).
Unlike other Florentine historians, Machiavelli discusses the grievances of the lower class and their motive for launching a revolt. He acknowledges that the *plebe* were marginalized by the existing guild structure, and he links their sense of injustice with “the hatred that the lesser people [*popolo minuto*] had for the rich citizens and the chiefs of the guilds.” He mentions fear of punishment as another motive for the lower-class revolt. The *plebe* “feared that with the great differences quieted and composed, they would be punished for the mistakes committed by them and that, as always happens to them, they would be abandoned by those who had incited them to do evil.”

Although Machiavelli sees the rationale behind the lower-class uprising, his portrayal of the *plebe*’s behavior during the Ciompi Revolt is overwhelmingly negative. He points out that “the greatest part of the arson and robbery that took place in the preceding days had been done by the lowest plebs [*infima plebe*] of the city.” To be sure, he evinces some sympathy when describing the *plebe*’s fear of punishment and their oppression by the guilds. But immediately after describing the plight of the lower class, he underscores their evil nature by putting into the mouth of their leader a speech that evokes Agathocles:


138 *Istorie fiorentine* 3.12.7.

139 *Istorie fiorentine* 3.12.3: “uno odio che il popolo minuto aveva con i cittadini ricchi e principi delle Arti.”

140 *Istorie fiorentine* 3.12.2: “temevano, quietate e composte le maggiori differenze, di essere puniti de’ falli commessi da loro e, come gli accade sempre, di essere abbandonati da coloro che a fare male gli avevano instigati.”

141 In fact, the *plebe* never appear in a positive light in the *Florentine Histories*.

142 *Istorie fiorentine* 3.12.2: “La maggiore parte delle arsioni e ruberie seguite ne’ prossimi giorni erano state dalla infima plebe della città fatte.”
Neither conscience nor infamy should dismay you, because those who win, in whatever mode they win, never receive shame from it. And we ought not to take conscience into account, for where there is, as with us, fear of hunger and prison, there cannot and should not be fear of hell. But if you will take note of the mode of proceeding of men, you will see that all those who come to great riches and great power have obtained them either by fraud or by force; and afterwards, to hide the ugliness of acquisition, they make it decent by applying the false title of earnings to things they have usurped by deceit or by violence. And those who, out of either little prudence or too much foolishness, shun these modes always suffocate in servitude or poverty. For faithful servants are always servants and good men are always poor; nor do they ever rise out of servitude unless they are unfaithful and bold, nor out of poverty unless they are rapacious and fraudulent. For God and nature have put all the fortunes of men in their midst, where they are exposed more to rapine than to industry and more to wicked than to good arts, from which it arises that men devour one another and that those who can do less are always the worst off. Therefore, one should use force whenever the occasion for it is given to us.\textsuperscript{143}

This fiery orator incites the plebe to commit treachery, ignore conscience and religion, and use violence against their fellow citizens. In effect, he is directing them to emulate Agathocles, the criminal prince condemned by Machiavelli in the following words: “one cannot call it virtue to kill one’s citizens, betray one’s friends, to be without faith, without mercy, without religion; these modes can enable one to acquire empire, but not glory.”\textsuperscript{144}

\textsuperscript{143} \textit{Istorie fiorentine} 3.13.11–16: “né conscienzia né infamia vi debba sbigottire, perché coloro che vincono, in qualunque modo vincono, mai non ne riportano vergogna. E della conscienzia noi non dobbiamo tenere conto, perché dove è, come è in noi la paura della fame e delle carcere, non può né debbe quella dello inferno capere. Ma se voi noterete il modo del procedere degli uomini, vedrete tutti quelli che a ricchezze grandi e a grande potenza pervengono, o con frode o con forza esservi pervenuti; e quelle cose di poi ch’eglino hanno o con inganno o con violenza usurpate, per celare la bruttezza dello acquisto, quella sotto falso titolo di guadagno adonestano. E quelli i quali, o per poca prudenzia o per troppa sciocchezza, fuggono questi modi, nella servitú sempre e nella povertá affogono, perché i fedeli servi sempre sono servi, e gli uomini buoni sempre sono poveri; né mai escono di servitú se non gli infedeli e audaci, e di povertá se non i rapaci e fradolini. Perché Idio e la natura ha posto tutte le fortune degli uomini loro in mezzo, le quali più alle rapine che alla industria, e alle cattive che alle buone arti sono esposte: di qui nasce che gli uomini mangiono l’uno l’altro, e vanne sempre col peggio chi può meno. Debbesi adunque usare la forza quando ce ne è data occasione.”

\textsuperscript{144} \textit{Principe} 8.10: “Non si può ancora chiamare virtú amazzare li sua cittadini, tradire li amici, essere sanza fede, sanza pietà, sanza religione, li quali modo possono fare acquistare imperio, ma non gloria.”

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their leader’s incitement is revealing: “These persuasions strongly inflamed the spirits that were already hot for evil on their own.”

Machiavelli depicts the plebe’s behavior in the ensuing revolt as violent, fickle, and tyrannical. They are so undiscriminating in meting out honor and violence such that “many who saw their houses burned were soon after, on the same day, knighted by the same ones who burned their houses.” The plebe are so impatient that they fail to wait even one day for their demanded reforms to be implemented. They turn against their own leader Michele di Lando even though he had instituted the most radical government in Florentine history. Michele had given the plebe a share of government for the first time: he created a new Signoria by selecting four out of eight priors from the lower class; and he sought to distribute one-third of the political office to the newly created guilds of the plebe. But “it appeared to the plebs [plebe] that Michele in reforming the state had been too partisan toward the greater people [maggiori popolani].”

To be sure, Machiavelli does not depict the behavior of the lower class during the Ciompi Revolt as wholly irrational. The plebe direct their anger toward the guilds under which they have

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145 Istorie fiorentine 3.13.22: “Queste persuasioni accesono forte i già per loro medesimi riscaldati animi al male.”

146 Istorie fiorentine 3.14.11: “molti ardere le case e quelli poco di poi, in un medesimo giorno, da quelli medesimi (tanto era propinquo il beneficio alla ingiuria) essere stati fatti cavalieri.”

147 Istorie fiorentine 3.15.


149 Istorie fiorentine 3.17.1: “Parve alla plebe che Michele, nel riformare lo stato, fusse stato a’ maggiori popolani troppo partigiano.”
suffered so long: they burn all the records of the Wool Guild, and compel the guilds to send them their ensigns.\textsuperscript{150} The reforms they demand are aimed at rectifying the unfair guild system: the creation of three new guilds representing their professions; and the allocation of two seats in the Signoria to these newly created guilds.

But Machiavelli is unsympathetic to the \textit{plebe}'s cause. He calls their demands “dishonorable and grievous for the republic.”\textsuperscript{151} And he reserves the highest praise for Michele who defected to the side of the \textit{popolo} and then crushed the \textit{plebe}, thus ending the Ciompi Revolt: “In spirit, prudence, and goodness he surpassed any citizen of his time, and he deserves to be numbered among the few who have benefited their fatherland, for had his spirit been malign or ambitious, the republic would have lost its freedom altogether and fallen under a greater tyranny than that of the duke of Athens.”\textsuperscript{152} It is revealing that Machiavelli links the rule of Brienne with the Ciompi Revolt. These were the only moments in Florentine history in which the \textit{plebe} had a share of political power and guild representation. But for Machiavelli, these two

\textsuperscript{150} \textit{Istorie fiorentine} 3.14. Since they lacked their own guilds, the \textit{plebe} did not have ensigns. Walter of Brienne courted the \textit{plebe} by giving them their own guild and ensigns (\textit{Istorie fiorentine} 2.36).

\textsuperscript{151} \textit{Istorie fiorentine} 3.15.5: “alla republica disonorevoli e gravi.”

\textsuperscript{152} \textit{Istorie fiorentine} 3.17.13: “il quale d’animo, di prudenza e di bontà superò in quel tempo qualunque cittadino, e merita di essere annoverato intra i pochi che abbino benificata la patria loro: perché se in esso fusse stato animo o maligno o ambizioso, la republica al tutto perdeva la sua libertà e in maggiore tirannide che quella del duca d’Atene perveniva.” Bruni is also equally lavish in his praise of Michele di Lando. \textit{Historiae Florentini populi} 9.7: “Quod nisi Michaelis vexilliferi virtus et constantia restitisset, supremum illud excidium fuisset civitati. Eum virum, et si ex infima plebe ex ipsoque opificio prognavit, tamen divine sorte praefectum civitati illis turbulentis tempore temporis dixerim; semper enim indignis cupidatibus multitudinis se opposuit, semper frenum incussit malignis voluntatibus; semper, cohortando, castigando compescuit.” “Indeed, if the virtue and constancy of the Standard-Bearer Michele had not stood in their way, the city would have come to ultimate destruction. I daresay it was by divine allotment that this man had been put in charge of the city in those turbulent times, though he was from the lowest of the plebs and indeed the offspring of the working class. For he always opposed himself to the unworthy desires of the mob, always reined in malignant spirits, restraining them by his advice, exhortation and chastisement.”
episodes constituted the biggest crises of the Florentine popular government. The *plebe* had mounted the two most dangerous attacks on Florentine liberty.

The end of the Ciompi Revolt coincides with a change in Machiavelli’s terminology. In Book III chapter 18 (year 1378), the Ciompi government and the radical guild of the *popolo minuto* are abolished. In this chapter, Machiavelli announces that he will now refer to the minor guildsmen as the party of the *plebe*.¹⁵³ Faithful to his words, from this chapter onwards he uses the term *plebe* to refer to non-elite guildsmen instead of the guildless wage-laborers.¹⁵⁴ The terms “basest of the plebs” [*infima plebe*] and “lesser plebs” [*plebe minuta*] also disappear completely after this chapter. The word *popolo minuto* makes its final appearance in Book III chapter 25 (year 1382) – the chapter that narrates the last and failed revolt by the lower class following the suppression of the two remaining radical guilds.

After the traumatic experience of the Ciompi Revolt and the ensuing radical government of 1378–1382, the Florentine *popolo* permanently allied with the *grandi*, never again allowing the *plebe* to enter the political scene.¹⁵⁵ But the lower class of the other Italian city-states occasionally rose up against their government, and when describing these revolts Machiavelli

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¹⁵³ *Istorie fiorentine* 3.18.7: “Queste cose, così procedute e governate, la già cominciata divisione tra i popolani nobili e i minori artefici, per la ambizione de’ Ricci e degli Albizzi, confermorono: dalla quale, perché seguirono in vari tempi di poi effetti gravissimi e molte volte se ne arà a fare menzione, chiamereno l’una di queste parti popolare e l’altra plebea.”

¹⁵⁴ The Italian editor holds a similar view. He points out that from Book III chapter 18 onwards, the term *plebe* refers to the petty bourgeoisie of the minor guilds instead of the poor wage laborers. *Istorie fiorentine* 3.18n8: “l’altra plebea: con un dichiarato cambiamento terminologico. Nei capitoli precedenti il termine « plebe » designava il « popolo minuto », il ceto dei salariati; d’ora innanzi il termine designerà i ceti della piccola e media borghesia fiorentina.” *Istorie fiorentine* proemio.n21: “plebe: nelle *Istorie* è termine ambivalente, che designa sia la piccola e media borghesia delle Arti minori, sia i ceti salariati. Lo stesso Machiavelli segnala la polisemia del termine in III 18 7.”

continues to portray the *plebe* in a negative light. Milan’s brief republican phase ends when the hungry mob kills all their magistrates and installs Count Francesco as a prince.\(^{156}\) When attacked by Florence, the main fear that grips Lucca’s citizens is the possibility of their *plebe* abandoning the defense of liberty. They fear “the inconstant spirit of the plebs [*plebe*], who, when tired of the siege, might value their own dangers more than the liberty of others.”\(^{157}\) The Luccan *plebe* resolve to defend their state only when they are reminded of the possibility of losing their homes and children.\(^{158}\) In sum, Machiavelli consistently portrays the *plebe* as the lower class whose paramount concern is subsistence rather than liberty. Whenever their livelihood is threatened, they are willing to overthrow the existing government even if it is a republican one.

### II

**The Third Humor in *The Prince* and the *Florentine Histories***

Although Machiavelli never explicitly labels the *plebe* as a humor \(^{159}\), he depicts them in accordance to his humoral theory. Like the two humors *grandi* and *popolo*, the *plebe* possess a distinct psychological trait arising from the group’s shared social condition. Endowed

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\(^{156}\) *Istorie fiorentine* 6.24. Here, Machiavelli uses the word *moltitudine* instead of *plebe*. He describes Milan as abounding with the poor and starved, and seems to refer to them as the *moltitudine*. They are portrayed as a fickle and violent mob. *Istorie fiorentine* 6.24.10: “Indugia assai la moltitudine tutta a disporsi al male; ma quando vi è disposta ogni piccolo accidente la muove.” “The whole multitude is slow enough to turn to evil, but when so inclined, every little accident moves it.” *Istorie fiorentine* 6.24.12: “ne’ quali feciono tale impeto che tutti quelli che non si poterono fuggire uccisono.” “So violent were they against the magistrates that they killed all those who could not flee.” Despite their deep hatred for Francesco Sforza, the fickle multitude crowns him as their prince after listening to Gasparre da Vicomercato’s sophistic speech.

\(^{157}\) *Istorie fiorentine* 5.11.5: “i mobili ani della plebe, la quale, infastidita da lo assedio, non stimassi piú i pericoli propri che la libertà d’altri.”

\(^{158}\) *Istorie fiorentine* 5.11.

with great power and wealth, the *grandi* desire to oppress and command others. The *popolo* merely desire to live free from oppression since they possess only moderate means. The *plebe*, however, own nothing. Economically destitute and politically dispossessed, they are discontent and indifferent to political liberty. They have no stake in any government, whether republican or signorial. Their paramount concern is subsistence, and they are willing to sacrifice the liberty of others for their own economic security. Because they lack experience in politics, they behave in a licentious and tyrannical manner when they acquire political power. In short, the *plebe* are simply incapable of either protecting or exercising political liberty.

The *Florentine Histories* innovates by depicting the *plebe* as a lower class distinct from the middle class *popolo*. As noted above, Machiavelli conflates the *plebe* and the *popolo* in the *Discourses*. In this earlier work, his political analysis centers around the binary division between the *popolo* and the *grandi*. But the switch from this dualistic framework to a tripartite one (*grandi, popolo, plebe*) in the *Florentine Histories* does not imply a fundamental shift in Machiavelli’s thinking or method.

The seeming rupture between the *Discourses* and the *Florentine Histories* can be explained by two interrelated facts: the difference between Machiavelli’s sources, and the change of subject from Rome to Florence. In the *Discourses* Machiavelli’s main source is Livy, who rarely distinguishes the middle and lower class. The first ten books of Livy portray the early history of Rome as a ceaseless strife between patricians and plebeians;¹⁶⁰ and inheriting this

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framework, Machiavelli employs a binary analysis (elites vs. people) to capture the political dynamics of Rome.¹⁶¹

But unlike Livy, Machiavelli’s sources for the *Florentine Histories* all sharply distinguish the middle and lower class. Giovanni Villani, Leonardo Bruni, and other Florentine historians reserve the terms *plebe* and *popolo minuto* for the lower class.¹⁶² In their writings, the term *popolo* usually refers to the middle class – the non-elite guildsmen who underpinned the popular guild government of Florence. It is unsurprising that Florentine writers view their society as consisting of three social classes. The difference in economic and political power between the middle and lower class was a notable feature of Florence. Moreover, the contest between the Florentine *grandi* and *popolo* had two traumatic interludes in which the *plebe* joined the political fray. Probably due to these historical facts, Machiavelli too adopts a tripartite scheme when analyzing the internal politics of Florence. Binary analysis (*grandi* vs. *popolo*) was suitable for studying ancient republics like Rome, but not for the medieval city-states of Italy. The tripartite scheme was especially useful for analyzing the republican phase of Florence in which its middle class played a prominent role in politics.¹⁶³

¹⁶¹ To be sure, Machiavelli sometimes digresses from Livy’s narrative, and his understanding of the Roman republic is not based solely on Livy: the *Discourses* also relies on the historical accounts of Polybius, Plutarch, Sallust, Tacitus, and many others. But Livy is undeniably the central text for the *Discourses*, and Machiavelli consistently follows Livy’s binary account of Roman social classes.


¹⁶³ In the Venetian republic, since the *grandi* monopolized political power, the distinction between the *popolo* and the *plebe* was not salient.
The Florentine Histories, however, is not the first work where Machiavelli departs from the dualistic framework of grandi and popolo. In chapter 19 of The Prince, he adopts a tripartite scheme to describe the political forces operating within the Roman Principate. To the division between grandi and popolo, he adds the soldati (the praetorian guards) and explicitly refers to them as a humor.\footnote{Principe 19.31: “e li piú di loro, massime quelli che come òmini nuovi venivano al principato, conosciuta l’avversitá di questi dua umori, si volgevano a satisfare a’ soldati, stimando poco lo inuirire el populo.” “Most of [the emperors], especially those who came to the principate as new men, once they recognized the difficulty of these two diverse humors [umori], turned to satisfying the soldiers [soldati], caring little about injuring the people [populo].”} He illustrates how these professional soldiers disrupted the dynamics between the grandi and the popolo in the following words: “Whereas in other principalities one has to contend only with the ambition of the great [grandi] and the insolence of the people [populi], the Roman emperors had a third difficulty: of having to bear with the cruelty and greed of the soldiers [soldati]. This was so difficult that it was the cause of the ruin of many, since it was difficult to satisfy both the soldiers and the people.”\footnote{Principe 19.28–29: “dove nelli altri principati si ha solo a contedere con la ambizione de’ grandi e insolenzia de’ populi, li’ imperatori romani avevano una terza difficoltá, di avere a sopportare la crudeltá e avarizia de’ soldati. La qual cosa era sí difficile, che la fu cagione della ruina di molti, sendo difficile satisfare a’ soldati e a’ populi.”} Unlike other princes, Roman emperors faced the unique difficulty of balancing three instead of two humors. When only the grandi and popolo exist, the prince can maintain his rule simply by practicing moderation and favoring the popolo. But when the soldati are added to the mix, the prince is put into an impossible bind: the people desire a modest ruler, but the soldiers want their prince to be “insolent, cruel, and rapacious” toward the people “so that they could double their pay and give
vent to their avarice and cruelty.”\footnote{Principe 19.29: “e’ populi amavano la quiete, e per questo amavono e’ principi modesti, e li soldati amavano el principe che fussi d’animo militare e che fussi insolente, crudele e rapace; le quali cose volevano che lui essercitassi ne’ popoli per potere avere duplicato stipendio e sfogare la loro avarizia e crudeltà.”} In this situation, the prince cannot avoid hatred. He must choose to be hated either by the popolo or the soldati – either by the most numerous humor or by the most powerful one. Predictably, during the period in which the praetorian guards were powerful, most emperors met tragic deaths and the Roman Empire experienced extreme instability.

But fortunately, the unusual power enjoyed by the Roman soldati depended on the circumstances that no longer exist. In the principalities of Machiavelli’s time, the army lacks the power and independence to interfere with the princely rule. The only exceptions are the Turkish Kingdom and the Sultanate. In these states the soldati are more powerful than the popolo, so the prince must pander to the soldiers to maintain his rule. But in other principalities, the prince can safely side with the popolo.\footnote{Principe 19.61–64.}

The soldati are an interest group backed up by military force, so they differ from the plebe – an incipient economic class. But the two groups share important similarities. Both are contingent humors that appear only under a particular historical circumstance. In the Roman Principate, the soldati emerged as a third humor once the praetorian guards acquired political power. In medieval Italy, the plebe began to break away from the popolo as the economic gap between the middle and lower class widened.\footnote{The lower class that performed manual labor existed in all historical periods: slaves in the ancient world; disenfranchised inhabitants in the medieval age; and the poor citizens with full political rights in the modern world. The wage laborers of medieval Italy had an ambiguous political status: they were semi-citizens who were often considered as members of the body politic but had limited or no political rights.} In Florence, the plebe became fully self-
conscious once the *popolo* defeated their common enemy, the nobles, and then monopolized political power without giving a share to the lower class.

Both the *plebe* and the *soldati* are also harmful humors. They possess negative psychological traits derived from a lifestyle that is incompatible with republican liberty. The *plebe* are incapable of living freely because they engage in servile labor and lack experience in politics. They are hostile to any existing government since all pre-modern political regimes marginalize the lower classes. In short, the *plebe* are a humor characterized by license and discontent.

Like the *plebe*, the *soldati* pose a grave threat to all governments. Professional soldiers never make good citizens because their livelihood depends on war, “an art by means of which men cannot live honestly in every time.” Greed and cruelty are their distinguishing marks. To live as a professional soldier, “he must be rapacious, fraudulent, violent, and have many qualities that of necessity make him not good.” Unsurprisingly, the *plebe* and the *soldati* caused extreme instability in Florence and the Roman Principate: the appearance of a third humor destabilized the body politic by disrupting the balance between the *grandi* and the *popolo*.

### III

**The *grandi* and the *popolo* in Republics and Principalities**

3.1 The two humors in the *Discourses* and the *Florentine Histories*

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169 *L’arte della guerra* 1.51: “una arte mediante la quale gli uomini d’ogni tempo non possono vivere onestamente.”

170 *L’arte della guerra* 1.52: “gli convenga essere rapace, fraudolento, violento, e avere molte qualitadi le quali di necessità lo facciano non buono.”
Unlike the contingent humors *plebe* and *soldati, popolo* and *grandi* are natural humors that exist in every state.\(^{171}\) These two opposing humors cannot be eliminated because they are grounded on the fundamental division between the haves and have-nots. To be sure, Machiavelli holds *all* humans to be ambitious and driven by the boundless desire to acquire more.\(^{172}\) But they can be separated into two categories based on their current possessions, which in turn determine the motive and intensity of acquisitive desire. A person who belongs to the *grandi* holds great power and wealth, and his ruling desire is to maintain what he already has. But “the fear of losing generates in him the same wishes that are in those who desire to acquire; for it does not appear to men that they possess securely what a man has unless he acquires something else new.”\(^{173}\)

Because the *grandi* possess the means to dominate others, they are more ambitious and

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171 *Principe* 9.2: “perché in ogni città si trovano questi due umori diversi; e nasce da questo, che il populo desidera non essere comandato né oppresso dai grandi, e li grandi desiderano comandare e opprimere el populo; e da questi due appetiti diversi nasce nelle città uno de’ tre effetti, o principato, o libertà, o licenzia.” “For in every city these two diverse humors are found, which arises from this: that the people desire not to be commanded nor oppressed by the great, and the great desire to command and oppress the people. From these two diverse appetites one of three effects occurs in cities: principality or liberty or license.” *Discorsi* 1.4.5: “sono in ogni republica due umori diversi, quello del popolo e quello de’ grandi, e come tutte le leggi che si fanno in favore della libertà nascano dalla disunione loro.” “In every republic are two diverse humors, that of the people and that of the great, and that all the laws that are made in favor of freedom arise from their disunion.” *Istorie fiorentine* 3.1.1: “Le gravi e naturali nimicizie che sono intra gli uomini popolari e i nobili, causate da il volere questi comandare e quelli non ubidire, sono cagione di tutti i mali che nascono nelle città, perché da questa diversità di umori tutte le altre cose che perturbano le republiche prendano il nutrimento loro.” “The grave and natural enmities that exist between the men of the people and the nobles, caused by the wish of the latter to command and the former not to obey, are the cause of all evils that arise in cities. For from this diversity of humors all other things that agitate republics take their nourishment.” The terminology of natural and contingent humors is mine, not Machiavelli’s.

172 *Discorsi* 1.29.8: “perché la natura degli uomini è ambiziosa e sospettosa, e non sa porre modo a nessuna sua fortuna.” “For the nature of men is ambitious and suspicious and does not know how to set a limit to any fortune it may have.” *Principe* 3.40: “È cosa veramente molto naturale e ordinaria desiderare di acquistare, e sempre, quando li òmini lo fanno che possano, saranno laudati o non biasimati; ma quando non possono e vogliono farlo ad ogni modo, qui è il biasimo e l’errore.” “And truly it is a very natural and ordinary thing to desire to acquire, and always, when men do it who can, they will be praised or not blamed; but when they cannot, and wish to do it anyway, here lie the error and the blame.”

173 *Discorsi* 1.5.18: “la paura del perdere genera in loro le medesime voglie che sono in quegli che desiderano acquistare; perché non pare agli uomo possedere sicuramente quello che l’uomo ha, se non si acquista di nuovo dell’altro.”
desirous of commanding others. In contrast, the popolo desire to acquire simply because they lack what they want. Since they lack the power and wealth to dominate others, they are less ambitious and merely wish to live free from oppression. Their incapacity to dominate others – not their inherent goodness – makes the popolo a more benign humor. They make better guardians of political liberty “since they are not able to seize it.” They have a “greater will to live free, being less able to hope to usurp it than are the great [grandi].”

Although the natural humors cannot be eliminated, the enmity between them can be suppressed. Sparta and Venice achieved this by keeping political power exclusively in the hands of the grandi. But this policy could be implemented only due to the unique circumstance of these two states.

In Venice, the noblemen who descended from the early settlers constituted the grandi. Their monopoly of political office did not offend the popolo – the commoners consisting of late settlers and their descendants. The Venetian popolo did not feel anything had been taken away from them, for the early settlers had already reserved political office to themselves before the late

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174 The popolo certainly have ambition, and their ambition increases in proportion to their power. *Discorsi* 1.4.8: “ogni città debbe avere i suoi modi con i quali il popolo possa sfogare l’ambizione sua, e massime quelle cittadi che nelle cose importanti si vogliono valere del popolo.” “Every city ought to have its modes with which the people can vent its ambition, and especially those cities that wish to avail themselves of the people in important things.”

175 I am indebted to Parel’s understanding of the popolo. See Parel, *Machiavellian Cosmos*, p. 106.

176 *Discorsi* 1.5.8: “non la potendo occupare loro.”

177 *Discorsi* 1.5.8: “maggiore volontà di vivere liberi, potendo meno sperare di usurparla che non possono i grandi.”


179 *Discorsi* 1.6.7–8, 1.55.31–34.
settlers arrived.\textsuperscript{180} More importantly, the Venetian \textit{popolo} simply lacked the power to launch a rebellion: they neither outnumbered the \textit{grandi} nor had military experience.\textsuperscript{181}

But in Sparta, the \textit{popolo} served in the army.\textsuperscript{182} Despite its reliance on militia, however, Sparta could keep political power away from the \textit{popolo} for three reasons. First, it had few inhabitants, which meant that the \textit{popolo} did not vastly outnumber the \textit{grandi}.\textsuperscript{183} Second, Lycurgus had reduced popular envy toward the nobles by equalizing property through agrarian law.\textsuperscript{184} In addition, he had forced the Spartan kings to protect the people from the nobles: by creating the council of elders as a rival power to the two royal houses, he made the kings seek popular support to bolster their rule.\textsuperscript{185} Finally, Lycurgus had prohibited immigration and thereby prevented foreigners from undermining the positive effects emanating from his laws.\textsuperscript{186}

Venice and Sparta demonstrate that the strife between the \textit{grandi} and the \textit{popolo} can be subdued when two conditions are met: absence of popular resentment toward the \textit{grandi}; and small population which creates a relative balance in manpower between the \textit{grandi} and the \textit{popolo}. But Machiavelli counsels against imitating Venice or Sparta because such calm republics cannot achieve glory: it is simply impossible to acquire and maintain an empire with a small

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\textsuperscript{180} \textit{Discorsi} 1.6.9–10.
\textsuperscript{181} \textit{Discorsi} 1.6.11, 1.6.17.
\textsuperscript{182} Spartans could devote themselves to war because slaves performed agriculture and manual labor. Machiavelli is silent on the issue of slavery in Sparta and Athens.
\textsuperscript{183} \textit{Discorsi} 1.6.16.
\textsuperscript{184} \textit{Discorsi} 1.6.13–14.
\textsuperscript{185} \textit{Discorsi} 1.6.14–15.
\textsuperscript{186} \textit{Discorsi} 1.6.16–17, 2.3.11.
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population. Because calm republics lack large militia, they collapse when *Fortuna* makes expansion necessary. This was the shared fate of Venice and Sparta.\(^{187}\)

A republic aiming to attain glory and empire must follow the Roman model. In other words, it must embrace rather than suppress the enmity between the *grandi* and the *popolo*. Unlike Venice, Rome enrolled the *popolo* in the army; and unlike Sparta, it welcomed foreigners.\(^{188}\) These policies empowered the Roman *popolo* by increasing both their numbers and military power. As a result, they became more ambitious and demanded a share of political power from the *grandi*. The Roman policy thus created “infinite opportunities for tumult”\(^ {189}\) but also ensured military success which depends on a large militia. Since glory and tumult are inseparable, Machiavelli concludes that a republic must “tolerate the enmities that arise between the people and the Senate, taking them as an inconvenience necessary to arrive at Roman greatness.”\(^ {190}\)

But replicating Roman greatness requires more than simply empowering the *popolo*. The *grandi* must also have their share of political power. If Sparta and Venice erred by disempowering the *popolo*, Athens and Florence made the opposite mistake of persecuting the *grandi*.

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\(^{187}\) *Discorsi* 1.6.24–37.

\(^{188}\) *Discorsi* 1.6.17, 2.3. Earlier humanists extolled Rome’s openness to virtuous foreigners. Machiavelli praises Rome’s acceptance of all foreigners, which had the effect of increasing its manpower.

\(^{189}\) *Discorsi* 1.6.18: “infinite occasioni di tomultuare.”

\(^{190}\) *Discorsi* 1.6.37: “e quelle inimicizie che intra ’l popolo e il senato nascono, tollerarle, pigliandole per uno inconveniente necessario a pervenire alla romana grandezza.”
In Athens, the *popolo* possessed immense power and used it to oppress the *grandi*. Unfortunately, this behavior diminished the glory of their republic: “The custom of ostracism and every other violence that was done against its aristocrats” resulted in “the exiles and deaths of so many excellent men” who could have added to the Athenian greatness.\(^{191}\) The monopoly of political power by the *popolo* also made Athens extremely unstable.\(^{192}\) Solon, “by ordering only the popular state” in Athens, “he made it of such short life that before he died he saw the tyranny of Pisistratus born there.”\(^{193}\) When Athens finally recovered its liberty forty years later, “because it took up the popular state again, according to the orders of Solon, it lasted no more than a hundred years.”\(^{194}\) Oppressed by the *popolo*, the *grandi* naturally tried to overthrow the popular government. So to preserve the state, Athenians eventually “enacted many laws that had not been considered by Solon, by which the insolence of the great and the license of the collectivity were

\(^{191}\) Discorsi 1.28.6: “Quinci nacque lo esilio e la morte di tanti eccellenti uomini, quinci lo ordine dell’ostracismo, e ogni altra violenza che contro a’ suoi ottimati in varii tempi da quella città fu fatta.” “Hence arose the exiles and the deaths of so many excellent men; hence the order of ostracism and every other violence that was done against its aristocrats in various times by that city.” According to Machiavelli, the Athenian *popolo* treated their *grandi* more harshly than their Roman counterpart because Athenians had experienced tyranny of Pisistratus and therefore were more suspicious of powerful citizens.

\(^{192}\) Polybius holds a similar view. Polybius 6.44: “For the Athenian populace always more or less resembles a ship without a master. ... I need say no more about this constitution or that of Thebes, states in which everything is managed by the uncurbed impulse of a mob [ἐν αἷς ὀχλος χειρίζει τὰ ὀλὰ κατὰ τὴν ἰδίαν ὀρμήν].”

\(^{193}\) Discorsi 1.2.29: “Solone, il quale ordinò leggi in Atene che, per ordinarvi solo lo stato popolare, lo fece di sì breve vita che avanti morisse vi vide nata la tirannide di Pisistrato.”

\(^{194}\) Discorsi 1.2.29: “e benché, dipoi anni quaranta, ne fussero gli eredi suoi cacciati e ritornasse Atene in libertà (perché la riprese lo stato popolare secondo gli ordini di Solone), non lo tenne più che cento anni.” Machiavelli is here referring to the rule by the Thirty Tyrants (404 BC), which occurred roughly hundred years after the tyranny of Pisistratus and his sons (546 BC – 510 BC).
repressed.” But ultimately, the Athenian republic failed to achieve longevity. “Athens lived a very short time in respect to Sparta.”

Like their Athenian counterpart, the Florentine popolo sought to deny political power to the grandi. The tyrannical behavior of the people of Athens and Florence can be explained by Machiavelli’s understanding of humors. As mentioned above, the popolo typically lack the power and wealth to oppress others so they merely desire to avoid oppression. But the Athenian popolo possessed those means: living under pure democracy, they held great political sway. Similarly, the Florentine popolo were richer and mightier than their Roman counterpart. The Florentine guild government gave immense political power to the popolo; and the flourishing commercial economy had enriched them far beyond what was the case in Rome, with its primarily agricultural economy. Since the Florentine people were more powerful both politically and economically, they naturally acquired a greater desire to dominate others. So they behaved like grandi.

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195 Discorsi 1.2.29: “ancora che per mantenerlo facessi molte constituzioni per le quali si riprimeva la insolenzia de’ grandi e la licenza dello universale, le quali non furono da Solone considerate.”

196 Polybius also remarks on the short duration of Athenian success. Polybius 6.43: “I am myself convinced that the constitutions of Athens and Thebes need not be dealt with at length, considering that these states neither grew by a normal process, nor did they remain for long in their most flourishing state, nor were the changes they underwent of a measured fashion; but after a sudden effulgence, the work of chance and circumstance, as the saying goes, while still apparently prosperous and with every prospect of a bright future, they experienced a complete reverse of fortune.”

197 Discorsi 1.2.29: “visse Atena, a rispetto di Sparta, brevissimo tempo.”

198 The Roman popolo also began to act like grandi once they became more powerful. Discorsi 1.5.10–11: “Roma, che per avere i tribuni della plebe questa autorità nelle mani, non bastò loro avere un consolo plebeio, che gli volevano avere amendue. Da questo ci vollono la dittatura, il pretore, e tutti gli altri gradi dello imperio della città; né bastò loro questo, che, menati dal medesimo furore, cominciarono poi col tempo a adorare quegli uomini che vedevano atti a battere la nobilità; donde nacque la potenza di Mario e la rovina di Roma.” “Rome, where because the tribunes of the plebs had this authority in their hands it was not enough for them to have one plebeian consul, but they wished to have both. From this, they wished for the censorship, the praetor, and all the other ranks of command of the city; nor was this enough for them, since, taken by the same fury, they later 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.”
In both Florence and Rome, the hostility between the *grandi* and the *popolo* was fully unleashed. But the contest between the two humors was conducted in contrasting manners and therefore produced opposing outcomes. In Rome, because the *popolo* were willing to share political power, the *grandi* competed with them under constitutional framework rather than resorting to extra-legal violence. As a result, their contest produced laws conducive to political liberty and the common good. Moreover, by mingling with the *grandi* as fellow magistrates, the *popolo* leaders absorbed the aristocratic virtue of magnanimity and military leadership.

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199 *Istorie fiorentine* 3.1.3–4: “il popolo di Roma godere i supremi onori insieme con i nobili desiderava, quello di Firenze per essere solo nel governo, sanza che i nobili ne partecipassero, combatteva. E perché il desiderio del popolo romano era più ragionevole, venivano ad essere le offese ai nobili più sopportabili, tale che quella nobilità facilmente e sanza venire alle armi cedeva.” “The people of Rome desired to enjoy the highest honors together with the nobles, while the people of Florence fought to be alone in the government without the participation of the nobles. And because the desire of the Roman people was more reasonable, offenses to the nobles came to be more bearable, so that the nobility would yield easily and without resorting to arms.” Machiavelli’s statement is somewhat misleading. It would be more accurate to say that the Roman *grandi* were forced to share political power with the *popolo*. Roman patricians opened political office to the plebeians gradually and reluctantly.

200 *Istorie fiorentine* 3.1.4: “di modo che, dopo alcuni disparerì, a creare una legge dove si sodisfacesse al popolo e i nobili nelle loro dignità rimanessero convenivano.” “Thus, after some differences, they would come together to create a law whereby the people would be satisfied and the nobles retain their dignities.”

201 *Istorie fiorentine* 3.1.6: “nelle vittorie del popolo la città di Roma più virtuosa diventava, perché potendo i popolani essere alla amministrazione de’ magistrati, degli eserciti e degli imperi con i nobili preposti, di quella medesima virtù che erano quelli si riempievano, e quella città crescendovi la virtù cresceva potenza.” “In the victories of the people the city of Rome became more virtuous, for as men of the people could be placed in the administration of the magistracies, the armies, and the posts of empire together with the nobles, they were filled with the same virtue as the nobles, and that city, by growing in virtue, grew in power.” In the early Roman republic, the patricians were the *grandi*. But in the late Roman republic, patrician and plebeian elites together constituted the *grandi* – the *nobilitas* (descendants of consuls and other curule magistrates).
Thus drawing on talent from both plebeians and patricians, Rome excelled in domestic governance and foreign conquests.\(^{202}\)

In contrast, the Florentines disempowered their nobles\(^{203}\), and this denial of political power shook Florence to its core. Unlike the process of excluding commoners from political office, the exclusion of nobles produced intense opposition. Because the *popolo* typically have less power and ambition, they often submit quietly to political exclusion as happened in Venice and Sparta. But the *grandi* are more resourceful and ambitious. The Florentine nobles predictably fought tooth and nail to preserve their access to political office, and their violent resistance produced numerous deaths and exiles.\(^{204}\)

Before the conclusive defeat of the nobles, Florence enjoyed a brief period in which the balance between the *grandi* and the *popolo* reached a healthy equilibrium. This moment coincided with the softening of the laws against the magnates\(^{205}\) under the *Secondo Popolo*.\(^{206}\)

\(^{202}\) *Discorsi* 1.4.5–7, 1.30.10–11, *Istorie fiorentine* 3.1.1–8.

\(^{203}\) A more accurate term is “aristocratic families” or “magnates” [*magnati*]. In Florence, the word “nobles” [*nobili*] was generally used to describe old and powerful *popolani* families. But Compagni, Villani, Bruni, and Machiavelli sometimes use the word “nobles” to describe the old *grandi* – the aristocratic families of the thirteenth century. See, for example, Villani, *Nuova Cronica* 9.1.8–11: “i nobili detti grandi e possenti, contra i popolani e impotenti, così in contado come in città, faceano forze e violenz nelle persone e ne’ beni altrui, occupando”; Compagni, *Cronica* 1.11.2–4: “ma i nobili e grandi cittadini insuperbitt faceano molte ingiurie a’ popolani, con batterli e con altre villanie”; Bruni, *Historiae Florentini populi* 4.26: “Nec sane plenam ad servitutem plebis quicquam alium obstare videbatur quam quod nobilitas ipsa, inter se varie divisa, aemulatione et invidia concertabat.” “Indeed, it seemed that the only obstacle to the complete servitude of the common people was the nobility’s own internal divisions, riven as it was by envy and competitive rivalries.”

\(^{204}\) *Istorie fiorentine* 3.1.1–8.

\(^{205}\) *Istorie fiorentine* 2.14. These anti-magnate laws (Ordinances of Justice) were passed in the year 1293 under the leadership of Giano della Bella, who is praised by Compagni, Villani, Bruni, and Machiavelli. For their treatment of Giano’s leadership, eventual exile, and the aftermath, see *Istorie fiorentine* 2.13–15; Compagni, *Cronica* 1.11–18; Villani, *Nuova Cronica* 9.1, 9.8, 9.12; Bruni, *Historiae Florentini populi* 4.26–35, 4.40–44.

Machiavelli portrays this transient moment as the golden age of Florence: “Never was our city in a greater and more prosperous state than in these times, when it was replete with men, riches, and reputation; there were thirty thousand citizens skilled in arms, and those in the surrounding countryside came to seventy thousand. All Tuscany, part as subjects and part as friends, obeyed it; and although there was some anger and suspicion between the nobles [nobili] and the people [popolo], nonetheless they produced no bad effect, and everyone lived united in peace.”

During this period, the political power of the nobles was curtailed but not completely taken away. This produced a healthy contest between the grandi and the popolo, and their combined strength made Florence a formidable military power.

But once the nobles were conclusively defeated and banned from political office, Florence lost both internal stability and military strength. It struggled in foreign wars because it could no longer draw on the noblemen who possessed military virtue and experience. Rich merchants and bankers now directed foreign affairs with disastrous outcomes. The government

207 Istorie fiorentine 2.15.5–6: “Né mai fu la città nostra in maggiore e più felice stato che in questi tempi, sendo di uomini, di ricchezze e di reputazione ripiena. I cittadini atti alle armi a trentamila, e quelli del suo contado a settantamila aggiugnevano; tutta la Toscana, parte come subietta parte come amica, le ubbidiva; e benché intra e nobili e il popolo fusse alcuna indignazione e sospetto, nondimeno non facevano alcuno maligno effetto, ma unitamente e in pace ciascuno si viveva.” Machiavelli cribbed Villani, Nuova Cronica 9.39.1–8. Only the portion describing nobili-popolo dynamics is Machiavelli’s own words.

208 Istorie fiorentine 2.42.3–4: “Questa rovina de’ nobili fu si grande e in modo afflisse la parte loro, che mai poi a pigliare l’arme contra il popolo si ardirono, anzi continuamente più umani e abietti diventorono. Il che fu cagione che Firenze, non solamente di arme, ma di ogni generosità si spogliasse.” “The ruin of the nobles was so great and afflicted their party so much that they never again dared to take up arms against the people; indeed they became continually more humane and abject. This was the cause by which Florence was stripped not only of its arms but of all generosity.” Machiavelli’s diagnosis is too simplistic. See Becker, Florence in Transition, vol. 2, pp. 100–106, esp. pp. 104–106. Becker, p. 106: “He [Machiavelli] failed to consider the fundamental changes in military tactics which encouraged the city to have greater recourse to mercenaries. The Ordinances of Justice and other repressive enactments of il popolo, enforced rigorously after 1343, did far less to discourage Florentines from assuming the burdens of knighthood than the new strategies of war. The remedies of the thirties which sought to restore the milites to full political rights proved ineffectual since citizen knighthood had become militarily obsolete.”
also became unstable due to factionalism. With the nobles eliminated, the clash between the 
*grandi* and the *popolo* – the two natural humors that comprise the whole population – was 
replaced by a factional conflict between different segments of the *popolo*. As a result, the laws 
produced after the exclusion of the nobles served the interest of the victorious faction rather than 
the common good. These partisan laws and institutions naturally generated resentment, and the 
discontented party sought every opportunity to undermine the existing government.

The defeat of the nobles produced another harmful effect: the emergence of the *plebe* as 
an independent political force. As noted above, the *plebe* split away from the *popolo* following 
the disappearance of their common enemy the *grandi*. The ensuing Ciompi Revolt constituted 
the greatest threat to Florentine liberty.²⁰⁹

Machiavelli’s analysis of the five republics show that both the *grandi* and the *popolo* 
must be empowered. Sparta and Venice suppressed the conflict of the two humors by 
disempowering the *popolo*. They thereby achieved tranquility and longevity at the cost of 
military expansion and the glory that comes with it. Athens and Florence took the opposite route 
of denying political power to the *grandi*. This policy prevented their nobles from contributing 
their military virtue and excellence. Their *grandi* also violently resisted popular rule, and the 
ensuing political instability produced the tyranny of Pisistratus and the Ciompi Revolt.

Only the Roman republic granted political power to both humors. It instituted the senate 
for the *grandi* and the tribune of the plebs for the *popolo*.²¹⁰ It thereby avoided the two opposite

²⁰⁹ *Istorie fiorentine* 3.17.13: “la republica al tutto perdeva la sua libertà e in maggiore tirannide che quella del duca d’Atene perveniva.”

²¹⁰ The *comitia* was another political institution that empowered the Roman *popolo*. But Machiavelli focuses on the 
tribune of the plebs.
extremes: muted contest (Sparta and Venice) and excessive conflict (Athens and Florence).
Rome had achieved the correct balance between the two natural humors – a vigorous contest conducted through legal channels and without excessive violence.211 It is unsurprising that Machiavelli considers this equilibrium as the defining feature of a healthy republic: according to the medical theory of humors popular in his time, health is produced by a correct proportion and mixing of the humors, and pain by their excess or deficiency.212

Only a healthy republic that embraces the two humors can achieve the dual goal of a free state – acquiring glory and maintaining liberty.213 The grandi possess the ambition and virtù necessary for achieving great things; and the popolo make excellent guardians of liberty since they have a greater will to live free. Together they serve as a foundation for military success – a large citizen militia214 consisting of soldiers recruited from the popolo and generals supplied from the grandi. Since the grandi and the popolo combined constitute the whole population,

211 For earlier humanists, the main cause of Roman greatness was its openness to foreigners and lower-class men who possessed virtue.

212 Hippocrates, Nature of Man, trans. W. H. S. Jones, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1931), vol. 4, pp. 11–13: “The body of man has in itself blood, phlegm, yellow bile and black bile; these make up the nature of his body, and through these he feels pain or enjoys health. Now he enjoys the most perfect health when these elements are duly proportioned to one another in respect of compounding, power and bulk, and when they are perfectly mingled. Pain is felt when one of these elements is in defect or excess, or is isolated in the body without being compounded with all the others. For when an element is isolated and stands by itself, not only must the place which it left become diseased, but the place where it stands in a flood must, because of the excess, cause pain and distress.” Rome achieved the correct proportion and mixing of humors: the popolo outnumbered the grandi as is natural, and the two humors “mixed” when they fought with moderation. Venice and Sparta had unnatural proportion (the popolo and the grandi had similar numbers); their humors also mixed insufficiently (the popolo were too submissive). In Athens and Florence, one of the two humors “flooded” the other (the popolo dominated the grandi).

213 Discorsi 1.29.16: “Perché, avendo una città che vive libera duoi fini, l’uno lo acquistare, l’altro il mantenersi libera.” “For since a city that lives free has two ends – one to acquire, the other to maintain itself free.”

when their contest occurs within legal bounds it produces legislation that reflect the interest of the whole state – laws that promote the common good rather than factional interests. This is what Machiavelli’s ideal state, the Roman republic, had achieved.

3.2 The two humors in *The Prince*

Machiavelli’s praise of Rome is strictly limited to its republican phase, the period in which the *grandi* and the *popolo* maintained a healthy equilibrium. In his eyes, imperial Rome is merely one of the many corrupt principalities. In fact, he depicts the Roman Principate as diseased from its inception: its first emperor Augustus had destroyed the balance of humors by disarming the *popolo* and empowering the praetorian guards. But if the Roman Empire cannot serve as a model for principalities, which state should be emulated in its place? Machiavelli is

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215 More precisely, from the expulsion of Tarquins in 509 BC to the election of Tiberius Gracchus as a plebeian tribune in 133 BC. Or alternatively, the appointment of first plebeian tribunes in 493 BC can be considered the starting point of the Roman golden age: Machiavelli holds the creation of the office of plebeian tribunes as perfecting the Roman republic (*Discorsi* 1.2–3).

216 *L’arte della guerra* 1.87–90: “Perché Ottaviano prima e poi Tiberio, pensando piú alla potenza propria che all’utile pubblico, cominciarono a disarmare il popolo romano per poterlo piú facilmente comandare, e a tenere continuamente quegli medesimi eserciti alle frontiere dello Imperio. E perché ancora non giudicarono bastassero a tenere in freno il popolo e senato romano, ordinaron uno esercito chiamato pretoriano, il quale stava propinquo alle mura di Roma, e era come una rocca addosso a quella città. E perché allora ei cominciarono liberamente a permettere che gli uomini deputati in quelli eserciti usassero la milizia per loro a arte, ne nacque subito la insolenza di quegli, e diventarono formidabili al senato e dannosi allo imperadore; donde ne risultò che molti ne furono morti dalla insolenza loro, perché davano e toglievano l’imperio a chi pareva loro, e talvolta occorse che in uno medesimo tempo erano molti imperadori creati da varii eserciti. Dalle quali cose procedé prima la divisione dello Imperio, e in ultimo la rovina di quello.” “For first Octavius, and then Tiberius, thinking more of their own power than of the public utility, began to disarm the Roman people so as to be able to command it more easily, and to keep those same armies continually at the frontiers of the Empire. And because they still did not judge that this was enough to keep the Roman people and Senate in check, they ordered an army called Praetorian that stayed near the walls of Rome and was like a castle close by that city. And because they then began freely to allow the men deputed in those armies to use the military for their art, their insolence suddenly arose from it, and they became formidable to the Senate and harmful to the emperor. Hence it resulted that many of them died from their insolence because they gave the empire to, and took it from, whomever they wished; and sometimes it happened that at one and the same time there were many emperors created by various armies. From which proceeded first the division of the Empire and ultimately its ruin.”
silent on this question. He does not identify the monarchic counterpart to his ideal republic early Rome.  

He does, however, provide a list of model rulers in *The Prince*. But his discussion of criminal rulers is what reveals his commitment to the balance of humors. His two examples are Agathocles and Oliverotto da Fermo, both of whom became kings by exterminating the grandi. Through treachery, Agathocles “had all the senators and the richest of the people killed by his soldiers.” Since every powerful citizen who could challenge his rule was dead, he could govern the city “without any civil controversy.” Similarly, Oliverotto invited “all the first men of Fermo” to a banquet and had his soldiers murder them. “Since all those who could have hurt him because they were malcontent were dead,” he could freely alter the laws of the city to consolidate his power. As a result, his rule became so secure that “to overthrow him would have been as difficult as to overthrow Agathocles.”

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217 This supports the reading of Machiavelli as a republican. His maxims for governing republics advance the interest of the state, but his rules for governing principalities serve the personal interest of the prince. To be sure, this is partly because his discussion of principalities occurs mostly in *The Prince* — a book of advice for rulers. But the *Discourses* could also have focused on laying down rules that serve the personal interest of leading citizens.

218 *Principe* 6.7: “Ma per venire a quelli che per propria virtù e non per fortuna sono diventati principi, dico che li più eccellenti sono Moisè, Ciro, Romulo, Teseo e simili.” “But, to come to those who have become princes by their own virtue and not by fortune, I say that the most excellent are Moses, Cyrus, Romulus, Theseus, and the like.”

219 Another such ruler is Clearchus of Heraclea (see *Discorsi* 1.16.16–26). See also Machiavelli’s discussion of the second decemvirate and Appius Claudius Crassus in *Discorsi* 1.40.27–36.

220 *Principe* 8.7: “fece da’ sua soldati uccidere tutti li Senatori e li più ricchi del popolo.”

221 *Principe* 8.7: “sanza alcuna controversia civile.”

222 *Principe* 8.17: “tutti li primi òmini di Fermo.”

223 *Principe* 8.20: “e morti tutti quelli che per essere mal contenti lo potevano offendere.”

224 *Principe* 8.21: “e sarebbe stata la sua espugnazione difficile come quella di Agatocle.”
As we can see, Machiavelli highlights the extreme security that Agathocles and Oliverotto enjoyed in their thrones. The grandi having been eliminated, only the less dangerous humor popolo remained. These criminal princes no longer had to walk the tightrope of balancing the two humors. But despite the security of their rule, they are condemned by Machiavelli for having used “intolerable violence.” They had taken the “criminal and nefarious path” that enables one to “acquire empire, but not glory.” Like Venice and Sparta, Agathocles and Oliverotto had gained security at the cost of glory: the calm republics did so by disempowering the popolo, and the criminal princes by eliminating the grandi. Machiavelli’s hierarchy of values is thus consistent for both republics and principalities – glory trumps security.

Immediately following his discussion of criminal rulers, Machiavelli presents his famous theory of humors. After describing the grandi and the popolo, he identifies their imbalance as the cause of a republic mutating into a principality. When the balance is overwhelmingly in favor of the popolo, the grandi will establish a prince to resist and oppress the people; and when the balance is overly skewed toward the grandi, the popolo will create a prince to defend themselves.

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225 *Principe* 9.8: “El peggio che possa espettare uno principe dal populo inimico è lo essere abandonato da lui, ma da’ grandi inimici non solo debbe temere di essere abandonato, ma che etiam loro li venghino contro, perché, sendo in quelli piú vedere e piú astuzia.” “The worst that a prince can expect from a hostile people is to be abandoned by it; but from the great, when they are hostile, he must fear not only being abandoned but also that they may come against him, for since there is more foresight and more astuteness in the great.”

226 *Principe* 9.1: “intollerabile violenzia.”

227 *Principe* 8.2: “via scelerata e nefaria.”

228 *Principe* 8.10: “li quali modi possono fare acquistare imperio, ma non gloria.”
from elite oppression. Only a balanced republic – one in which the two humors are capable of resisting each other – will avoid the fate of becoming a principality.

Machiavelli reaffirms the importance of balancing humors when he discusses the French parliament. “One of the most important matters that concern a prince,” he claims, is to learn “how not to make the great desperate and how to satisfy the people and keep them content.” This requires a delicate balancing act which often makes the prince incur hatred. The genius of the French king was to delegate this balancing role to the parliament: “so as to take from him the blame he would have from the great when he favored the popular side, and from the popular side when he favored the great ... he constituted a third judge to be the one who would beat down the great and favor the lesser side without blame for the king.” Machiavelli concludes his discussion of France by restating that both humors must be embraced: a wise prince “should esteem the great, but not make himself hated by the people.”

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229 Principe 9.3: “vedendo e’ grandi non potere resistere al populo, cominciano a voltare la reputazione a uno di loro e fannolo principe per potere, sotto la sua ombra, sfogare el loro appetito; el populo ancora, vedendo non potere resistere a’ grandi, volta la reputazione a uno e lo fa principe per essere, con la autorità sua, difeso.” “When the great see that they cannot resist the people, they begin to give reputation to one of themselves, and they make him prince so that they can vent their appetite under his shadow. So too, the people, when they see they cannot resist the great, give reputation to one, and make him prince so as to be defended with his authority.”

230 Principe 19.19: “E li stati bene ordinati e li principi savi hanno con ogni diligenzia pensato di non desperare e’ grandi e di satisfare al populo e tenerlo contento, perché questa è una delle più importanti materie che abbia uno principe.”

231 Principe 19.21–22: “per torli quel carico che potessi avere co’ grandi favorendo li popolari, e co’ popolari favorendo e’ grandi; e però constituí uno iudice terzo che fussi quello che sanza carico del re battessi e’ grandi e favorissi e’ minori.”

232 Principe 19.24: “uno principe debbe stimare e’ grandi, ma non si fare odiare dal populo.” For Machiavelli’s discussion of the French parliament, see also Discorsi 3.1.35–38.
As in the Discourses, Machiavelli defends the policy of favoring the popolo over the grandi in The Prince. Rulers must prioritize gaining the support of the people over that of the elites, just as republics must make the popolo not the grandi the guardians of liberty. But Machiavelli is equally consistent in condemning the policy of suppressing the grandi – whether by disempowering them (Athens and Florence) or by literally killing them (Agathocles and Oliverotto). This is because his allegiance lies with neither of the two humors. His ultimate commitment is to prevent the supremacy of one humor, whether it be the grandi or the popolo.

IV

Polybian Mixed Government and the Two Humors

In Discourses 1.2, Machiavelli renders the sharing of political power between the Roman grandi and popolo in the Polybian language of mixed government. Romulus founded Rome as

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233 Discorsi 1.37.22–23. Principe 9.6: “non si può con onestà satisfare a’ grandi e sanza inuria d’altri, ma si bene al popolo, perché quello del popolo è piú onesto fine che quello de’ grandi, volendo questi opprimere e quello non essere oppresso.” “One cannot satisfy the great with decency and without injury to others, but one can satisfy the people; for the end of the people is more decent than that of the great, since the great want to oppress and the people want not to be oppressed.”


235 Discorsi 1.5.8.

a principality that mixes a monarchical element (a king) with an aristocratic one (the Senate).\textsuperscript{237}

When the Tarquins were expelled, Rome kept its monarchic feature by replacing the king with two consuls. In this early phase of the Roman republic, the grandi monopolized political power since only patricians could become consuls and senators. They naturally became insolent, and the Roman popolo rose up in opposition. This forced the grandi to share political power. Fearing that the people would take away their power completely, the nobles conceded the creation of the plebeian tribune.\textsuperscript{238} With the addition of this popular institution, Rome became a perfect government that incorporates monarchical, aristocratic, and democratic elements: consul, senate, and the tribune.\textsuperscript{239} With the three elements checking each other, Rome could now better resist the cycle of regimes.\textsuperscript{240}

The idea of mixing three types of regime, however, sits rather uncomfortably with Machiavelli’s theory of two natural humors. Indeed, Machiavelli cannot and does not answer why a government must mix three rather than two political elements. He silently passes over the

\footnotesize{taken into consideration that every variety of constitution which is simple and formed on one principle is precarious, as it is soon perverted into the corrupt form which is proper to it and naturally follows on it. For just as rust in the case of iron and woodworms and shipworms in the case of timber are inbred pests, and these substances, even though they escape all external injury, fall a prey to the evils engendered in them, so each constitution has a vice engendered in it and inseparable from it. In kingship it is despotism, in aristocracy oligarchy, and in democracy the savage rule of violence; and it is impossible, as I said above, that each of these should not in course of time change into this vicious form.”}\textsuperscript{237}

\footnotesize{Discorsi 1.2.32–33.}

\footnotesize{Discorsi 1.2.34: “sendo diventata la nobilità romana insolente per le cagioni che di sotto si diranno, si levò il popolo contro di quella; tale che, per non perdere il tutto, fu costretta concedere al popolo la sua parte.” “When the Roman nobility became insolent for the causes that will be told below, the people rose up against it; so as not to lose the whole, it was constrained to yield to the people its part.”}

\footnotesize{Discorsi 1.2.35–36.}

\footnotesize{Discorsi 1.2.26–27.}
ready-made answers of Polybius, who provides two different accounts of how a mixed
government functions – one for Sparta and one for Rome.

When describing Rome, Polybius justifies the necessity of mixing three regimes
(politeumata) by pointing to the presence of three political elements that share sovereignty.\textsuperscript{241}
The consul, senate, and the people each require the cooperation of the other two; and this
interdependency fosters unity and prevents the predominance of one element.\textsuperscript{242}

In the case of Sparta, the mixing of three regimes is justified by the mediating role played
by the virtuous senate.\textsuperscript{243} The king and the people pull the constitution in opposite directions, and
in every conflict between them the fair-minded senators put their weight behind the

\textsuperscript{241} Polybius 6.11: “The three kinds of government that I spoke of above all shared in the control of the Roman state.
And such fairness and propriety in all respects was shown in the use of these three elements for drawing up the
constitution and in its subsequent administration that it was impossible even for a native to pronounce with certainty
whether the whole system was aristocratic, democratic, or monarchical. This was indeed only natural. For if one
fixed one’s eyes on the power of the consuls, the constitution seemed completely monarchical and royal; if on that
of the senate it seemed again to be aristocratic; and when one looked at the power of the masses, it seemed clearly to
be a democracy.”

\textsuperscript{242} Polybius 6.18: “Such being the power that each part has of hampering the others or cooperating with them, their
union is adequate to all emergencies, so that it is impossible to find a better political system than this. For whenever
the menace of some common danger from abroad compels them to act in concord and support each other, so great
does the strength of the state become, that nothing which is requisite can be neglected, as all are zealously
competing in revising means of meeting the need of the hour, nor can any decision arrived at fail to be executed
promptly, as all are cooperating both in public and in private to the accomplishment of the task they have set
themselves; and consequently this peculiar term of constitution possesses an irresistible power of attaining every
object upon which it is resolved. When again they are freed from external menace, and reap the harvest of good
fortune and affluence which is the result of their success, and in the enjoyment of this prosperity are corrupted by
flattery and idleness and wax insolent and overbearing, as indeed happens often enough, it is then especially that we
see the state providing itself a remedy for the evil from which it suffers. For when one part having grown out of
proportion to the others aims at supremacy and tends to become too predominant, it is evident that, as for the reasons
above given none of the three is absolute, but the purpose of the one can be counterworked and thwarted by the
others, none of them will excessively outgrow the others or treat them with contempt. All in fact remains in status
quo, on the one hand, because any aggressive impulse is sure to be checked and from the outset each estate stands in
dread of being interfered with by the others.”

\textsuperscript{243} More precisely, *gerousia* or the council of elders.
disadvantaged side.244 The senate thus denies an overwhelming victory to either the king or the people and thereby preserves the existing political arrangement.245

244 Even in his description of Rome and Carthage, Polybius evinces his preference for the senate over the people. He claims that the mixed government is at its prime when the senate has more influence than the people in public deliberation. Polybius 6.51: “The constitution of Carthage seems to me to have been originally well contrived as regards its most distinctive points. For there were kings, and the house of Elders was an aristocratic force, and the people were supreme in matters proper to them, the entire frame of the state much resembling that of Rome and Sparta. But at the time when they entered on the Hannibalic War, the Carthaginian constitution had degenerated, and that of Rome was better. For as every body or state or action has its natural periods first of growth, then of prime, and finally of decay, and as everything in them is at its best when they are in their prime, it was for this reason that the difference between the two states manifested itself at this time. For by as much as the power and prosperity of Carthage had been earlier than that of Rome, by so much had Carthage already begun to decline; while Rome was exactly at her prime, as far at least as her system of government was concerned. Consequently the multitude at Carthage had already acquired the chief voice in deliberations; while at Rome the senate still retained this; and hence, as in one case the masses deliberated and in the other the most eminent men, the Roman decisions on public affairs were superior, so that although they met with complete disaster, they were finally by the wisdom of their counsels victorious over the Carthaginians in the war.”

245 Polybius 6.10: “Lycurgus, then, foreseeing this, did not make his constitution simple and uniform, but united in it all the good and distinctive features of the best governments, so that none of the principles should grow unduly and be perverted into its allied evil, but that, the force of each being neutralized by that of the others, neither of them should prevail and outbalance another, but that the constitution should remain for long thanks to the principle of reciprocity, kingship being guarded from arrogance by the fear of the commons, who were given a sufficient share in the government, and the commons on the other hand not venturing to treat the kings with contempt from fear of the elders, who being selected from the best citizens would be sure all of them to be always on the side of justice: so that that part of the state which was weakest owing to its subservience to traditional custom, acquired power and weight by the support and influence of the elders. The consequence was that by drawing up his constitution thus he preserved liberty at Sparta for a longer period than is recorded elsewhere.” Plutarch holds a similar view on the role of the senate. See Plutarch, Lycurgus 5.6–7: “Among the many innovations which Lycurgus made, the first and most important was his institution of a senate, or Council of Elders, which, as Plato says, by being blended with the “feverish” government of the kings, and by having an equal vote with them in matters of the highest importance, brought safety and due moderation into counsels of state. For before this the civil polity was veering and unsteady, inclining at one time to follow the kings towards tyranny, and at another to follow the multitude towards democracy; but now, by making the power of the senate a sort of ballast for the ship of state and putting her on a steady keel, it achieved the safest and the most orderly arrangement, since the twenty-eight senators always took the side of the kings when it was a question of curbing democracy, and, on the other hand, always strengthened the people to withstand the encroachments of tyranny.” Cf. Plato, Laws 691b–692a: “Athenian: If one looks at what has happened, Megillus, among you Lacedaemonians, it is easy to perceive, and after perceiving to state, what ought to have been done at that time. ... If one neglects the rule of due measure, and gives things too great in power to things too small – sails to ships, food to bodies, offices of rule to soul – then everything is upset, and they run, through excess of insolence, some to bodily disorders, others to that offspring of insolence, injustice. ... To begin with, there was a god watching over you; and he, foreseeing the future, restricted within due bounds the royal power by making your kingly line no longer single but twofold. In the next place, some man, in whom human nature was blended with power divine, observing your government to be still swollen with fever, blended the self-willed force of the royal strain with the temperate potency of age, by making the power of the eight-and-twenty elders of equal weight with that of the kings in the greatest matters. Then your “third saviour,” seeing your government still fretting and fuming, curbed it, as one may say, by the power of the ephors, which was not far removed from government by lot. Thus, in

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Machiavelli cannot accept either the Spartan or Roman version of Polybius’s justification for mixing three regimes. The Spartan version is unacceptable because Machiavelli considers the virtuous senate envisioned by Polybius as a chimera. Justice and moderation will not be the defining characteristic of the senate since its members consist of the grandi – those who have the power and desire to oppress others. The senate is therefore supremely unqualified to play the balancing role. In fact, the nobles who constitute the senate are precisely the dangerous element that must be checked. In principalities, the prince must restrain them by siding with the people. In republics, the people must check the senators by appointing members of the popolo as guardians of liberty – the plebeian tribunes in the case of Rome.\textsuperscript{246}

The Polybian justification for the Roman mixed government is equally problematic for Machiavelli. Polybius holds a tripartite view of society: each city contains three fundamental political elements (one, few, and the many), which in case of Rome is embodied by the consul, senate, and the people. But Machiavelli subscribes to a dualistic view which considers only the division between the few and the many as fundamental: only the grandi and the popolo are natural humors. His disagreement with Polybius is unsurprising. As noted above, Machiavelli sees Rome through the prism of Livy, who portrays the history of the Roman republic in its early period as a story of internecine strife between patricians and plebeians. Inheriting Livy’s framework, he focuses on the clash between the senate and the tribunes, downplaying the role

\footnotesize{your case, according to this account, owing to its being blended of the right elements and possessed of due measure, the kingship not only survived itself but ensured the survival of all else.”}

\footnotesize{\textsuperscript{246} Discorsi 1.4.12, 1.5.}
played by the consuls. Indeed, the Discourses rarely portrays the consul as playing a mediating role between the Roman *popolo* and the *grandi*: these two humors simply check each other through their representative institution, the senate and the tribune.

The palpable tension between Polybius’s theory and Machiavelli’s notion of humors may explain why the language of mixed government appears only in a single chapter of the Discourses. After 1.2 – the curious Polybian chapter – Machiavelli immediately returns to the familiar language of the two humors. In the very next chapter, instead of describing the office of tribunes as the third element of mixed government, he portrays it as a popular institution that checks the *grandi*. Then in Book I chapter five, he drops the description of Sparta as a government mixing three regimes. Instead, he classifies it along with Venice as a republic ruled by the few.

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247 In Livy’s account, the consuls almost always side with the senate and patricians against the tribunes and plebeians.


249 *Discorsi* 1.3.9: “si venne per sicurtà della plebe alla creazione de’ tribuni; e quegli ordinaron con tante preminenze e tanta reputazione, che poteron essere sempre dipoi mezzi intra la plebe e il senato, e ovviare alla insolenza de’ nobili.” “They arrived at the creation of the tribunes for the security of the plebs. They ordered them with so much eminence and reputation that they could ever after be intermediaries between the plebs and the Senate and prevent the insolence of the nobles.” See also *Discorsi* 3.1.19–20, 3.11.2.

250 *Discorsi* 1.5.3–4: “E perché in ogni repubblica sono uomini grandi e popolari, si è dubitato nelle mani di quali sia meglio collocata detta guardia. E appresso a’ Lacedemoni, e ne’ nostri tempi appresso de’ Viniziani, la è stata messa nelle mani de’ nobili; ma appresso de’ Romani fu messa nelle mani della plebe.” “Because in every republic there are great and popular men, it has been doubted in which hands it is better to place the said guard. With the Lacedaemonians, and in our times with the Venetians, it has been put in the hands of the nobles; but with the Romans it was put in the hands of the plebs.” *Discorsi* 1.6.7: “Sparta fece uno re con uno piccolo senato che la governasse; Vinegia non ha diviso il governo con i nomi, ma sotto una apppellagione tutti quegli che possono avere
In the *Florentine Histories*, Machiavelli never resorts to the language of mixed government. He simply points to factions, not the absence of mixed government, as the cause of Florentine failure. And he calls for a constitution that serves the common good rather than the one that mixes three regime types. Tellingly, when Machiavelli uses the language of mixed government in *Discursus florentinarum rerum*,\(^{251}\) he presents a tripartite view of the *popolo* (*primi, mezzani, and ultimi*) without mentioning his theory of two humors.\(^{252}\)

In sum, the Polybian theory of mixed government is best viewed as an element foreign to Machiavelli’s *Discourses*. It clashes with his theory of humors. It appears only in Book I chapter two of the *Discourses*, the chapter Hexter describes as “literally un-Machiavellian in the simple sense that he cribbed most of that chapter” from Polybius.\(^{253}\) So it is better to understand the plebeian tribunes simply as a popular institution whose counterpart is the senate. To view it as a third component of a mixed regime obscures rather than clarifies Machiavelli’s analysis of Rome: except for the single Polybian chapter, the *Discourses* portrays the tribune of the plebs as an office through which the *popolo* checked the *grandi*.

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amministrazione si chiamano gentili uomini.” “Sparta made a king, with a small Senate, who governed it; Venice did not divide the government by names, but under one appellation all those who can hold administration are called gentlemen.” *Discorsi* 1.6.16: “Ma due cose principali causarono questa unione: l’una, essere pochi gli abitatori di Sparta, e per questo poterono essere governati da pochi; l’altra, che non accettando forestieri nella loro repubblica, non avevano occasione né di corrompersi né di crescere in tanto che la fusse insopportabile a quegli pochi che la governavano.” “But two principal things caused this union: one, that there were few inhabitants in Sparta, and because of this they could be governed by few; the other, that since they did not accept foreigners in their republic they had opportunity neither to be corrupted nor to grow so much that it was unendurable by the few who governed it’

\(^{251}\) Both *Discursus florentinarum rerum* and *Istorie fiorentine* were commissioned by the Medici around year 1520.

\(^{252}\) In *Discursus florentinarum rerum*, Machiavelli uses the Aristotelian language of mixed government instead of the Polybian one.

Securing liberty and glory requires more than simply empowering the \textit{grandi} and the \textit{popolo}: their contest must be sealed off from the corrupting force of factionalism. While humors are grounded on the commonality among their members (such as shared profession or economic status), factions are organized around a powerful individual who recruits his partisans from diverse layers of society. When factions disrupt the dynamics between the \textit{grandi} and the \textit{popolo}, the contest of the two humors ceases to benefit the state. The lawful and measured conflict mutates into a violent and extra-legal one that produces civil war or tyranny.

To avoid this destructive outcome, Romans suppressed factions by instituting public accusation. This institution provided a legal outlet for popular anger toward influential citizens. It thus stopped the people from resorting to private revenge, a fear of which often motivates powerful citizens to recruit partisan supporters.\textsuperscript{254} By allowing the people to vent their anger through public means, Romans reduced the fear of private injury and thereby tamed factionalism among its influential members.\textsuperscript{255} Unlike private offense, public injury rarely convulses the state. The outcome of the clash between the Roman \textit{grandi} and \textit{popolo} over Coriolanus proves that “if

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\textsuperscript{254} \textit{Discorsi} 1.7.10: “perché ne nasceva offesa de’ privati a’ privati, la quale offesa genera paura, la paura cerca difesa, per la difesa si procacciano partigiani, da’ partigiani nascono le parti nelle cittadi, dalle parti la rovina di quelle.” “For from that arises offense by private individuals against private individuals, which offense generates fear; fear seeks for defense; for defense they procure partisans; from partisans arise the parties in cities; from parties their ruin.”
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\textsuperscript{255} Rome succeeded in taming factionalism only during its early republican period.
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a citizen is crushed ordinarily, there follows little or no disorder in the republic, even though he has been done a wrong.”

The opposite occurred in Florence where the institution of public accusation was dysfunctional. When Francesco Valori was attacked by private arms, since he lacked lawful means of defense, he gathered partisans to defend himself. This resulted in a private feud between the opposing parties. “If one had been able to oppose him lawfully, his authority would have been eliminated with harm to him alone; but since he had to be eliminated extraordinarily, there followed harm not only to him but to many other noble citizens.” Similarly, because the Florentines lacked the legal means to vent their anger toward Piero Soderini, his gonfaloniership was marked by great instability.

Public accusation also eliminates another source of factionalism – hatred arising from slander. It discourages slander since it demands the accuser provide factual evidence and allows the accused to defend himself in public. Once again, Machiavelli juxtaposes Florence and Rome. In the absence of functioning system of public accusation, Florentine politicians were helpless in face of smear tactics. “From this it arose that on every side hatred surged; whence they went to division; from divisions to factions; from factions to ruin.”

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256 Discorsi 1.7.9: “se ordinariamente uno cittadino è oppresso, ancora che gli fusse fatto torto, ne sèguìa o poco o nessuno disordine in la republica.”

257 Discorsi 1.7.13: “E dove, quando per l’ordinario si fusse potuto opporsegli, sarebbe l’autorità sua spenta con suo danno solo, avendosi a spegnere per lo istrasordinario, segúi con danno non solamente suo, ma di molti altri nobili cittadini.”

258 Discorsi 1.7.14–16.

259 Discorsi 1.8.18: “Di che ne nasceva che da ogni parte ne surgeva odio, donde si veniva alla divisione, dalla divisione alla sette, dalle sette alla rovina.”
slandered after his failed attempt to capture Lucca, the enmity of his friends toward the accusers threw Florence into political chaos. But in Rome, when Manlius Capitolinus incited the popolo against the senate with a baseless accusation, he was asked to produce evidence in the public forum. When he failed to do so, he was put into prison without causing further disturbances.

To suppress factions, the government must be the sole entity that distributes reward and punishment. Not only must the people vent their anger through state institutions, its ambitious citizens must acquire fame only by working for the state. In the Florentine Histories, Machiavelli meticulously compares the public and private ways for citizens to gain glory:

Citizens in cities acquire reputation in two modes: either by public ways or by private modes. One acquires it publicly by winning a battle, acquiring a town, carrying out a mission with care and prudence, advising the republic wisely and prosperously. One acquires in private modes by benefiting this or that other citizen, defending him from the magistrates, helping him with money, getting him unmerited honors, and ingratiating oneself with the plebs with games and public gifts. From this later mode of proceeding, factions and partisans arise, and the reputation thus earned offends as much as reputation helps when it is not mixed with factions, because that reputation is founded on a common good, not on a private good. And although even among citizens so made one cannot provide by any mode that there will not be very great hatreds, nonetheless, having no partisans who follow them for their own utility, they cannot harm the republic; on the contrary, they must help it, because to pass their tests it is necessary for them to attempt to exalt the republic and to watch each other particularly so that civil bounds are not transgressed.

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260 Discorsi 1.8.22–27.


262 Istorie fiorentine 7.1.8–11: “E perciò è da sapere come in duoi modi acquistono riputazione i cittadini nelle città: o per vie publiche o per modi privati. Publicamente si acquista vincendo una giornata, acquistando una terra, facendo una legazione con sollecitudine e con prudenza, consigliando la republica saviamemente e felicemente; per modi privati si acquista benificando questo e quell’altro cittadino, defendendolo da’ magistrati, suvvenendolo di danari, tirandolo immeritamente alli onori, e con giochi e doni pubblici gratificandosi la plebe. Da questo modo di procedere nascono le sette e i partigiani; e quanto questa reputazione così guadagnata offende, tanto quella giova, quando ella non è con le sette mescolata, perché la è fondata sopra un bene commune, non sopra un bene privato. E
Factions and private favors are mutually reinforcing. When factions exist, ambitious man acquires reputation by serving and benefiting private individuals; and the beneficiaries become his partisans, augmenting the size and power of his faction. But in the absence of factions, promoting the common good becomes the only path to glory; so ambitious citizens naturally compete to serve the state in order to gain reputation. Since this public path to glory benefits the entire citizenry, it does not generate partisan supporters.

In the *Florentine Histories*, Machiavelli does not discuss how a republic can prevent ambitious men from acquiring power and glory through private favors. He merely traces how Cosimo de’ Medici cultivated his party through private benefits and ultimately extinguished Florentine liberty. To find Machiavelli’s solution for preventing the rise of such factional

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263 Books IV–VII of the *Florentine Histories* carefully trace the rise of Cosimo and his partisans, and their various strategies against the opposing factions. Especially relevant is Niccolò da Uzzano’s speech on Cosimo de’ Medici in
leader, we must turn to the work commissioned by his friends rather than by the Medici – the *Discourses on Livy*. In this work, Machiavelli illustrates how Rome prevented ambitious men from cultivating their patronage through private favors. To encourage citizens to gain reputation by benefitting the state, Rome established triumphs and public honors; and to punish those using private favors to acquire reputation, it instituted public accusations.264 And “if these were not enough, because the people were blinded by a species of false good, it ordered [the creation of] the dictator, who with his kingly arm made whoever had gone out of bounds return within them, as it did by punishing Spurio Maelius.”265 This extremely rich man distributed grain to the

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*Istorie fiorentine* 4.27.15–18: “L’opere di Cosimo che ce lo fanno sospetto sono: perché gli serve de’ suoi denari ciascuno, e non solamente i privati ma il publico, e non solo i Fiorentini ma i condottieri; perché favorisce quello e quell’altro cittadino che ha bisogno de’ magistrati; perché e’ tira, con la benivolenzia che gli ha nello universale, questo e quell’altro suo amico a maggiori gradi di onori. Adunque converrebbe addurre le cagioni del cacciarlo, perché gli è piatoso, oficioso, liberal e amato da ciascuno. Dimmi un poco: quale legge è quella che proibisca o che biasimi e danni negli uomini la pietà, la liberalità, lo amore? E benché sieno modi tutti che tirino gli uomini volando al principato, non di meno e’ non sono creduti cosí, né noi siamo sufficienti a darli ad intendere, perché i modi nostri ci hanno tolta la fede, e la città, che naturalmente è partigiana e, per essere sempre vivuta in parte, corrotta, non può prestare gli orecchi a simili accuse.”

264 *Discorsi* 3.28.13–14: “Debbé pertanto una república bene ordinata aprire le vie (come è detto) a chi cerca favori per vie publiche, e chiuderle a chi li cerca per vie private. Come si vede che fece Roma, perché, in premio di chi operava bene per il publico, ordinó i trionfi e tutti gli altri onori che la dava ai suoi cittadini, e in danno di chi sotto vari colori per vie private cercava di farsi grande, ordinó l’accuse.”

265 *Discorsi* 3.28.14: “e quando queste non bastassero, per essere accese il popolo da una spezie di falso bene, ordinó il dittatore, il quale con il braccio regio facesse ritornare dentro al segno chi ne fosse uscito, come la fece per punire Spurio Melio.”
hungry plebs and turned them into his partisans. Recognizing the danger of his liberality, the Roman senate set up a dictator and killed him.\textsuperscript{266}

Despite its institutional checks on faction, even the Roman republic eventually fell. According to Machiavelli, “two things were the cause of the dissolution of that republic: one was the contentions that arose from the agrarian law; the other, the prolongation of commands.”\textsuperscript{267}

The agrarian law generated immense enmity because it touched on the distribution of property rather than that of political office.\textsuperscript{268} The ensuing hostility between the \textit{grandi} and the \textit{popolo} was so potent that it could not be contained by existing laws and institutions. “It inflamed so much hatred from the plebs and the Senate that they came to arms and to bloodshed, beyond every civil mode and custom. So, since the public magistrates could not remedy it, the factions, placing no more hope in them, had recourse to private remedies, and each of the parties decided

\begin{footnotes}
\footnoteref{266}\textit{Discorsi} 3.28. This chapter’s discussion of factions and the private and public means of acquiring reputation is virtually identical to that of \textit{Istorie fiorentine} 7.1. Machiavelli thus intentionally draws a parallel between Spurius Maelius and Cosimo de’ Medici. The implication is clear: Florentine liberty would have been preserved if Florence possessed an institution to kill powerful citizens like Cosimo who blinded the people by conferring immense private benefits. The title of this chapter is revealing: “That one should be mindful of the works of citizens because many times underneath a merciful work a beginning of tyranny is concealed” (\textit{Discorsi} 3.28).

\footnoteref{267}\textit{Discorsi} 3.24.2: “due cose essere state cagione della risoluzione di quella republica: l’una furon le contentioni che nacquono dalla legge agraria, l’altra la prolungazione degli imperii.” See also \textit{Discorsi} 1.34.4: “Perché e’ non fu il nome né il grado del dittatore che facesse serva Roma, ma fu l’autorità presa dai cittadini per la diuturnità dello imperio.” “For it was neither the name nor the rank of dictator that made Rome servile, but it was the authority taken by citizens because of the length of command.”

\footnoteref{268}\textit{Discorsi} 1.37.24–25: “Vedesì per questo, ancora, quanto gli uomini stimano piú la roba che gli onori. Perché la nobiltà romana sempre negli onori cedè senza scandoli strasordinarii alla plebe; ma, come si venne alla roba, fu tanta la ostinazione sua nel difenderla, che la plebe ricorse, per isfogare l’appetito suo, a quegli istrasordinarii che di sopra si discorrono.” “One also sees through this how much more men esteem property than honors. For the Roman nobility always yielded honors to the plebs without extraordinary scandals, but when it came to property, so great was its obstinacy in defending it that the plebs had recourse to the extraordinary [means] that were discoursed of above to vent its appetite.” The \textit{grandi} ultimately care more about property than honor: they are willing to share political offices, but not their property. Dispute over the agrarian law would have been prevented if Rome had kept its citizens poor.
\end{footnotes}
to get a leader to defend it.”

The two humors had mutated into factions: they transgressed the laws, resorted to violence, and established as their leaders popular generals instead of public magistrates representing their interest. The outcome was civil war: “The plebs came first and gave reputation to Marius. ... As the nobility had no remedy against such a plague, it turned to favoring Sulla; and when he had been made head of its party, they came to civil wars. After much bloodshed and changing of fortune, the nobility was left on top.”

The temporary victory of the grandi did not last. The factional war was “revived at the time of Caesar and Pompey” and eventually extinguished Roman liberty.

Before the Gracchi, the contest between the popolo and the grandi was never excessively violent and always resulted in a compromise. But once this contest mutated into a factional strife organized around powerful leaders, it produced a civil war that ended with a decisive victory of

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269 *Discorsi* 1.37.16–17: “la trovò raddoppiata la potenza de’ suoi avversari, e si accese per questo tanto odio intra la plebe e il senato, che si venne alle armi e al sangue, fuori d’ogni modo e costume civile. Tale che, non potendo i pubblici magistrati rimediarsì, né sperando più alcuna delle fazioni in quegli, si ricorse ai rimedi privati, e ciascuna delle parti pensò di farsi uno capo che la difendesse.”

270 Both factions and humors prioritize their own interest over the common good. What distinguishes them are (1) their method for pursuing their private interest, and (2) the force that holds their members together – shared lifestyle (humors) or devotion to a particular leader (faction). The conceptual boundary between factions and humors, however, is not always clear-cut.

271 *Discorsi* 1.37.18–19: “la plebe, e volse la sua reputazione a Mario ... Contro alla quale peste non avendo la nobilità alcuno rimedio, si volse a favorire Silla; e, fatto quello capo della parte sua, vennero alle guerre civili, e dopo molto sangue e variare di fortuna rimase superiore la nobilità.”

272 *Discorsi* 1.37.20: “Risucitarono poi questi omori a tempo di Cesare e di Pompeio.”
one party. The leader of the victorious party, Caesar, became the “first tyrant in Rome, such that never again was that city free.”

The other key ingredient for factionalism that produced Caesar’s tyranny was the prolongation of commands. This practice of extending magistracy ended up nurturing factional leaders for two reasons: “one, that a lesser number of men were practiced in commands, and because of this they came to restrict reputation to a few; the other, that when a citizen remained commander of an army for a very long time, he would win it over to himself and make it partisan to him, for the army would in time forget the Senate and recognize that head.” Once the army mutated into a faction devoted to its general, “Sulla and Marius could find soldiers who would follow them against the public good” and “Caesar could seize the fatherland.”

Ultimately, factionalism was the fruit of the very success the Roman republic enjoyed. The success of the plebs in lifting the patrician monopoly of political office made them more ambitious; this led the plebs to attempt an agrarian law that provoked a violent response from the patricians. The great military conquests produced overly popular generals, and the enlarged empire required prolonged commands for effective governance. The influx of wealth from the

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273 *Discorsi* 1.37.20: “per che, fattosi Cesare capo della parte di Mario, e Pompeio di quella di Silla, venendo alle mani rimase superiore Cesare.” “For after Caesar had made himself head of Marius’s party, and Pompey that of Sulla, in coming to grips Caesar was left on top.”

274 *Discorsi* 1.37.20: “Cesare: il quale fu primo tiranno in Roma, tale che mai poi fu libera quella cittá.”

275 *Discorsi* 3.24.11: “La quale cosa fece due inconvenienti: l’uno, che meno numero di uomini si esercitarono negli imperii, e si venne per questo a ristregare la riputazione in pochi; l’altro, che stando uno cittadino assai tempo comandatore d’uno esercito, se lo guadagnava e facevaselo partigiano, perché quello esercito col tempo dimenticava il senato e riconosceva quello capo.”

276 *Discorsi* 3.24.12: “Per questo Silla e Mario poterono trovare soldati che contro al bene publico gli seguitassono; per questo Cesare potette occupare la patria.”

277 *Discorsi* 3.24.13: “Che se mai i Romani non avessono prolungati i magistrati e gli imperii, se non venivano sì tosto a tanta potenza, e se fussono stati più tardi gli acquisti loro, sarebbono ancora più tardi venuti nella servitú.”
distant provinces produced individuals who cannot exist in a “noncorrupt republic” – those who are “very rich” and have “many adherents and partisans.” The Roman hegemony had corrupted its citizens: “after the Romans had subdued Africa and Asia and had reduced almost all Greece to obedience, they became secure in their freedom, as it did not appear to them that they had any more enemies who ought to give them fear. This security and this weakness of their enemies made the Roman people no longer regard virtue but favor in bestowing the consulate.”

Machiavelli understands corruption primarily as the abandonment of the common good. Corruption is therefore inextricably linked to factions – groups that pursue their interest through private means and charismatic leaders instead of relying on laws and public magistrates. Indeed, the events that intensified factionalism are precisely the ones that Machiavelli describes as corrupting the Romans: the agrarian law transformed the clash between the grandi and the popolo into a factional conflict that transgressed existing laws; the prolongation of commands created charismatic generals whose soldiers became his partisans; and Roman hegemony produced citizens with excessive wealth and extensive patronage. These developments culminated in the rise of Caesar and the end of the Roman republic.

“For if the Romans had never prolonged magistracies and commands, if they would not have come so soon to so much power, and if their acquisitions had been later, they would have come later still to servitude.”

278 Discorsi 1.34.8: “a volere che un cittadino possa offendere e pigliarsi autorità istraordinaria, conviene che gli abbia molte qualità le quali in una republica non corrotta non può mai avere: perché gli bisogna esser ricchissimo e avere assai aderenti e partigiani, i quali non può avere dove le leggi si osservano.”

279 Discorsi 1.18.17–18: “perché, avendo i Romani doma la Africa e la Asia, e ridotta quasi tutta la Grecia a sua ubbidienza, erano divenuti sicuri della libertà loro, né pareva loro avere più nimici che dovessono fare loro paura. Questa sicurtà e questa debolezza de’ nimici fece che il popolo romano, nel dare il consolato, non riguardava piú la virtú, ma la grazia.”
Unlike the fundamental division between the *grandi* and the *popolo*, factional divisions can be and must be eliminated. As long as the natural humors are not infested by factions, their contest benefits rather than harms the republic: “all the laws that are made in favor of freedom arise from their disunion.”

Machiavelli drives this point home by distinguishing the early Roman republic from its later factional phase: “From the Tarquins to the Gracchi, which was more than three hundred years, the tumults of Rome rarely engendered exile and very rarely blood. Neither can these tumults, therefore, be judged harmful nor a republic divided.” The absence of factions, “this lack of corruption – men having a good end – was the cause that the infinite tumults in Rome did not hurt and indeed helped the republic.”

But Florence was never free from corruption. Unlike Rome, “the enmities in Florence were always accompanied by factions and therefore always harmful.” As a result, “orders and laws are made not for the public but for personal utility; hence wars, pacts, and friendships are decided not for the common glory but for the satisfaction of few. ... the laws, the statutes, and the civil orders have always been and still are ordered not in accordance with free life but by the ambitious of that party which has come out on top.”

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280 *Discorsi* 1.4.5: “e che e’ non considerino come e’ sono in ogni republica due umori diversi, quello del popolo e quello de’ grandi, e come tutte le leggi che si fanno in favore della libertà nascano dalla disunione loro.”

281 *Discorsi* 1.4.5–6: “da’ Tarquini ai Gracchi, che furano piú di trecento anni, i tumulti di Roma rade volte partorivano esilio, e radissime sangue. Né si possano per tanto giudicare questi tumulti nocivi, né una republica divisa.”

282 *Discorsi* 1.17.12: “la quale incorruzione fu cagione che gl’infiniti tumulti che furano in Roma, avendo gli uomini il fine buono, non nocerono, anzi giovorono alla republica.”


284 *Istorie fiorentine* 3.5.10–11: “di qui gli ordini e le leggi non per publica, ma per propria utilità si fanno: di qui le guerre, le paci, le amicizie non per gloria comune ma per sodisfazione di pochi si deliberano. ... le leggi, gli statuti,
common good was constantly neglected, and Florence predictably failed to secure either glory or liberty.\textsuperscript{285} And like the late Roman republic, Florence lost its liberty to the leader of the victorious faction: Cosimo de’ Medici emerged as the ultimate victor, and he made the Florentine republic his personal possession, establishing a \textit{de facto} tyranny.\textsuperscript{286}

When viewed with a proper understanding of Machiavelli’s theory of factions and humors, his defense of tumult appears less radical. Machiavelli clearly sides with the rest of the Florentine literati in vehemently condemning factionalism. Moreover, he concedes the possibility of banishing tumult from a republic: when certain conditions are met, one can order a calm republic like Venice and Sparta\textsuperscript{287} by denying political power to the \textit{popolo}.

What separates Machiavelli from other humanists is his belief that even if tumult and outward enmity are suppressed the social division underlying them cannot be eliminated. The \textit{grandi} and the \textit{popolo} will always exist because every society contains a division between the haves and have-nots. In Machiavelli’s eyes, even Sparta was a divided republic. It lived without tumult not because its citizenry was a harmonious whole, but simply because its \textit{popolo} did not resist the rule of the \textit{grandi}.\textsuperscript{288} Although Lycurgus had succeeded in achieving equal poverty of all citizens, Spartans were still divided into two groups: the nobles who possessed political

\textsuperscript{285} Discorsi 1.49.6–9; Discursus 14.

\textsuperscript{286} Machiavelli explicitly links Cosimo and Caesar as similar figures in Discorsi 1.33.8–14.

\textsuperscript{287} Discorsi 1.6.13: “avendo preso le leggi di Ligurgo con riputazione (le quali osservando levavano via tutte le cagioni de’ tomulti).” “The laws of Lycurgus were held in repute. (Since they were observed, they removed all causes of tumult).”

\textsuperscript{288} Discorsi 1.6.16.
power, and the commoners dispossessed of it. Even complete economic equality, Machiavelli suggests, cannot eliminate social division: citizens will still be divided into *grandi* and *popolo* based on inequality of rank, honor, and political power.

So a state without the two natural humors belongs to one of the “republics and principalities that have never been seen or known to exist in truth.” The illusion of a united republic must be dispelled. Those hoping to found a new state must aim at a more modest goal, a divided but factionless republic: “since a founder of a republic cannot provide that there be no enmities in it, he has to provide at least that there not be factions.” This only the Roman republic had achieved, but ironically, not by the founder’s foresight but through a series of accidents.

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289 *Discorsi* 1.6.14: “Perché Ligurgo con le sue leggi fece in Sparta piú equalità di susstanze, e meno equalità di grado; perché quivi era una equale povertà, e i plebei erano manco ambiziosi, perché i gradi della città si distendevano in pochi cittadini e erano tenuti discosto dalla plebe, né gli nobili col trattargli male dettino mai loro desiderio di avergli.”

290 *Principe* 15.4: “republiche e principati, che non si sono mai visti né conosciuti essere in vero.”

291 *Istorie fiorentine* 7.1.5: “coloro che sperano che una republica possa essere unita, assai di questa speranza s’ingannono.”

292 *Istorie fiorentine* 7.1.7: “Non potendo adunque provedere uno fondatore di una republica che non sieno inimicizie in quella, ha a provedere almeno che non vi sieno sette.”

293 *Discorsi* 1.2.3: “Perché ad alcune, o nel principio d’esse o dopo non molto tempo, sono state date da uno solo le leggi e ad un tratto, come quelle che furono date da Ligurgo agli Spartani; alcune le hanno avute a caso e in piú volte e secondo li accidenti, come ebbe Roma.”
Conclusion

The recognition that Machiavelli defends above all the balance of humors resolves the ongoing debate concerning his late conservatism. Black and Jurdjevic have recently argued that the more mature author of the Florentine Histories abandoned his earlier defense of the popolo. McCormick disagrees, claiming that Machiavelli remained a committed populist. As we can see, despite their disagreements scholars on both sides subscribe to the view of early Machiavelli as a champion of the popolo. This article revealed this shared premise as a misconception. As a defender of balance rather than the popolo, Machiavelli carves out a positive role for the grandi even in his early works. His criticism of the popolo is also not new to the Florentine Histories. He had already criticized the popolo in the Discourses when discussing ostracism and popular rule in Athens.

Just as problematic as the populist reading of The Prince and the Discourses is the attribution of a new elitist outlook to the Florentine Histories. The true novelty in this later work, I have shown, is the sharp distinction between the middle class popolo and the lower class plebe. Once we realize that Machiavelli directs his harshest criticism to the plebe and not to the popolo, the reading of the Florentine Histories as an anti-populist work becomes questionable.

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Machiavelli did not turn against the *popolo* in his old age nor was his younger self their whole-hearted defender.

Like his tempered support for the *popolo*, his method for analyzing politics also remained largely unchanged his whole life. To be sure, the novel distinction between the two groups of non-elites (*popolo, plebe*) made Machiavelli adopt a threefold scheme (*grandi, popolo, plebe*) in the *Florentine Histories*. Indeed, scholars have recently argued that the use of a tripartite analysis separates this historical work from his early writings which rely on a dualistic understanding of society (elites vs. non-elites). But this article has shown that Machiavelli deploys a threefold scheme even in his early work: in *The Prince*, he postulates three humors (*grandi, popolo, soldati*) to describe the main social forces operating within the Roman Empire. Tripartite analysis is thus not unique to the *Florentine Histories* nor does it represent a change in Machiavelli’s method. As in *The Prince*, he was merely choosing the analytical framework most suitable to his subject. Like the Roman Principate, Florence defied binary analysis so he turned to a threefold scheme to better capture its political dynamics.

But even when using a tripartite analysis, Machiavelli held on to a fundamentally dualistic view of society. He viewed the emergence of a third humor like the *plebe* and the *soldati* as contingent on unique historical circumstances: *popolo*’s victory over the *grandi* in Florence; and the excessive power of the praetorian guards in the Roman Principate. Only the two natural humors the *grandi* and the *popolo* exist in every city, and the preservation of their

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balance is a key to success for both republics and principalities. This was Machiavelli’s political creed. His unchanging faith in it overshadows the occasional differences between his early and later works.
Rousseau’s central statement on faction – what he calls either *association partiel* or *société partiel* – appears in Book two chapter three of the *Social Contract*. In this chapter titled “Whether the general will can err,” Rousseau explains the relationship between voting, factions, and the general will. There, when explaining his notion of partial association, he cites in his footnote Machiavelli’s distinction between harmful and beneficial divisions. The relevant paragraphs and footnote from the *Social Contract* are worth quoting in full:

> If, when an adequately informed people deliberates, the Citizens had no communication among themselves, the general will would always result from the large number of small differences, and the deliberation would always be good. But when factions arise, partial associations at the expense of the large association, the will of each one of these associations become general in relation to its members and particular in relation to the State; there can then no longer be said to be as many voters as there are men, but only as many as there are associations. The differences become less numerous and yield a less general result. Finally, when one of these associations is so large that it prevails over all the rest, the result you have is no longer a sum of small differences, but one single difference; then

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there is no longer a general will, and the opinion that prevails is nothing but a private opinion.

It is important, then, that in order to have the general will expressed well, there be no partial society in the State, and every Citizen state only his own opinion.* Such was the single sublime institution of the great Lycurgus. That if there are partial societies, their number must be multiplied, and inequality among them prevented, as was done by Solon, Numa, Servius. These are the only precautions that will ensure that the general will is always enlightened, and that the people make no mistakes.300

* It is true, says Machiavelli, that some divisions are harmful to republics and some are helpful. Those are harmful that are accompanied by factions and partisans; those are helpful that are maintained without factions and partisans. Thus, since a founder of a republic cannot provide that there be no enmities in it, he has to provide at least that there not be factions. Florentine Histories, Book VII.301

In the passage quoted by Rousseau, Machiavelli is expounding his view that every society contains a division between the haves and have-nots, that is, the grandi and the popolo. The division between these two natural humors benefits the state when unaccompanied by

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300 Rousseau, Contrat social II.3 (OC 3.371-2): “Si, quand le peuple suffisamment informé délibère, les Citoyens n’avoient aucune communication entre eux, du grand nombre de petites différences résulteroit toujours la volonté générale, et la délibération seroit toujours bonne. Mais quand il se fait des brigues, des associations partielles aux dépens de la grande, la volonté de chacune de ces associations devient générale par rapport à ses membres, et particulière par rapport à l’Etat; on peut dire alors qu’il n’y a plus autant de votans que d’hommes, mais seulement autant que d’associations. Les différences deviennent moins nombreuses et donnent un résultat moins général. Enfin quand une de ces associations est si grande qu’elle l’emporte sur toutes les autres, vous n’avez plus pour résultat une somme de petites différences, mais une différence unique; alors il n’y a plus de volonté générale, et l’avis qui l’emporte n’est qu’un avis particulier. Il importe donc, pour avoir bien l’énoncé de la volonté générale, qu’il n’y ait pas de société partiale dans l’État, et que chaque citoyen n’opine que d’après lui.* Telle fut l’unique et sublime institution du grand Lycurgue. Que s’il y a des sociétés partielles, il en faut multiplier le nombre et en prévenir l’inégalité, comme firent Solon, Numa, Servius. Ces précautions sont les seules bonnes pour que la volonté générale soit toujours éclairée, et que le peuple ne se trompe point.”

factions. Machiavelli’s *Discourses* chart how this occurred in the early Roman republic, where the contest between patricians (*grandi*) and plebeians (*popolo*) produced laws promoting political liberty and the common good.\(^{302}\) But this natural division harms the state when infested with factions – groups organized around powerful individuals rather than along class lines. This happened during the late Roman republic, where factional division (Marius vs. Sulla) became superimposed on the traditional divide between patricians and plebeians. The result was civil war.\(^{303}\)

For Machiavelli, while factions can be suppressed, the two natural humors can never be eliminated. The division between the *grandi* and the *popolo* exists always and everywhere. So “those who hope that a republic can be united are very much deceived in this hope.”\(^{304}\) This pregnant sentence immediately precedes the passage from the *Florentine Histories* quoted by Rousseau. But Rousseau omits it, since unlike Machiavelli he believes that a republic can be united: Lycurgus achieved this in Sparta by eliminating all partial associations.\(^{305}\) As a result, when a Spartan citizen voted, he stated his own opinion uninfluenced by factional interests. This meant that every outcome of the vote was a clear enunciation of the general will.

But Rousseau adds that even in the presence of factions, voting can produce an enlightened general will. This occurred in Athens and Rome whose lawgivers multiplied and

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\(^{302}\) Machiavelli’s classic statement occurs in *Discorsi* 1.4.

\(^{303}\) *Discorsi* 1.37.

\(^{304}\) *Istorie fiorentine* 7.1.5: “coloro che sperano che una republica possa essere unita, assai di questa speranza s’ingannono.”

\(^{305}\) In Machiavelli’s view, the division between the *grandi* and the *popolo* existed even in Sparta. Lycurgus succeeded in suppressing the enmity between the two humors, but could not eliminate the humors themselves. See Machiavelli, *Discorsi* 1.6.
prevented inequality among partial associations. This method, according to Rousseau, was implemented by Solon, Numa, and Servius. Like Lycurgus, they are famous ancient legislators whom Rousseau deeply admired, and Rousseau never explicitly states that this Atheno-Roman remedy for factions is inferior to the Spartan one.  

Problematically, Rousseau illustrates his two methods for controlling factions only by naming the ancient lawgivers. Each of these legislators passed many laws, and to identify the specific law Rousseau has in mind, we must turn to Plutarch’s Lives — his main source for the laws of Solon, Numa, and Lycurgus.

I

Lycurgus

In Plutarch’s Lycurgus, we find four major Lycurgan reforms that together established complete harmony among Spartan citizens. (1) communal education and military training (agoge) strengthened civic ties and thereby prevented the emergence of private interests distinct from the common interest. (2) Common meals (syssitia), sumptuary laws, and redistribution

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306 To be sure, a case can be made for Rousseau’s preference for the Lycurgan solution over the Atheno-Roman one. Rousseau’s favorite author Plutarch prefers Lycurgus over all other legislators, and Rousseau himself often reserves the highest praise for Lycurgus and Sparta.

307 Rousseau provides no modern examples, further complicating the interpretation of his solutions for factions.

308 Plutarch, Lycurgus 25.3: “In a word, he trained his fellow-citizens to have neither the wish nor the ability to live for themselves; but like bees they were to make themselves always integral parts of the whole community, clustering together about their leader, almost beside themselves with enthusiasm and noble ambition, and to belong wholly to their country.”

309 Plutarch views common messes primarily as a sumptuary measure that prevented display and enjoyment of luxuries. Plutarch, Lycurgus 10: “With a view to attack luxury still more and remove the thirst for wealth, he introduced his third and most exquisite political device, namely, the institution of common messes, so that they might eat with one another in companies, of common and specified foods, and not take their meals at home, reclining on costly couches at costly tables, delivering themselves into the hands of servants and cooks to be fattened in the dark, like voracious animals, and ruining not only their characters but also their bodies, by surrendering them
of land removed the divide between poor and rich citizens. (3) The creation of the Council of Elders (gerousia) moderated the conflict between the king and the people. (4) Division of citizens based on profession was also abolished: the merchant class disappeared with the introduction of iron money; artisans vanished with the ban on mechanical and superfluous

to every desire and all sorts of surfeit, which call for long sleeps, hot baths, abundant rest, and, as it were, daily nursing and tending. This was surely a great achievement, but it was a still greater one to make wealth “an object of no desire,” as Theophrastus says, and even “unwealth,” by this community of meals and simplicity of diet. For the rich man could neither use nor enjoy nor even see or display his abundant means, when he went to the same meal as the poor man; so that it was in Sparta alone, of all the cities under the sun, that men could have that far-famed sight, a Plutus blind, and lying as lifeless and motionless as a picture. For the rich could not even dine beforehand at home and then go to the common mess with full stomachs, but the rest kept careful watch of him who did not eat and drink with them, and reviled him as a weakling, and one too effeminate for the common diet.”

310 Plutarch, Lycurgus 8.1-4: “A second, and a very bold political measure of Lycurgus, in his redistribution of the land. For there was a dreadful inequality in this regard, the city was heavily burdened with indigent and helpless people, and wealth was wholly concentrated in the hands of a few. Determined, therefore, to banish insolence and envy and crime and luxury, and those yet more deep-seated and afflictive diseases of the state, poverty and wealth, he persuaded his fellow-citizens to make one parcel of all their territory and divide it up anew, and to live with one another on a basis of entire uniformity and equality in the means of subsistence, seeking preeminence through virtue alone, assured that there was no other difference or inequality between man and man than that which was established by blame for base actions and praise for good ones. Suiting the deed to the word, he distributed the rest of the Laconian land among the “perioeci,” or free provincials, in thirty thousand lots, and that which belonged to the city of Sparta, in nine thousand lots, to as many genuine Spartans. But some say that Lycurgus distributed only six thousand lots among the Spartans, and that three thousand were afterwards added by Polydorus; others still, that Polydorus added half of the nine thousand to the half distributed by Lycurgus. The lot of each was large enough to produce annually seventy bushels of barley for a man and twelve for his wife, with a proportionate amount of wine and oil. Lycurgus thought that a lot of this size would be sufficient for them, since they needed sustenance enough to promote vigour and health of body, and nothing else. And it is said that on returning from a journey some time afterwards, as he traversed the land just after the harvest, and saw the heaps of grain standing parallel and equal to one another, he smiled, and said to them that were by: “All Laconia looks like a family estate newly divided among many brothers”.”

311 Plutarch, Lycurgus 5.6-7: “Among the many innovations which Lycurgus made, the first and most important was his institution of a senate, or Council of Elders, which, as Plato says, by being blended with the “feverish” government of the kings, and by having an equal vote with them in matters of the highest importance, brought safety and due moderation into councils of state. For before this the civil polity was veering and unsteady, inclining at one time to follow the kings towards tyranny, and at another to follow the multitude towards democracy; but now, by making the power of the senate a sort of ballast for the ship of state and putting her on a steady keel, it achieved the safest and the most orderly arrangement, since the twenty-eight senators always took the side of the kings when it was a question of curbing democracy, and, on the other hand, always strengthened the people to withstand the encroachments of tyranny.”

312 Plutarch, Lycurgus 9.1-2: “Next, he undertook to divide up their movable property also, in order that every vestige of unevenness and inequality might be removed; and when he saw that they could not bear to have it taken from them directly, he took another course, and overcome their avarice by political devices. In the first place, he withdrew all gold and silver money from currency, and ordained the use of iron money only. Then to a great weight
arts;\textsuperscript{313} agriculture continued to be performed by foreign slaves (helots);\textsuperscript{314} thus all Spartan citizens became simply soldiers.\textsuperscript{315}

The Lycurgan reforms above can be classified into two categories. The first reform – the establishment of communal education and military training – solidified civic bonds. The other three measures – (1) sumptuary laws and redistribution of property, (2) transformation of all citizens into soldiers, and (3) creation of the Council of Elders – eliminated divisions based on wealth, occupation, and regime-preference. Their combined effect made Spartan citizens “to

and mass of this he gave a trifling value, so that ten minas’ worth required a large store-room in the house, and a yoke of cattle to transport it. When this money obtained currency, many sorts of iniquity went into exile from Lacedaemon. For who would steal, or receive as a bribe, or rob, or plunder that which could neither be concealed, nor possessed with satisfaction, nay, nor even cut to pieces with any profit? For vinegar was used, as we are told, to quench the red-hot iron, robbing it of its temper and making it worthless for any other purpose, when once it had become brittle and hard to work.”

\textsuperscript{313} Plutarch, \textit{Lycurgus} 9.3-4: “In the next place, he banished the unnecessary and superfluous arts. And even without such banishment most of them would have departed with the old coinage, since there was no sale for their products. For the iron money could not be carried into the rest of Greece, nor had it any value there, but was rather held in ridicule. It was not possible, therefore, to buy any foreign wares or bric-à-brac; no merchant-seamen brought freight into their harbours; no rhetoric teacher set foot on Laconian soil, no vagabond soothsayer, no keeper of harlots, no gold- or silver-smith, since there was no money there. But luxury, thus gradually deprived of that which stimulated and supported it, died away of itself, and men of large possessions had no advantage over the poor, because their wealth found no public outlet, but had to be stored up at home in idleness. In this way it came about that such common and necessary utensils as bedsteads, chairs, and tables were most excellently made among them.”

\textsuperscript{314} Plutarch, \textit{Lycurgus}, 2.1: “Of these ancestors of Lycurgus, Soüs was most famous, under whom the Spartans made the Helots their slaves.” Plutarch, \textit{Lycurgus} 24.3: “the Helots tilled their ground for them, and paid them the produce.”

\textsuperscript{315} Plutarch, \textit{Lycurgus} 4.5-6: “The Aegyptians think that Lycurgus visited them also, and so ardently admired their separation of the military from the other classes of society that he transferred it to Sparta, and by removing mechanics and artisans from participation in the government, made his civil polity really refined and pure. At any rate, this assertion of the Aegyptians is confirmed by some Greek historians.” Plutarch, \textit{Lycurgus} 24.1-3: “The training of the Spartans lasted into the years of full maturity. No man was allowed to live as he pleased, but in their city, as in a military encampment, they always had a prescribed regimen and employment in public service, considering that they belonged entirely to their country and not to themselves, watching over the boys, if no other duty was laid upon them, and either teaching them some useful thing, or learning it themselves from their elders. For one of the noble and blessed privileges which Lycurgus provided for his fellow-citizens, was abundance of leisure, since he forbade their engaging in any mechanical art whatsoever, and as for money-making, with its laborious efforts to amass wealth, there was no need of it at all, since wealth awakened no envy and brought no honour. Besides, the Helots tilled their ground for them, and paid them the produce.”
have neither the wish nor the ability to live for themselves; but like bees they were to make
themselves always integral parts of the whole community.”316 Thus “Sparta led the life, not of a
city under a constitution, but of an individual man under training and full of wisdom.”317 This
comprehensive uprooting of factional interests is what Rousseau describes as the “unique and
sublime institution of the great Lycurgus.”318 By ensuring that “there be no partial society in the
State, and every Citizen state only his own opinion” and not that of his faction, Lycurgus
succeeded in always having “the general will expressed well” in Sparta.319

II
Numa

The Lycurgan method of eradicating partial associations is not the sole way of protecting
the general will. The alternative way is to multiply and prevent inequality among factions, and
Rousseau cites Numa along with Solon and Servius as a lawgiver who took this route. In
Plutarch’s Numa, among the various Numan laws only one stands out as a clear instance of
multiplying divisions among citizens: the establishment of guilds. By instituting collegia, Numa
divided the Roman citizens into nine groups according to their profession,320 and thereby

316 Plutarch, Lycurgus 25.3.
317 Plutarch, Lycurgus 30.2.
318 Rousseau, Contrat social II.3 (OC 3.372): “l’unique et sublime institution du grand Lycurgue.”
319 Rousseau, Contrat social II.3 (OC 3.372) “Il importe donc, pour avoir bien l’énoncé de la volonté générale, qu’il
n’y ait pas de société partielle dans l’État, et que chaque citoyen n’opine que d’après lui.”
320 Plutarch mentions only nine guilds, but Amyot’s translation mistakenly mentions ten guilds.
supplanted the existing bipartite division based on tribal affiliation. Plutarch describes Numa’s ingenious maneuver in detail:

But of all his measures, the one most admired was his distribution of the people into groups according to their trades or arts. For the city was supposed to consist of two tribes, as has been said, although it had no consistency, but was rather divided into two tribes, and utterly refused to become united, or to blot out its diversities and differences. On the contrary, it was filled with ceaseless collisions and contentions between its component parts.

Numa, therefore, aware that hard substances which will not readily mingle may be crushed and pulverized, and then more easily mix and mingle with each other—owing to the smallness of their particles, determined to divide the entire body of the people into a greater number of divisions, and so, by merging it in other distinctions, to obliterate the original and great distinction, which would be lost among the lesser ones. He distributed them, accordingly, by arts and trades, into musicians, goldsmiths, carpenters, dyers, leather-workers, curriers, braziers, and potters.

The remaining trades he grouped together, and made one body out of all who belonged to them. He also appointed social gatherings and public assemblies and rites of worship befitting each body. And thus, at last, he banished from the city the practice of speaking and thinking of some citizens as Sabines, and of others as Romans; or of some as subjects of Tatius, and others of Romulus, so that his division resulted in a harmonious blending of them all together.321

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321 Plutarch, *Numa*, 17.1–4: “Τὸν δὲ ἄλλον αὐτοῦ πολιτευμάτων ἡ κατὰ τέχνας διανομή τοῦ πλῆθους μάλλον ἔτυμα ταχύμετα. τῆς πάρ πόλεως ἐκ δυεῖν γενόν, ὡσπερ ἐκρήκτητα, συνεστανί πολυνομίας, διεστισώσις δὲ μᾶλλον καὶ μηδενὶ τρόπῳ μᾶς γενέσθαι θυμηλάμην μὴ δὲν ἐξαλείψῃ τὴν ἐπερίττητα καὶ διαφοράν, ἀλλὰ συγκρούσις ἄπαστους καὶ ψυλλωτέρος τῶν μερῶν ἐγκύμωσις, διανοηθεὶς ὅτι καὶ τῶν συμάτων τὰ φύσει δύσμικα καὶ σκληρὰ καταβραυώντες καὶ διαφορώντες ἀναμινύουσιν, ὡς μικρότερος ἄλλοις συμβαίνοντα μᾶλλον, ἐγὼ κατατεμεῖν τομὰς πλείστος τὸ σύμπαν πλῆθος· έκ δὲ τούτων εἰς ἐτέρας ἐμβαλὼν διαφορὰς τὴν πρώτην ἐκείνην καὶ μεγάλην ἄφαιναι ταῖς ἐλάττοσιν ἐνδιασπαρέσθαι. ἦν δὲ ἡ διανομή κατὰ τὰς τέχνας, αὐλητῶν, χρυσοχων, τεκτόνων, βαρέων, σκυτοτόμων, σκυτοδεψάνων, χαλκῶν, κεραμών. τὰς δὲ λοιπὰς τέχνας εἰς ταύτο συναγαγὼν ἐν αὐτῶν ἐκ πασῶν ἀπέδειξε σύστημα. κοινονίας δὲ καὶ συνόδους καὶ θεοῦ τιμᾶς ἀποδοὺς ἐκάστος γένε προγονοῦσα. τότε πρώτον ἐκ τῆς πόλεως ἀνείλε τὸ λέγεσθαι· καὶ νομίζεσθαι τοὺς μὲν Ἀμφίκυως, τοὺς δὲ Ρομαίοις, καὶ τοὺς μὲν Τατίου, τοὺς δὲ Ῥομιλίου πολίτας, ὡστε τὴν διαίρεσιν εὐαρμοστικὴν καὶ ἀνάμειν πάντων γενέσθαι πρὸς πάντας.” Rousseau’s Greek was not very good, and he relied on Jacques Amyot’s French translation of Plutarch. Plutarque, *Numa Pompilius*, pp. 154–5: “Mais entre ses constitutions, on prise et loue sur toutes les autres celle qu’il fit touchant le département du peuple par métiers: car la ville de Rome semblait encore être composée de deux nations, comme nous avons dit ailleurs, et, pour mieux dire, était divisée en deux lignes, tellement qu’elle ne pouvait on ne voulait aucunement se réduire en un, n’étant pas possible d’en ôter entièrement toutes partialités, et faire qu’il n’y eût continuellement des querelles, noises et débats entre les deux parties. Parquoi il pensa que quand on veut mêler deux corps ensemble, qui pour leur durté ou contraiété de nature ne peuvent recevoir mélange l’un avec l’autre, on les brise et concasse le plus menu que l’on peut; car alors, pour la petites des parties, ils se confondent mieux l’un avec l’autre: aussi pensa-t-il qu’il valait mieux diviser encore tout le peuple en plusieurs petites parcelles, par le
Numa had inherited the throne from Romulus at the peak of factional dispute between the original Romans and the Sabines recently integrated into Rome.\textsuperscript{322} To defuse this pernicious
tribal division, Numa introduced new and more fine-grained divisions based on profession and thereby prevented civil war.\footnote{Numa multiplied partial associations directly, rather than passing a law that allowed citizens to voluntarily form such associations. This is a clear case of the state, rather than individuals, generating partial associations.}

All evidence points to the establishment of guilds as what Rousseau has in mind when he cites Numa as a lawgiver who multiplied partial associations.\footnote{The editor of the Pléiade also shares this view. See \textit{OC} 3.1457 (372n2).} The creation of guilds is the only Numan policy that clearly increased the number of divisions among citizens. Moreover, Plutarch extols this measure for unifying the nascent Rome and labels it as Numa’s greatest achievement.\footnote{Curiously, only Plutarch attributes to Numa the creation of guilds. Livy and Dionysius of Halicarnassus do not attribute to Numa the creation of these occupational associations. Plutarch’s source is unclear. See Steven Epstein, \textit{Wage Labor and Guilds in Medieval Europe} (Chapel Hill: University of North Carolina Press, 1991), pp. 11-12.} Furthermore, Rousseau relied on the French translation of Plutarch’s \textit{Lives} by Jacques Amyot, who describes Numa’s creation of guilds as an instance of replacing one kind of \textit{partialités} with another.\footnote{Amyot translates “ἐταράξη καὶ διαφοράν” (diversities and differences) and “διαφοράζ” (distinctions) as \textit{partialités}. \textit{Plutarque, Numa Pompilius}, p. 155: “car la ville de Rome semblait encore être composée de deux nations, comme nous avons dit ailleurs, et, pour mieux dire, était divisée en deux lignes, tellement qu’elle ne pouvait on ne voulait aucunement se réduire en un, n’étant pas possible d’en ôter entièrement toutes \textit{partialités} … pensa-t-il qu’il valait mieux diviser encore tout le peuple en plusieurs petites parcelles, par le moyen desquelles il les jetterait en autres \textit{partialités} [emphasis mine].”} This suggests that Rousseau may have derived his notion of \textit{association partiel} from Amyot’s translation of Plutarch’s \textit{Numa}.

But if Numa multiplied partial associations, in what sense did he prevent inequality among them? Here the case is less clear. Plutarch provides no information about the relative power of the two tribes before and after the creation of \textit{collegia}. He also has nothing to say about Pompon, a person of distinction, whose name was Numa.” For a full account of Numa’s life and institutions, see Dionysius of Halicarnassus, \textit{Roman Antiquities} 2.57-76 and Livy, \textit{History of Rome} 1.17-21.
the relative size of these occupational guilds. To be sure, Plutarch’s description suggests that the nine guilds received equal treatment: Numa “appointed social gatherings and public assemblies and rites of worship befitting each body.”

Perhaps each guild had roughly the same number of members, as there is no hint that one guild overpowered the rest. But these are all speculations. Rousseau probably had in mind Solon or Servius, not Numa, as a lawgiver who prevented inequality among partial associations.

Rousseau’s reference to Numa’s creation of guilds provides several insights into Rousseau’s thought on faction and civic divide. First, multiplying partial associations is not about simply increasing the number of existing divisions. It entails the introduction of new and more benign divisions that supplant the more dangerous ones. Indeed, Numa did not increase the number of tribal factions, but instead introduced guilds; he thus divided citizens according to their profession for the first time. Second, Rousseau’s notion of partial association is broad enough to include guilds and ethnic tribes. But at the same time, it is a precise term that refers to divisions that cut across the entire citizenry: the two tribes comprised the whole Roman populace, and Numa re-divided them by assigning every citizen to an occupational guild. That partial associations are all-encompassing divisions is confirmed by Rousseau’s reference to

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327 Plutarch, Numa 17.3.

328 Powerful guilds often dominated other guilds in certain epochs and states (for example, Florence during the Renaissance). If we assume that Numa created guilds of roughly equal size, Numa’s creation of guilds would fulfill both of these two requirements. This is not an unwarranted assumption: the eight arts mentioned were all prominent occupations; the combined number of citizens devoted to other trades may have been roughly equal to the number of citizens devoted to one of the eight major trades. The absence of farmers among the seven arts is understandable, but also intriguing. Farmers are not artisans. However, Plutarch claims that Numa introduced nine occupational associations in order to “divide the entire body of the people into a greater number of divisions.”

329 By referring to Numa’s creation of guilds as a positive instance of multiplying partial associations, Rousseau makes his stance on guilds and commerce ambiguous.
Lycurgus as a legislator who eliminated them: he transformed Sparta into a harmonious whole by removing civic divides based on profession, wealth, and regime-preference. Third, Rousseau wants the government to play an active role in suppressing factionalism among citizens. His examples, Numa and Lycurgus, are statesmen who used the power of law and government to defuse existing factions.

Rousseau’s decision to contrast the Lycurgan and Numan method – eliminating versus multiplying factions – suggests his reliance on Plutarch and his preference for Lycurgus: Plutarch juxtaposes the two lawgivers in Comparison of Lycurgus and Numa, and comes down decisively in favor of the Spartan lawgiver. Despite his admiration for Numa’s religious and political institutions, Plutarch excoriates Numa for failing to see the importance of communal education: “Lycurgus proves that Numa was no more than an ordinary lawgiver. For Numa left the bringing up of youths to the wishes or necessities of their fathers.” As a result, Roman citizens lived “like passengers on a ship, each coming with a different object and purpose, and each therefore uniting with the rest for the common good only in times of peril, through fear of private loss, but otherwise consulting only his own interests.” In contrast, Lycurgus raised the Spartan boys communally so that “they might be moulded and fashioned from the very outset so as to walk harmoniously together in the same path of virtue.” By putting the state in charge of education, Lycurgus “made the emulous love of his government an integral part of their rearing,”

330 Plutarch, Comparison of Lycurgus and Numa 4.2.
331 Plutarch, Comparison of Lycurgus and Numa 4.3.
332 Plutarch, Comparison of Lycurgus and Numa 4.5.
and the Spartan zeal for the common good in turn ensured the “stability and permanence of his laws.”

In addition to Numa’s failure to provide public education, Plutarch mentions two additional mistakes by which this Roman lawgiver weakened civic unity. Unlike Lycurgus, Numa did not forestall the civic divides arising from different occupations and economic inequality:

And surely, as regards the arrangement and classification of the citizens under their respective governments, Numa’s was strongly popular [ὀχλική] and inclined to favour the masses [θεραπευτική τοῦ πλῆθους], resulting in a promiscuous and variegated commonalty of goldsmiths, musicians, and leather-workers; but that of Lycurgus was rigid [αὐστηρὰ] and aristocratic [ἀριστοκρατική], relegating the mechanical arts into the hands of slaves and aliens, but confining the citizens themselves to the use of the shield and the spear, so that they were artificers of war and servants of Ares, but knew and cared for nothing else than to obey their commanders and master their enemies. For freemen were not even permitted to transact business, that they might be entirely and forever free, but the whole apparatus of business was turned over to slaves and Helots, just like the preparation and serving of their meals. Numa, on the contrary, made no such distinctions, but, while he put a stop to military rapacity, he prohibited no other gainful occupation. Nor did he reduce the great inequalities resulting therefrom, but left the acquisition of wealth wholly unrestricted, and paid no attention to the great increase of poverty and its gradual influx into the city.

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333 Plutarch, Comparison of Lycurgus and Numa 4.5.

334 Plutarch, Comparison of Lycurgus and Numa 2.3-5: “Καὶ μὴν τῆς τε διατάξεως καὶ τῆς διαφέρουσας τῶν πολιτευμάτων ὀχλικῆ μὲν ἄκρατος ἢ τοῦ Νομίμου καὶ θεραπευτικῆ τοῦ πλῆθους, ἐκ χρυσοχοίνικας καὶ σιδεριτῶν καὶ σκυταλιῶν συμμειγμένη τινα καὶ παμπομπησκόν αὐστηροντος δήμου, αὐστηρὰ δὲ ἡ Λυκούργου καὶ ἀριστοκρατική, τὰς μὲν βανάους ἀποκαθαίρουσα τέχνες εἰς οἰκείαν καὶ μεταξικόν γείρας αὐτοὺς δὲ τοὺς πολῖτας εἰς τὴν ἀστικὰ καὶ τὸ δόρυ συνάγοσα, πολέμιον χειροτέχνας καὶ θεραπεύσας ἄρειος ὄντας, ἀλλὰ δὲ οὐδὲν εἰδότας οὐδὲ μελετώντας ὡς πείθονται τοῖς ἀρχομένοις καὶ κρατεῖ τὸν πολέμιον. Οὐδὲ γὰρ χρηματίζεσθαι τοῖς ἐλευθέρους ἐξήν, ἢν ἐλεύθεροι παντελῶς καὶ καθαρὰς ὄσιν, ἀλλὰ ἡ περὶ τὰ χρήματα κατασκευαὶ δεδομένη δοῦλος καὶ Ἐλληνικὸς, ὥσπερ ἡ περὶ τὸ δείλινον καὶ ὄρον διακοινίως. Νομίας δὲ οὐδὲν δείκνυε τοιοῦτον, ἀλλὰ τὰς μὲν στρατιωτικὰς ἐπαύς πλανεξίας, τοὺς δὲ ἄλλους οὐκ ἐκώλυσε χρηματισμοῖς, οὐδὲ τὴν τινας τὴν καταστορεύσαν ἀναμιλάνη, ἀλλὰ καὶ πλοῦτον προΐνει μέχρι παντὸς ἐφήκε, καὶ πενίας πολλῆς ἀθροιζομένης καὶ ὑπορροφοῦσας εἰς τὴν πόλιν ἡμέλησε.”
Plutarch praises Lycurgus for his aristocratic policy of dividing the Spartan populace into two distinct groups: (1) slaves and foreigners performing agriculture, commerce, and mechanical arts; and (2) citizens devoting themselves solely to war and military practice. In contrast, Numa yielded to the desire of the masses and thus allowed all citizens to practice various gainful professions. This was the inevitable outcome of leaving the education of the youth in the hands of their fathers. For any father could “if he wished, make his son a tiller of the soil, or a shipwright, or might teach him to be a smith or a flute-player, as if it were not important that all of them should be trained with one and the same end in view from the outset, and have their dispositions formed alike.” For Plutarch, division based on occupation – though more benign than tribal division – weakened civic unity. So despite his lavish praise for Numa’s creation of guilds which defused tribal factions, Plutarch considers this method of multiplying divisions among citizens as inferior to the Lycergan method of eliminating them.

Since Plutarch views the complete harmony among citizens as the ideal, he criticizes Numa for allowing another division among citizens – economic inequality. Plutarch considers the divide between the rich and the poor as a natural outcome of allowing citizens to engage in gainful professions; and he faults Numa for failing to reduce the resulting economic inequality. For Plutarch – a Platonist who deeply admired the Spartan political system and the kallipolis

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335 This is also the preferred arrangement of Plato and Aristotle.

336 Plutarch, *Comparison of Lycurgus and Numa* 4.2-3.

337 As a proponent of Sparta’s aristocratic arrangement, Plutarch cares only about the unity among citizens, and is indifferent to the powerful division between citizens and non-citizens (slaves and foreigners).
portrayed in Plato’s *Republic* – Numa’s lax regulation of citizens’ economic activities was simply too “un-aristocratic” for his taste.

Since Plutarch shows a marked preference for Lycurgus over Numa, his devoted reader Rousseau probably also favors the Lycurgan remedy for factions. Indeed, while Rousseau extols the elimination of partial associations as a “unique and sublime institution of the great Lycurgus,” he simply lists Numa along with Solon and Servius as a lawgiver who multiplied partial associations.

### III

#### Solon

Rousseau juxtaposes Solon and Lycurgus to highlight their different approach to defusing factions. But Plutarch’s *Solon* and *Lycurgus* portray them as uniting their citizens by passing similar laws. They both redistributed wealth to reduce the economic gap between the poor and the rich. And they resolved the dispute between the elites and commoners by creating new

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338 Rousseau, *Contrat social* II.3 *(OC 3.372)*: “l’unique et sublime institution du grand Lycurgue.”

339 Plutarch’s *Solon* seems largely based on Aristotle’s *Athenian Constitution*, Part 5–16.

340 However, the redistributive policy of Lycurgus was more radically egalitarian: Lycurgus redistributed land while Solon did not. Plutarch, *Solon* 16.1: “He [Solon] pleased neither party, however; the rich were vexed because he took away their securities for debt, and the poor still more, because he did not re-distribute the land, as they had expected, nor make all men equal and alike in their way of living, as Lycurgus did.”
councils.\textsuperscript{341} Lycurgus established the Council of Elders (\textit{gerousia}); and Solon founded the Areiopagus and the Council of 400.\textsuperscript{342}

Despite these similarities, Plutarch considers Solon as a lawgiver inferior to Lycurgus: like Numa, Solon made the same mistake of regulating the lives of citizens in a lax manner. Unlike Lycurgus “whose city was free from swarms of strangers,” Solon allowed the continuous influx of foreigners.\textsuperscript{343} Lycurgus managed to “set his citizens free from laborious and mechanical occupations and confine their thoughts to arms, giving them this one trade to learn and practice.”\textsuperscript{344} But Solon “turned the attention of the citizens to the arts of manufacture, and

\textsuperscript{341} Plutarch, \textit{Solon} 19.1-4. Plutarch uses the same ship metaphor to describe the new councils established by Lycurgus and Solon. Plutarch, \textit{Lycurgus} 5.7: “By making the power of the senate a sort of ballast for the ship of state and putting her on a steady keel, it achieved the safest and the most orderly arrangement.” Plutarch, \textit{Solon} 19.2: “The city with its two councils, riding as it were at double anchor, would be less tossed by the surges, and would keep its populace in greater quiet.”

\textsuperscript{342} Throughout this paper, the institutional history and details of ancient political system are all taken from Plutarch. Rousseau’s understanding of Solon was probably based mostly on Plutarch’s \textit{Solon} and discussion of Solon by other writers such as Machiavelli and Montesquieu. Aristotle’s \textit{Athenian Constitution} was excavated only in 1879, so Rousseau had no knowledge of this text. I do not engage in a detailed discussion over which Athenian institutions can be correctly attributed to Solon. For such discussion, see Hansen, Mogens Herman. \textit{The Athenian democracy in the age of Demosthenes: structure, principles and ideology}, 1991. I focus purely on Rousseau’s understanding of Solonian reforms.

\textsuperscript{343} Plutarch, \textit{Solon} 22.1-2. Unlike Solon, Lycurgus restricted both immigration and emigration. Plutarch, \textit{Lycurgus} 27.3-4: “This was the reason why he did not permit them to live abroad at their pleasure and wander in strange lands, assuming foreign habits and imitating the lives of peoples who were without training and lived under different forms of government. Nay more, he actually drove away from the city the multitudes which streamed in there for no useful purpose, not because he feared they might become imitators of his form of government and learn useful lessons in virtue, as Thucydides says, but rather that they might not become in any wise teachers of evil. For along with strange people, strange doctrines must come in; and novel doctrines bring novel decisions, from which there must arise many feelings and resolutions which destroy the harmony of the existing political order. Therefore he thought it more necessary to keep bad manners and customs from invading and filling the city than it was to keep out infectious diseases.” Solon did not, however, grant citizenship to foreigners carelessly. Plutarch, \textit{Solon} 24.2: “He permitted only those to be made citizens who were permanently exiled from their own country, or who removed to Athens with their entire families to ply a trade. This he did, as we are told, not so much to drive away other foreigners, as to invite these particular ones to Athens with the full assurance of becoming citizens; he also thought that reliance could be placed both on those who had been forced to abandon their own country, and on those who had left it with a fixed purpose.”

\textsuperscript{344} Plutarch, \textit{Solon} 22.3.
enacted a law that no son who had not been taught a trade should be compelled to support his father.”

He acted exactly like Numa who delegated the upbringing of the children to their fathers instead of providing communal education. Solon also “gave dignity to all the trades, and ordered the council of the Areiopagus to examine into every man’s means of livelihood, and chastise those who had no occupation.” And again like Numa who did not enact agrarian law, Solon “did not redistribute the land, as they had expected, nor make all men equal and alike in their way of living, as Lycurgus did.”

345 Plutarch, *Solon* 22.2.

346 Plutarch, *Comparison of Lycurgus and Numa* 4.2-3: “Numa left the bringing up of youths to the wishes or necessities of their fathers. A father might, if he wished, make his son a tiller of the soil, or a shipwright, or might teach him to be a smith or a flute-player.”

347 Plutarch, *Solon* 22.3. According to Plutarch, Solon made citizens engage in mechanical arts and gainful professions since most land of Attica was not suitable for agriculture. In contrast, Numa encouraged citizens to engage in agriculture. Plutarch’s *Numa* 16.3-4: “He wished to remove the destitution which drives men to wrongdoing, and to turn the people to agriculture, that they might be subdued and softened along with the soil they tilled. For there is no other occupation which produces so keen and quick a relish for peace as that of a farmer’s life, where so much of the warrior’s daring as prompts a man to fight for his own, is always preserved, while the warrior’s licence to indulge in rapacity and injustice is extirpated. Numa, therefore, administering agriculture to his citizens as a sort of peace-potion, and well pleased with the art as fostering character rather than wealth, divided the city’s territory into districts, to which he gave the name of “pagi,” and in each of them he set overseers and patrols. But sometimes he would inspect them in person, and judging of the characters of the citizens from the condition of their farms, would advance some to positions of honour and trust; while others, who were indolent and careless, he would chide and reproach, and so try to make them sensible.” See also Dionysius of Halicarnassus, *Roman Antiquities* 2.76. Livy does not mention Numa’s economic measures or territorial reforms; he discusses only religious institutions of Numa.

348 Plutarch, *Comparison of Lycurgus and Numa* 2.6: “But as regards the redistribution of the land, Lycurgus, in my opinion, is not to be censured for making it, nor Numa for not making it. In the one case, the resulting equality was the foundation and base of his polity; but in the other, since the allotment of lands was recent, there was no urgent reason for introducing another division, or for disturbing the first assignment, which probably was still in force.” In Sparta, there was a greater need for agrarian law due to extreme economic inequality. Plutarch, *Lycurgus* 8.1: “For there was a dreadful inequality in this regard, the city [Sparta] was heavily burdened with indigent and helpless people, and wealth was wholly concentrated in the hands of a few.” In nascent Rome, the gap between the poor and the rich was insignificant. Plutarch, *Comparison of Lycurgus and Numa* 2.5: “there was no general or great disparity of means, but people [Romans] still lived on much the same plane.”

Although Plutarch ranks Solon and Numa below Lycurgus, he acknowledges that the different social background of these lawgivers and their method (coercion versus persuasion) determined the rigor of their reforms. Numa and Solon regulated the lives of citizens with more lenient and popular policies, while Lycurgus effectuated a more austere and aristocratic arrangement; so Lycurgus had to rely on coercion, while Numa and Solon could enact their laws simply through persuasion. However, persuading Roman citizens was no easy task for Numa due to his Sabine origin, and Plutarch extols him for overcoming this difficulty: “this remains a great feature in Numa’s career, and one really divine, that he was a stranger, and yet was summoned to the throne, where he changed the whole nature of the state by force of persuasion alone.”\textsuperscript{350} He accomplished his reforms “without appeal to arms or any violence (unlike Lycurgus, who led the nobles in arms against the commons), but by his wisdom and justice won the hearts of all the citizens and brought them into harmony.”\textsuperscript{351}

Unlike Numa, Lycurgus was a complete insider. He was born into a family of Spartan kings. Nevertheless, he had to use coercion to accomplish his reforms because his task of eliminating luxury was inherently more challenging than Numa’s task of turning citizens away from war: “the task was more difficult in the case of Lycurgus. For his efforts were to persuade the citizens, not to take off their breast-plates and lay aside their swords, but to cast away gold and silver.”\textsuperscript{352} This explains how Numa “accomplished all his ends by persuasion, through the

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\textsuperscript{350} Plutarch, \textit{Comparison of Lycurgus and Numa} 4.8.
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\textsuperscript{352} Plutarch, \textit{Comparison of Lycurgus and Numa} 1.3.
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good-will and honour in which his people held him,” while Lycurgus “had to risk his life and suffer wounds, and scarcely then prevailed.”

When Plutarch compares Lycurgus with Solon, he again highlights the different social status of the lawgivers and their method of reform:

Lycurgus was eleventh in descent from Heracles, and had been king in Lacedaemon for many years. He therefore had great authority, many friends, and power to support his reforms in the commonwealth. He also employed force rather than persuasion, insomuch that he actually lost his eye thereby, and most effectually guaranteed the safety and unanimity of the city by making all its citizens neither poor nor rich. Solon, on the contrary, could not secure this feature in his commonwealth, since he was a man of the people and of modest station; yet he in no wise acted short of his real power, relying as he did only on the wishes of the citizens and their confidence in him.

Like Numa, Solon was not born into a ruling family, so he lacked the necessary political means and connections to effectuate a radical economic reform. Yet, abolishing inequality is such a difficult task that even Lycurgus, who possessed great authority and powerful friends, could accomplish it only through coercion. Plutarch thus holds a nuanced view of the three legislators who laid the foundation of Sparta, Athens, and Rome. While preferring the thoroughgoing reforms of Lycurgus, Plutarch recognizes that such a task requires coercion and that Numa and Solon lacked the political capital to enact such radical measures.

Despite these concessions, Plutarch ultimately puts Lycurgus above Solon and Numa; for only Lycurgus instituted communal education and thereby succeeded in making his laws

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353 Plutarch, *Comparison of Lycurgus and Numa* 1.4.

permanent. Only this Spartan lawgiver refused to delegate the upbringing of the youths to their parents since he recognized the importance of shaping the character of future citizens. He carefully regulated the training and education of children, and thereby “infused his laws, as it were, into their characters, and made the emulous love of his government an integral part of their rearing. The result was that for more than five hundred years the sovereign and fundamental features of his legislation remained in force, like a strong and penetrating dye.”

In contrast, Numa failed to secure his legacy: “That which was the end and aim of Numa’s government, namely, the continuance of peace and friendship between Rome and other nations, straightway vanished from the earth with him. After his death the double doors of the temple which he had kept continuously closed, as if he really had war caged and confined there, were thrown wide open, and Italy was filled with the blood of the slain. Thus not even for a little time did the beautiful edifice of justice which he had reared remain standing, because it lacked the cement of education.”

Only the religious institutions created by Numa survived his death. Similarly, Solon failed to secure the aim and permanence of his institutions. Without the communal education that inscribes the laws and patriotism on the heart of citizens, Solon’s reforms succeeded in unifying Athenians only temporarily. “The people of Athens were again divided into factions while Solon was away.” And “Solon lived to see with his own eyes the dissolution of his polity.”

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355 Plutarch, *Comparison of Lycurgus and Numa* 4.5.

356 Plutarch, *Comparison of Lycurgus and Numa* 4.6.

357 Plutarch, *Solon* 29.1.

358 Plutarch, *Comparison of Solon and Publicola* 3.3.
Rousseau inherited Plutarch’s ranking of the three ancient lawgivers. Like his favorite author, Rousseau saves the highest praise for Lycurgus, but also admires Solon and Numa. Indeed, he lists all three of them as lawgivers who succeeded in protecting the general will. While inheriting Plutarch’s framework, however, Rousseau shifts the emphasis to factions. For Plutarch, the contrast is between the lax and popular regulation of citizens through persuasion (Solon and Numa) against the strict and aristocratic reform relying on coercion (Lycurgus). For Rousseau, the contrast is between the Spartan method of eliminating partial associations versus the Atheno-Roman method of multiplying and equalizing them. As we saw, Numa replaced a two-fold division based on tribes with a nine-fold division based on guilds. But in what sense did Solon increase the number of partial associations?

In Plutarch’s *Solon*, the only Solonian reform that multiplied the division among citizens is the creation of four property classes. And there exists an unmistakable parallel between Solon’s property classes and Numa’s occupational guilds: both were introduced to supplant the pernicious division splitting the entire citizenry, and their introduction saved the republic.

Both Solon and Numa took the helm of the state when their homeland was on the verge of civil war. In Rome, the original Romans (followers of Romulus) and the newly admitted citizens of Sabine origin (followers of Tatius) were engaged in a factional dispute. These two tribal factions agreed upon Numa as a successor to Romulus: the original Romans endorsed Numa because he had an excellent reputation, and those of Sabine origin trusted him because he was one of them. Beseeching Numa to assume the throne, they “begged him not to plunge

359 Plutarch, *Numa* 3.2-3: “it was agreed by both factions that one should appoint a king from the other. This was thought the best way to end their prevailing partisanship, and the king thus appointed would be equally well-disposed to both parties, being gracious to the one as his electors, and friendly to the other because of his kinship with them. Then, as the Sabines gave the Romans their option in the matter, it seemed to them better to have a
them again into faction and civil war, since there was none other on whom both parties could unite." Similarly, Solon was chosen as a trustworthy mediator who could save his homeland from a potential civil war between the rich and the poor. “The wisest of the Athenians” approached Solon, and “besought him to come forward publicly and put an end to the prevailing dissensions.” But in Athens, the main fault line that divided citizens was not tribal affiliation but wealth. And the wise among both the rich and poor Athenians trusted Solon because he

Sabine king of their own nomination, than to have a Roman made king by the Sabines. They took counsel, therefore, among themselves, and nominated Numa Pompilius from among the Sabines, a man who had not joined the emigrants to Rome, but was so universally celebrated for his virtues that, when he was nominated, the Sabines accepted him with even greater readiness than those who had chosen him.”


361 Plutarch, *Solon* 13.2-3: “the disparity between the rich and the poor had culminated, as it were, and the city was in an altogether perilous condition; it seemed as if the only way to settle its disorders and stop its turmoils was to establish a tyranny. All the common people were in debt to the rich. For they either tilled their lands for them, paying them a sixth of the increase (whence they were called Hectemorioi and Thetes), or else they pledged their persons for debts and could be seized by their creditors, some becoming slaves at home, and others being sold into foreign countries. Many, too, were forced to sell their own children (for there was no law against it), or go into exile, because of the cruelty of the money-lenders. But the most and sturdiest of them began to band together and exhort one another not to submit to their wrongs, but to choose a trusty man as their leader, set free the condemned debtors, divide the land anew, and make an entire change in the form of government.”


363 Plutarch also mentions that Athenians were divided into three territorial factions based on the type of government they preferred: extreme oligarchy, extreme democracy, and moderate mixed government. Although he hints that the faction that favors extreme democracy consists mainly of the poor, he does not identify the constituents for the other two factions. Plutarch describes Solon’s reforms as resolving the conflict between the rich and the poor, and not those of the three territorial factions. Plutarch, *Solon* 13.1: “the Athenians, now that the Cylonian disturbance was over and the polluted persons banished, as described, relapsed into their old disputes about the form of government, the city being divided into as many parties as there were diversities in its territory. The Hill-men favoured an extreme democracy; the Plain-men an extreme oligarchy; the Shore-men formed a third party, which preferred an intermediate and mixed form of government, was opposed to the other two, and prevented either from gaining the ascendancy.” Plutarch, *Solon* 29.1: “But the people of Athens were again divided into factions while Solon was away. The Plain-men were headed by Lycurgus; the Shore-men by Megacles the son of Alcmæon, and the Hill-men by Peisistratus. Among the last was the multitude of Thetes, who were the bitter enemies of the rich. As a consequence, though the city still observed the new laws, yet all were already expecting a revolution and desirous of a different form of government, not in hopes of an equality, but each party thinking to be bettered by the change, and to get the entire mastery of its opponents.” Compare with Aristotle, *Athenian Constitution* 13.4–5: “The factions were three: one was the party of the Men of the Coast, whose head was Megacles the son of Alcmæon, and they were thought chiefly to aim at the middle form of constitution; another was the party of the Men of the Plain, who desired the oligarchy, and their leader was Lycurgus; third was the party of the Hillmen, which had appointed
was “neither associated with the rich in their injustice, nor involved in the necessities of the poor.”

To resolve the factional dispute arising from economic inequality, Solon implemented two key policies. First, he appeased the poor by remitting all existing debts, and placated the rich by resisting the poor’s demand for the redistribution of land. Although this policy gratified neither the poor nor the rich, soon “they perceived the advantages of his measure” and “appointed Solon to reform the constitution and make new laws, laying no restrictions whatever upon him.” Endowed with this plenipotentiary power, Solon immediately proceeded to enact his second policy – the creation of property classes. He divided Athenians into four classes, and denied citizens belonging to the poorest class (thetes) from holding office while allowing them to attend assemblies and serve as jurors. The aim of this policy was “to leave all the magistracies

Peisistratus over it, as he was thought to be an extreme advocate of the people. And on the side of this party were also arrayed, from the motive of poverty, those who had been deprived of the debts due to them, and, from the motive of fear, those who were not of pure descent; and this is proved by the fact that after the deposition of the tyrants the Athenians enacted a revision of the roll, because many people shared the citizenship who had no right to it. The different parties derived their names from the places where their farms were situated.”

Plutarch, Solon 14.1. This is yet another parallel between Solon and Numa: both were deemed trustworthy mediators by both factions.

Plutarch, Solon 15.3: “For the first of his public measures was an enactment that existing debts should be remitted, and that in future no one should lend money on the person of a borrower.”

Plutarch, Solon 16.1: “He pleased neither party, however; the rich were vexed because he took away their securities for debt, and the poor still more, because he did not re-distribute the land, as they had expected, nor make all men equal and alike in their way of living, as Lycurgus did.”

Plutarch, Solon 16.3.

Plutarch, Solon 18.1-2: “In the second place, wishing to leave all the magistracies in the hands of the well-to-do, as they were, but to give the common people a share in the rest of the government, of which they had hitherto been deprived, Solon made an appraisement of the property of the citizens. Those who enjoyed a yearly increase of five hundred measures (wet and dry), he placed in the first class, and called them Pentakosiomedimnoi; the second class was composed of those who were able to keep a horse, or had a yearly increase of three hundred measures, and they were called Hippada Telountes, since they paid a Knight’s tax; the members of the third class, whose yearly increase amounted to two hundred measures (wet and dry together), were called Zeugitai. All the rest were called Thetes;
in the hands of the well-to-do, as they were, but to give the common people a share in the rest of the government, of which they had hitherto been deprived.” Solon thus satisfied the rich by opening magistracy only to the top three property classes, and appeased the poor by allowing the lowest property class to participate in courts and assemblies.

Solon’s creation of property classes clearly qualifies as an instance of multiplying partial associations. The new and benign division based on four property classes supplanted the bipartite division based on economic disparity. By replacing the harmful division with a new and finer one, Solon prevented a rebellion of the poor against the rich. This perfectly parallels Numa’s creation of nine guilds that supplanted the two tribal factions. In both instances, the entire citizenry was divided into two opposing camps, and these lawgivers defused this pernicious division by introducing new and more numerous divides.

they were not allowed to hold any office, but took part in the administration only as members of the assembly and as jurors. This last privilege seemed at first of no moment, but afterwards proved to be of the very highest importance, since most disputes finally came into the hands of these jurors.”

369 Plutarch, Solon 18.1.

370 The editor of the Pléiade also thinks that Rousseau mentions Solon with his creation of property classes in mind. See OC 3.1457 (372n2).

371 Plutarch, Solon 13.3: “But the most and sturdiest of them [the poor] began to band together and exhort one another not to submit to their wrongs, but to choose a trusty man as their leader, set free the condemned debtors, divide the land anew, and make an entire change in the form of government.”

372 Plutarch hints at the existence of middle-class Athenian citizens who belonged to neither the rich nor the poor. But he mentions them only once in passing, and his narrative consistently describes Athens as being divided into the rich and the poor. Plutarch, Solon, 14.3: “Many citizens, too, who belonged to neither party, seeing that it would be a laborious and difficult matter to effect a change by means of argument and law, were not reluctant to have one man, the justest and wisest of all, put at the head of the state.” Plutarch’s likely source, Aristotle also describes the entire Athenian citizenry as being divided into the rich and the poor. Aristotle, Athenian Constitution 5.1–2: “the many being enslaved to the few, the people rose against the notables. The party struggle being violent and the parties remaining arrayed in opposition to one another for a long time, they jointly chose Solon as arbitrator and Archon, and entrusted the government to him.”
Like Numa’s guilds, however, it is difficult to see in what sense Solon’s property classes prevented inequality among partial associations. In fact, Solon’s property classes are clearly unequal: the lowest property class (thetes) could not hold office, while the other three classes could. To be sure, Solon did reduce the inequality among partial associations in one important sense: before Solon, the poor Athenians lacked any share of political power; and in allowing the thetes to serve as jurors, he granted them a share of political power for the first time. In other words, Solon reduced the political inequality between two original partial associations – the rich and the poor. Nevertheless, he clearly did not establish complete equality among the new partial associations that he created. The four property classes possessed unequal political rights.

IV
Servius Tullius

Rousseau cites Servius Tullius as a third legislator who multiplied and equalized partial associations. But unlike Numa and Solon, Servius lacks a biography dedicated to him in Plutarch’s Lives. Nevertheless, Plutarch provides a short but revealing sketch of Servius’s life in “On the Fortune of the Romans.” This work portrays Servius as a virtuous lawgiver who brought order to the Roman election and military procedures. It also mentions that he greatly increased the power of the people. Servius apparently disliked monarchy to the extent that he even

373 Plutarch, Solon 18.1-5.
374 Plutarch, “On the Fortune of Romans” in Moralia 4:357: “Servius Tullius, the man who of all the kings most increased the power of his people, and introduced a well-regulated government and imposed order upon both the holding of elections and military procedure, and became the first censor and overseer of the lives and decorum of the citizens, and held the highest repute for courage and wisdom, of his own initiative attached himself to Fortune and bound his sovereignty fast to her, with the result that it was even thought that Fortune consorted with him.”
considered resigning his kingship.\textsuperscript{375} Plutarch’s depiction of Servius as a champion of the people may explain why Rousseau groups him together with Numa and Solon: these three lawgivers enacted popular reforms that pleased the masses, in contrast to the aristocratic Lycurgus who implemented rigorous reforms through coercion.

Rousseau describes in detail the reforms of Servius in the \textit{Social Contract}. This sharply contrasts with his reticence on the laws of Lycurgus, Numa, and Solon. Perhaps Rousseau thought that the specific law which he had in mind would be self-evident to anyone who has read Plutarch’s \textit{Lycurgus}, \textit{Numa}, and \textit{Solon}. But because Plutarch did not write \textit{Servius}, Rousseau may have felt the need to personally describe how Servius defused partial associations.

Book IV chapter four of the \textit{Social Contract} analyzes the electoral reforms of Servius. Faithful to its title “Of the Roman Comitia,” this chapter examines how Servius reorganized the three administrative divisions (Curia, Century, and Tribe) that served as a basis for three Roman voting assemblies – \textit{comitia curiata}, \textit{comitia centuriata}, and \textit{comitia tributa}.\textsuperscript{376} Among the reforms of Servius, his restructuring of tribes stands out as a clear instance of multiplying and

\textsuperscript{375} Plutarch, “On the Fortune of Romans” in \textit{Moralia} 4:363: “Inasmuch as he of all kings is thought to have been naturally the least suited to monarchy and the least desirous of it, he who was minded to resign the kingship, but was prevented from doing so; for it appears that Tanaquil on her death-bed made him swear that he would remain in power and would ever set before him the ancestral Roman form of government.”

\textsuperscript{376} This chapter is crucial for understanding Rousseau’s notion of general will since it constitutes Rousseau’s most extended treatment of voting. Rousseau examines the various principles of voting by studying the Roman comitia because he considers Rome as the most instructive and relevant example for modern republics: unlike ancient Greek republics, Rome was neither based on slavery nor limited to a small territory and population. For Rousseau, Rome was an extended republic with a large population. The people were its sovereign, and its government mixed elements of aristocracy and direct democracy. \textit{Contrat social} IV.3: “Il me resteroit à parler de la maniere de donner & de recueillir les voix dans l’assemblée du peuple; mais peut-être l’historique de la police Romaine à cet égard expliquera-t-il plus sensiblement toutes les maximes que je pourrois établir. Il n’est pas indigne d’un lecteur judicieux de voir un peu en détail comment se traitoient les affaires publiques & particulières dans un conseil de deux cent mille hommes.” “Moreover I do not excuse the faults of the Roman People, I have stated them in the Social Contract; I blamed it for having usurped the executive power that it should have only held in check.” Despite its flaws, Rousseau considers Rome as the best government in history.
equalizing partial associations. When the population size of the three original Roman tribes (Albans, Sabines, and foreigners) became unequal due to continuous immigration of foreigners,377 Servius re-divided the entire Roman citizenry:

After the founding of Rome the nascent Republic, that is to say the founder’s army, composed of Albans, Sabines, and foreigners, was divided into three classes which, from this division, took the name Tribes. ... This initial appointment soon gave rise to an inconvenience. The Tribes of the Albans [Ramnenses] and that of the Sabines [Tatienses] remained forever in the same state, while that of the foreigners [Luceres] kept on growing by their continuous influx, so that before long it exceeded the other two. The remedy Servius found for this dangerous abuse was to change the division, and to substitute for the division by race, which he abolished, another division based on the city district which each Tribe occupied. Instead of three Tribes, he made four; each of which occupied one of the hills of Rome and bore its name. Thus at the same as he remedied the existing inequality he forestalled its future recurrence; and so that this might be a division not only of districts but of men, he forbade the inhabitants of one quarter to move to another, which prevented the races from mingling.378

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377 Rousseau views the three original Roman tribes as ethnic units. On this traditional view that has been discredited by modern scholarship, see T. J. Cornell, *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000–264 BC)* (London: Routledge, 1995), p. 114–5: “The sources tell us that the population of early Rome was divided into three tribes, called Tities, Ramnes and Luceres, which were themselves subdivided into thirty smaller units called curiae, ten to each tribe. The tribes were the basis of the earliest military organisation of the state: the army consisted of 300 cavalry and 3,000 infantry, each tribe supplying 100 and 1,000 men respectively. According to tradition the Ramnes took their name from Romulus, and the Tities from Titus Tatius. There is less certainty about the Luceres, but the majority of the sources state that they were named after Lucumo, an Etruscan warrior who helped Romulus. This tradition provides the warrant for the modern theory that the tribes represent three different ethnic groups, Romans, Sabines and Etruscans, who together made up the population of early Rome. ... As a matter of fact no source explicitly states that the tribes were ethnic units, or even that the Ramnes were the followers of Romulus, the Tities of Titus Tatius, and the Luceres of Lucumo (which is not necessarily the same thing). ... Modern research is rightly sceptical of attempts to interpret archaic social divisions in terms of “natural” or pre-existing kinship groups, and has established that they tend to be artificial creations characteristic of organised states. To this extent the traditional account of the founding of the tribes by Romulus is closer to the truth than nineteenth-century ethnic theories. ... The idea that three different ethnic groups each formed ten curiae, and that the army consisted of equal units of Romans, Sabines and Etruscans, is absurd.”

378 Servius probably divided the tribe of foreigners into two tribes, while not touching the two smaller tribes composed of Albans and Sabines, respectively. It is unclear why Servius prevented the mingling of races, which would have weakened racial divisions. From Rousseau’s perspective, Servius may have done this because mingling of races could result in an unequal size of tribes. For example, if Albans mingled with foreigners while Sabines did not, this would result in a larger Alban-foreigner tribe and a smaller Sabine tribe. Livy also attributes the creation of four tribes to Servius. However, Livy does not mention the creation of new rural tribes; Livy merely states that
This Servian reform perfectly exemplifies the Atheno-Roman method of defusing factions – that “if there are partial societies, their number must be multiplied, and inequality among them prevented.”

Servius increased the number of tribes from three to four; and by redistributing citizens into four tribes, he restored the equality in population size among the tribes. He also changed the organizational basis of tribes from race to district. This ensured that the future influx of foreigners would not make one tribe larger than another and thus disrupt the balance among tribes. New immigrants would no longer be assigned to the one tribe reserved for foreigners since the original tribes based on race were now abolished. Instead, immigrants would be dispersed into all four tribes according to their residential district. The reform of Servius strongly resembles that of Numa. Both weakened the pernicious tribal division by

Servius enlarged the city. See Livy, *History of Rome*, 1.43: 153-159. For the account given by Dionysius of Halicarnassus, see *Roman Antiquities*, Book 4.14: 313-321. According to Dionysius, Servius no longer based taxation and civic duties “upon the three national tribes, as foretime, but upon the four local tribes established by himself.” Servius also divided the countryside and created rural tribes.

Rousseau, *Contrat social* II.3 (OC 3.372): “Que s’il y a des sociétés partielles, il en faut multiplier le nombre et en prévenir l’inégalité.”

Neither Livy nor Dionysius mentions Servius equalizing population size. Livy 1.43: “For, having divided the City according to its inhabited regions and hills into four parts, he named them “tribes”.” Dionysius 4.14: “After Tullius had surrounded the seven hills with one wall, he divided the city into four regions, which he named after the hills, calling the first the Palatine, the second the Suburan, the third the Colline, and the fourth the Esquiline region; and by this means he made the city contain four tribes, whereas it previously had consisted of but three.’

According to Rousseau, Servius forbade the inhabitants from moving to a different district to prevent the races from mingling, thus preserving a racial character of tribes. Rousseau mentions this curious fact in passing without discussing the significance of this measure. Livy does not mention this Servian policy. Dionysius explains the ban on changing one’s residence as a measure to facilitate the levy and taxation of citizens. Dionysius 4.14: “he ordered that the citizens inhabiting each of the four regions should, like persons living in villages, neither take up another abode nor be enrolled elsewhere; and the levies of troops, the collection of taxes for military purposes, and the other services which every citizen was bound to offer to the commonwealth, he no longer based upon the three national tribes, as aforetime, but upon the four local tribes established by himself. And over each region he appointed commanders, like heads of tribes or villages, whom he ordered to know what house each man lived in.”
multiplying partial associations: Numa made the division between two ethnic tribes less salient by introducing nine occupational guilds; and Servius changed the basis of guilds from ethnicity to district and then equalized the number of members for each tribe.

**Conclusion**

The study of four ancient legislators reveals that Rousseau’s notion of *association partiel* is very broad in scope. It encompasses natural civic divides based on ethnicity, wealth, occupation, and regime-preference; it also includes state-instituted divisions like tribes, guilds, property classes. Yet, all partial associations share one key feature: they split the entire citizenry. The harmful ones embroil the whole state and endanger its survival: the clash between the original Romans and those of Sabine origin threatened to erupt in civil war; the imbalance in size among the tribes of Albans, Sabines, and foreigners destabilized Rome; and in Athens, the poor citizens were on the verge of revolting against the rich. Rousseau’s great legislators established more benign partial associations to divide the whole citizenry on a new basis. Numa created guilds to make citizens identify more with their profession and less with their tribes. Servius rearranged Rome’s tribal system to group citizens based on district instead of ethnicity. Solon divided all Athenians into four property classes to supplant the bipartite division between the rich and the poor.

It is worth noting that these new partial associations were all created by legislators. The state – under the helm of Numa, Solon, and Servius – established guilds, property classes, and

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382 Plutarch, *Numa*, 367. Plutarch portrays the guilds as encompassing the entire Roman people rather than just Roman artisans.
tribes based on residential district. Rousseau envisions the state, not individual citizens, to multiply partial associations. Government must actively intervene to defuse harmful civic divides by replacing them with new ones.

*Association partiel* is thus very different from what the word “association” conjures up in our minds. Most modern associations are voluntary associations – groups created and joined by willing individuals. But none of Rousseau’s examples are voluntary in any sense. The positive kind of partial associations that he describes (guilds, property classes, and administrative tribes) are those established and regulated by the state: each citizen is simply assigned to a group based on some criteria determined by the government. Harmful partial associations are civic divides that emerge naturally from difference in ethnicity, wealth, occupation, or regime-preference. And both types of partial associations divide the whole citizenry. In contrast, modern lobbies, unions, interest groups, and religious associations encompass only a small fraction of citizens. Modern political parties come closer to Rousseau’s notion of partial associations: the entire citizenry can be divided and classified according to party-affiliation. Yet, political parties are neither natural divides nor artificial creations of the state. And there exists no consensus as to whether they are harmful or beneficial.

Small private associations do not appear among Rousseau’s examples for *association partiel*. They simply do not worry him. Nor is he hostile to such groups. In fact, Rousseau

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383 For example, AARP has many members, but it does not have a counter-association to which the rest of the citizens belong. Pro-Choice vs. Pro-Life divide citizens to two groups, but only a small proportion of citizens actually belong to such organization and actively act on behalf of these groups.

384 In modern states, there is a significant number of citizens who are not affiliated with any political party. In other words, modern political parties do not completely divide the whole citizenry. In contrast, every citizen falls into a particular tribe or a particular property class instituted by Roman and Athenian legislators.
believes that they can even foster patriotism and civic unity. He praises Numa and Lycurgus for establishing private associations in *Political Fragments*: “Both of them established many spectacles, assemblies, and ceremonies; many Colleges and private societies in order to engender and foment among the Citizens those sweet habits and that innocent and disinterested commerce that forms and nourishes love of the fatherland.”\(^{385}\) Here, Rousseau is referring to the Roman guilds; Numa created these *collegia* and “appointed social gatherings and public assemblies and rites of worship befitting each body.”\(^{386}\) As for the privates societies created by Lycurgus, what Rousseau has in mind are the Spartan common messes (*syssitia*).\(^{387}\) Lycurgus divided Spartans into many groups of fifteen citizens that shared a common meal. Since each dining club was exclusive and its members ate together regularly, a strong sense of camaraderie must have developed within each group.\(^{388}\)

There is nothing unusual about Rousseau’s positive appraisal of Roman guilds and Spartan dining clubs. These institutions were often cited as examples of beneficial intermediary bodies, and Jean Bodin did precisely this in *Les Six Livres de la République* (1576):

> the first Princes and lawgivers, who have not yet discovered the difficulties of keeping their subjects by justice, maintained guilds,

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\(^{385}\) Rousseau, *Fragments Politiques* (OC 3.542): “Ils établirent tous deux beaucoup de spectacles, d’assemblées et de cérémonies; beaucoup de Collèges et de sociétés particulières pour engendrer et fomenter entre les Citoyens ces douces habitudes et ce commerce innocent et desintéressé qui forment et nourrissent l’amour de la patrie.” Although Rousseau does not identify Numa and Lycurgus by name, the parallel between Rousseau’s descriptions and Plutarch’s *Numa* and *Lycurgus* leaves no doubt that Rousseau is referring to these two lawgivers. The editor of the Pléiade also shares this view. See OC 3.1537.

\(^{386}\) Plutarch, *Numa* 17.3. Plutarch portrays Numa’s occupational *collegia* (guilds) as fostering civic unity, and religious *collegia* as taming the warlike nature of Romans (Plutarch, *Numa* 8.1–3)

\(^{387}\) Plutarch does not mention other Lycurgan institutions that could be characterized as private societies or *collegia*.  

\(^{388}\) Plutarch, *Lycurgus* 10.1-3, 12.1-7. For Aristotle’s account, see *Politics* 1271a27-38, 1272a1-5, 1272a14-29.
colleges, and communities; for by bringing the parts and members of the same Republic into agreement among themselves, it would be easier to regulate the whole Republic. So we see that Numa, the King and lawgiver of the Romans—after abolishing the name of the Sabines, who were somewhat disunited from the Romans—established guilds and colleges for all crafts, and to each guild appointed certain patrons, priests, and special sacrifices. And later a guild of merchants was founded, to whom he gave Mercury as their patron, after the example of Solon, who by his law permitted all guilds and communities and granted them the power to make such statutes as they wished, provided that they did not conflict with public law. Lycurgus also not only permitted, but strictly commanded the maintenance of such communities, both general as well as particular, and required all subjects to partake in common meals in colleges consisting of fifteen persons each. These they called *philitia* because of the sworn friendship the members had for one another.⁴⁸⁹

In the above passage, Bodin gleans the detailed policies of ancient legislators from Plutarch’s *Numa*, *Solon*, and *Lycurgus*.⁴⁹⁰ He portrays these lawgivers as inducing harmony among citizens by promoting intermediary bodies: creating guilds based on occupations (Numa); permitting private societies and granting them the power to legislate their own statutes (Solon);

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⁴⁹⁰ Bodin explicitly cites Plutarch’s *Solon* and *Lycurgus*. While the Lycgan institution cited by Bodin is mentioned in Plutarch’s *Lycurgus*, Plutarch does not mention Solon institution the law that created guild and communities. Perhaps Bodin confused Solon’s law that required every citizen to acquire a profession with the creation of guilds; see Plutarch, *Solon*, p. 465. Bodin does not explicitly cite Plutarch’s *Numa*, but he is undeniably relying on Plutarch’s *Numa* because Plutarch is the only ancient historian who attributes the creation of guilds to Numa. Livy and Dionysius of Halicarnassus, the other two key sources for ancient Rome, do not mention Numa instituting guilds.
and requiring the maintenance of associations and instituting dining clubs consisting each of fifteen citizens (Lycurgus).

Since Rousseau claims that Lycurgus eliminated all partial associations, Spartan dining clubs cannot be one of them. For Rousseau, such small intermediary bodies do not obstruct the clear expression of the general will; so the government need not suppress them. What worries Rousseau are divisions that threaten to dissolve the political bond holding citizens together – divisions based on wealth (rich vs. poor) and regime-preference (aristocrats vs. democrats).
“We shall conclude this subject, with observing the falsehood of the common opinion, that no large state, such as FRANCE or GREAT BRITAIN, could ever be modelled into a commonwealth, but that such a form of government can only take place in a city or small territory. The contrary seems probable.” Thus David Hume concludes his essay “Idea of a Commonwealth” (1754) with a striking reversal of Montesquieu’s famous claim that small territory suits republics and large territory monarchies. But before putting down his pen, Hume presented another radical thesis: “Though it is more difficult to form a republican government in an extensive country than in a city; there is more facility, when once it is formed, of preserving it steady and uniform, without tumult and faction.” Because “the parts are so distant and remote” in a large republic, “it is very difficult, either by intrigue, prejudice, or passion, to hurry them into any measures against the public interest.”

Hume’s assertion that extended republics are less vulnerable to factions was repeated thirty-three years later in America. Defending this large nascent republic, one of its chief

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architects James Madison advanced a virtually identical thesis in Federalist 10. The uncanny resemblance between these two claims was first noticed by Douglass Adair, and since then, scholars have painstakingly charted Hume’s influence on Madison. Now, Madison’s debt to Hume is widely acknowledged. When formulating his defense of large republics, Madison was following Hume’s footsteps rather than walking on untrodden path.

Nevertheless, Federalist 10 appears original in two crucial aspects. It presents proliferation of factions as one of the reasons why extended republics enjoy greater immunity from factionalism. This seemingly paradoxical claim becomes intelligible when combined with Madison’s second innovative thesis: majority faction poses the gravest threat to republics. Since extended territory naturally encompasses a greater number of factions, majority faction rarely forms in large republics.

Yet, this formula – majority faction as a true menace to republics, and proliferation of factions as its remedy – was not Madison’s invention. This time, he was borrowing from Hume’s unusual guest from France: Jean-Jacques Rousseau. Twenty-five years prior to the publication of Federalist 10, Rousseau had rehearsed the same argument in his Social Contract.

Madison’s originality, I will show, lies in supplying an alternative to Rousseau’s proposed method for multiplying factions. Madison argues that Rousseau’s solution – artificial

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393 Douglass Adair, “‘That Politics may be Reduced to a Science’: David Hume, James Madison, and the Tenth Federalist.” Huntington Library Quarterly 20 (4) (1957), pp. 343-360.

creation of factions by government intervention – entails pernicious side effects when carried out by an ordinary statesman. Therefore, Madison opts for a natural proliferation of factions within an extend territory. This leads him to champion representation – a principle that enables republican government to operate over a large territory.

This paper investigates the oft-overlooked solution to factions which Madison briefly considers in Federalist 10: “enlightened statesmen” who can adjust the “clashing interests, and render them all subservient to the public good.” In the course of this investigation, I consider the remedies for factions proposed by Rousseau, Madison, and Hamilton: elimination or multiplication of factions by a great legislator (Rousseau); natural proliferation of factions in an extended republic or arbitration of factional interests by a virtuous senate wielding a federal negative (Madison); and a check on the factious popular legislature by a senate, which is in turn checked by an executive possessing an absolute negative (Hamilton). This will reveal Madison’s debt to both Rousseau and Hamilton in formulating his celebrated remedy for factions.

Since Rousseau’s influence on Madison let alone Federalist 10 remains virtually unacknowledged, I begin by analyzing the documents in which Madison explicitly cites Rousseau: Madison’s notes and essays for the National Gazette. I then juxtapose Federalist 10 with a key chapter of Rousseau’s Social Contract, titled “Whether the General Will can Err.” Next, I turn to Rousseau’s influence on Hamilton’s political thought. I end by examining Hamilton’s theory of factions and its influence on Madison.

395 Federalist 10 in Madison Papers, 10: 266.
Rousseau in Madison’s *National Gazette* essays (1791-1792)

“Had Rousseau lived to see the constitutions of the United States and of France, his judgment might have escaped the censure to which his project has exposed it.” Thus Madison concludes his essay “Universal Peace” (1792) written for the *National Gazette*. Reviewing Rousseau’s *Project of Perpetual Peace*, Madison praises “our republican philosopher” for his philanthropic intention, but criticizes his endorsement of “a confederation of sovereigns” as a remedy for war. Rather than resorting to utopianism, “he ought to have commenced with, and chiefly relied on” “a reformation of the government, as may identify its will with the will of the society.” If Rousseau had seen the realization of his ideal republic in France and America, “after tracing the past frequency of wars to a will in the government independent of the will of the people … he would contemplate, in a reform of every government subjecting its will to that of the people, the only hope of universal and perpetual peace.”

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397 This work is Rousseau’s abridgment of *Projet de paix perpétuelle* of Charles-Irénée Castel, abbé de Saint-Pierre. Although Rousseau is sympathetic to this work, it does not fully reflect Rousseau’s stance on international relations. Rousseau’s critical commentary on it, “Judgment of the Plan for Perpetual Peace,” remained unpublished until his death. Like Voltaire, Madison wrongly imputes the charge of utopianism to Rousseau as he assumes Rousseau’s abridgment of abbé de Saint-Pierre’s work as expressing Rousseau’s own views. See the editor’s introduction for *The Collected Writings of Rousseau*, vol. 11, ed. Roger D. Masters and Christopher Kelly, trans. Judith R. Bush and Christopher Kelly (Hanover, NH: University Press of New England, 2005), p. xiii.


400 “Universal Peace” for the *National Gazette*, 23 January 1792 in *Madison Papers*, 14: 208. In fact, Rousseau hints in another work that a state whose government has usurped sovereignty is more likely to go to war. “Princes are not in the habit of sparing others in order to face danger themselves.” But the situation would change if “the Prince is himself subject to the laws of the state; for if he is subject to them, his person is tied to the state and his life belongs to it like that of the least citizen.” Rousseau, “The State of War” in *the Social Contract and Other Later Political Writings*, p. 167. However, Rousseau never explicitly claims that republics are less belligerent than other
Rousseau’s influence permeates Madison’s other National Gazette essays, especially those in which Madison discusses opinion of the public. In his essay “Public Opinion” (1791) Madison studies how government can shape unsettled public opinion (Rousseau devotes an entire chapter of the Social Contract to analyze how the Roman and French censors molded public opinion in flux). He notes the difficulty of ascertaining real opinion of the people in a large republic; he then shows how this difficulty weakens the grip of public opinion on government, thus endangering political liberty (for Rousseau, the regulation of public opinion and morals is an especially arduous task for a large republic). He claims that “public opinion sets bounds to every government, and is the real sovereign in every free one” (Rousseau considers it the most powerful and important of all laws that govern the state). The impressive power of public opinion is remarked upon repeatedly in his other essays. In “Charters” (1792) Madison argues that enlightened public opinion can constrain even despotic governments. And in “British Government” (1792) he concludes that “the boasted equilibrium of this government,
(so far as it is a reality) is maintained less by the distribution of its powers, than by the force of public opinion.”

Madison directly echoes Rousseau’s *Social Contract* in his final essay for the *National Gazette* – “Who are the Best Keepers of the People’s Liberties?” (1792) – written as a dialogue between a republican and an anti-republican. Madison puts Rousseau’s famous words into the mouth of a republican.⁴⁰⁷

*Republican.* – Although all men are born free, and all nations might be so, yet too true it is, that slavery has been the general lot of the human race. Ignorant – they have been cheated; asleep – they have been surprized; divided – the yoke has been forced upon them. But what is the lesson? That because the people *may* betray themselves, they ought to give themselves up, blindfold, to those who have an interest in betraying them? Rather conclude that the people ought to be enlightened, to be awakened, to be united, that after establishing a government they should watch over it, as well as obey it.⁴⁰⁸

Evidently, Madison is paraphrasing the celebrated opening of Rousseau’s *Social Contract*: “Man is born free, and everywhere he is in chains. One believes himself the others’ masters, and yet is more a slave than they. … as long as a People is compelled to obey and does obey, it does well; as soon as it can shake off the yoke and does shake it off, it does even

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⁴⁰⁷ This is not surprising since Madison calls Rousseau “our republican philosopher” in another *National Gazette* essay, “Universal Peace.”

⁴⁰⁸ “Who are the Best Keepers of the People’s Liberties?” for the *National Gazette*, 20 December 1792 in *Madison Papers*, 14: 426.
better.” He is seconding Rousseau’s call to monitor government in order to prevent it from usurping sovereignty from the people.

In “Parties” (1792) Madison considers Rousseau’s remedy for factions. In *the Social Contract*, Rousseau prescribes government to multiply and equalize factions so that they will balance each other: “If there are partial societies, there number must be multiplied, and inequality among them prevented, as was done by Solon, Numa, Servius.” These ancient legislators created new, finer divisions among citizens to supplant existing factions. In Athens, Solon created four property classes to mediate the dispute between the poor and the rich. In Rome, Numa created nine occupational guilds to replace the traditional division based on two ethnic factions. Servius equalized the power of Roman tribes: he increased their number from three to four, regulated the population of each tribe, and changed their organizational basis from race to district.

Madison admits the necessity of making factions check each other. But he rejects Rousseau’s endorsement of state intervention as a means for regulating factions:

> From the expediency, in politics, of making natural parties, mutual checks on each other, to infer the propriety of creating artificial parties, in order to form them into mutual checks, is not less absurd than it would be in ethics, to say, that new vices ought to be promoted, where they would counteract each other, because this use may be made of existing vices.

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410 *Social Contract*, II.3: 60.

411 For a detailed description of reforms implemented by Solon and Numa, see Plutarch’s *Solon* and *Numa*. For the reforms of Servius, see Livy, Dionysius of Halicarnassus, and Rousseau’s own account in *Social Contract*, IV.4. Rousseau relies heavily on Plutarch’s and Livy’s historical account of ancient statesmen and republics.

Like vices, all factions are inherently harmful, so their number should not be increased by government. It is “as little the voice of reason, as it is that of republicanism” to create new “artificial distinctions by establishing kings, and nobles, and plebeians.” To be sure, Rousseau would also oppose this type of division. Indeed, Rousseau acknowledges that some divisions can be harmful by approvingly quoting Machiavelli’s Florentine Histories: “In truth, says Machiavelli, some divisions harm Republics, and some benefit them.” But at the same time, Madison’s example clearly resembles Solon’s establishment of four property classes – state-imposed divisions deemed beneficial by Rousseau.

Madison’s train of thought on factions can be reconstructed from his notebook for the National Gazette essays. In the first page of the notebook section titled “Influence of the size of a nation on Government,” Madison discusses factions, territorial size, and the general will. Without explicitly naming Rousseau, Madison tweaks Rousseau’s notion of volonté générale: “The larger a community, the more respectable the whole & the less the share of importance felt by each member – the more submissive consequently each individual to the general will.” For Rousseau, the binding force of the general will is stronger in a smaller community.

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413 “Parties” for the National Gazette, ca. 23 January 1792 in Madison Papers, 14: 198.

414 Social Contract, II.3: 60n.


416 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 159.

417 Social Contract, III.2: 87. This is implied in Rousseau’s analysis of three different wills. Since a single individual partakes in a particular will, a limited number of individuals in a corporate will, and the entire citizenry in the general will, “the general will is always the weakest, the corporate will occupies second place, and the particular will the first place of all” (Social Contract III.2: 87). The strength of a will increases as the number of those who
Rousseau, Madison argues that citizens obey the general will more readily in a larger society because their respect for society is greater while their sense of personal influence is weaker.

Madison’s Rousseauian sentence is directly preceded by his reflection on the two modes of checks and balances: “The best provision for a stable and free Govt. is not a balance in the powers of the Govt. tho’ that is not to be neglected, but an equilibrium in the interests & passions of the Society itself, which can not be attained in a small Society.”418 Here, Madison notes the impossibility of balancing various societal interests in a small state. He then argues that such balancing act is more important than establishing checks and balances among the different branches of government. Unfortunately, the reverse holds true for the amount of attention devoted to balancing the governmental branches and the balancing of societal interests: “much has been said on the first. The last deserves a thorough investigation. (see p 2. (a)).”419

If we follow Madison’s investigation and turn to the second page of his notebook, we encounter a draft for his essay “Parties”: “Natural divisions exist in all political societies, which should be made mutual checks on each other. But it does not follow that artificial distinctions, as kings & nobles, should be created, and then formed into checks and balances with each other & with the people.”420

In sum, these two pages of notes suggest that Rousseau, factions, and territorial size were connected in Madison’s mind. They also evoke Federalist 10. In fact, Madison was drawing on

participate in the will decreases. “The more concentrated these different wills are, the more active they grow.” This implies that the general will is stronger in a state with fewer citizens.


420 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 160.
his earlier writings of the mid-1780s (including Federalist 10) when writing the drafts for the
National Gazette essays in his notebook. On the same page where Madison discusses the link
between factions, territorial size, and the general will, he left a note to himself: “See Convention
Notes – letter to Mr. Jefferson on a federal negative on State laws Federalists No. X.”

II
Madison’s Federalist 10 (1787) & Rousseau’s Social Contract (1762)

Madison’s analysis of factions in Federalist 10 parallels the chapter titled “Whether the
General Will can Err” in the Social Contract. Both Rousseau and Madison define faction as an
association actuated by a will detrimental to the common interest:

Rousseau: When factions arise, partial associations at the expense
of the large [association], the will of each one of these associations
become general in relation to its members and particular in relation
to the State.422

Madison: By a faction, I understand a number of citizens, whether
amounting to a majority or a minority of the whole, who are united
and actuated by some common impulse of passion, or of interest,
adverse to the rights of other citizens, or to the permanent and
aggregate interests of the community.423

Madison’s definition of faction makes explicit what is merely implied in Rousseau’s.

Madison states that a faction can harm a particular group of citizens or the entire state (Rousseau

421 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 158.

422 Social Contract, II.3: 60: “Quand il se fait des brigues, des associations partielles aux dépens de la grande, la
volonté de chacune de ces associations devient générale par rapport à ses membres, et particulière par rapport à
l’État.” English translation is mine.

423 Federalist 10 in Madison Papers, 10: 264.
stipulates that the general will cannot engage in a particular act – it cannot pass a legislation that targets particular citizens).\textsuperscript{424} He emphasizes that a faction can comprise either a minority or a majority of the populace (Rousseau considers the dangers posed by both minority and majority faction).\textsuperscript{425}

Both Rousseau and Madison are not particularly concerned about the danger posed by a minority faction. Madison concedes that “it may clog the administration” and “convulse the society.” But “relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote … it will be unable to execute and mask its violence under the forms of the constitution.”\textsuperscript{426} Similarly, Rousseau admits that when minority factions exist, “there can then no longer be said to be as many voters as there are men, but only as many as there are associations.”\textsuperscript{427} Then the outcome of the vote expresses the general will imperfectly: “The differences become less numerous and yield a less general result.”\textsuperscript{428} Nevertheless, the vote still produces the general will, albeit a less general one.

What truly worries both thinkers is majority faction. In its presence, Rousseau argues, voting fails to produce the general will: “When one of these associations is so large that it prevails over all the rest, the result you have is no longer a sum of small differences, but one


\textsuperscript{425} \textit{Social Contract}, II.3: 60.

\textsuperscript{426} \textit{Federalist} 10 in \textit{Madison Papers}, 10: 267.

\textsuperscript{427} \textit{Social Contract}, II.3: 60.

\textsuperscript{428} \textit{Social Contract}, II.3: 60. Here, Rousseau is reflecting on how voting produces the general will. This is confirmed by his footnote to the preceding chapter: “For a will to be general, it is not always necessary that it be unanimous, but it is necessary that all votes be counted; any formal exclusion destroys generality” (\textit{Social Contract}, II.2: 58n).
single difference; then there is no longer a general will, and the opinion that prevails is nothing but a private opinion.” Madison echoes Rousseau: “When a majority is included in a faction, the form of popular government on the other hand enables it to sacrifice to its ruling passion or interest, both the public good and the rights of other citizens.” If a faction comprises a majority of citizens, it can dictate the outcome of the vote. By passing whatever measure it desires as a law, majority faction can harm particular citizens or the whole state under the veneer of republican principle.

As a remedy for factions, Rousseau and Madison first consider eliminating their source:

Rousseau: It is important, then, that in order to have the general will expressed well, there be no partial society in the State, and every Citizen state only his own opinion. Such was the single sublime institution of the great Lycurgus.

Madison: There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

Madison rejects the first method immediately. Destroying liberty contradicts the republican principle: “It could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is

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429 Social Contract, II.3: 60.

430 Federalist 10 in Madison Papers, 10: 266-7.

431 Social Contract, II.3: 60. In the French original: “Il importe donc, pour avoir bien l'énoncé de la volonté générale, qu'il n'y ait pas de société partielle dans l'État, et que chaque citoyen n'opine que d'après lui. Telle fut l'unique et sublime institution du grand Lycurgue.”

432 Federalist 10 in Madison Papers, 10: 264.
essential to animal life because it imparts to fire its destructive agency.” 433 Then he turns to Rousseau’s suggested method for extinguishing factions: instilling uniform opinion, passion, and interest to citizenry by implementing the agrarian law of Lycurgus. For Madison, such radical redistribution of property defeats “the first object of government”: the protection of “the diversity in the faculties of men from which the right of property originate.” 434 As such, Lycurgan reforms are “impracticable.” 435 And once government secures individual rights, citizens will necessarily have diverse interests: “From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results: And from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.” 436

For Madison, then, property constitutes the principal source of factions:

The most common and durable source of factions, has been the various and unequal distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. 437

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433 Federalist 10 in Madison Papers, 10: 265.
434 Federalist 10 in Madison Papers, 10: 265.
435 Federalist 10 in Madison Papers, 10: 265.
436 Federalist 10 in Madison Papers, 10: 265.
437 Federalist 10 in Madison Papers, 10: 265.
The various types of property and their unequal distribution were precisely what Lycurgus eliminated. This is why Rousseau cites him as a statesman who extinguished partial societies. Lycurgus redistributed both land and moveable property equally among Spartan citizens; as a result, the divide between property-holders and those without property vanished. The equal distribution of property also eliminated creditors and debtors. The redistribution of land combined with a reliance on helots for agriculture extinguished landed interest. The introduction of iron money removed mercantile and monied interest; and a ban on mechanical trades banished manufacturing interest. As a result, all Spartan citizens became members of a single class: everyone possessed equal wealth and practiced war as a profession. Uniform interest and passion reigned, and Spartan citizens had “neither the wish nor the ability to live for themselves; but like bees they were to make themselves always integral parts of the whole community.”

Madison, like Rousseau, was well-versed in Plutarch’s account of Lycurgan reforms. But he rejected “an equal division of property” epitomized by the agrarian law of Lycurgus as a “wicked project.” For Madison, such measures were self-defeating in a civilized society in which citizens have manifold passions and interests: “We know however that no Society ever did or can consist of so homogeneous a mass of Citizens. In the savage State indeed, an approach is made towards it; but in that State little or no Government is necessary. In all civilized Societies,

438 For a detailed account of the Lycurgan reforms, see Plutarch’s Lycurgus.


440 Madison cites Plutarch’s Solon in Federalist 38 when he discusses the reforms of Solon and Lycurgus. In his notes and essays, Madison frequently refers to Plutarch.

441 Federalist 10 in Madison Papers, 10: 269.
distinctions are various and unavoidable.” Lycurgan laws may be beneficial in a primitive society, but not in a civilized society like America.

After concluding that “the causes of faction cannot be removed,” Madison considers “the means of controlling its effects.” Rousseau suggests one method: “if there are partial societies, there number must be multiplied, and inequality among them prevented, as was done by Solon, Numa, Servius.” These ancient legislators prevented the emergence of a dominant faction by multiplying factions and equalizing their power. By introducing new cross-cutting divides, they changed the configuration of existing factions and mediated their demands.

Rousseau’s solution – multiplying and re-dividing extant factions through state intervention – was rejected by Madison. As noted above, in his essay on “Parties” (1792) Madison equates artificial factions with “new vices” which must never be introduced. In Federalist 10, he points out another weakness in Rousseau’s remedy: “It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm.” Ingenious statesmen may be able to create artificial factions to mediate and weaken existing ones. But such talented statesmen – the likes of Solon, Numa, and Servius – are extremely rare. Moreover, they rarely have their hands on the rudder of the state.

442 Madison to Thomas Jefferson, 24 October 1787 in Madison Papers, 10: 212-3.
443 Federalist 10 in Madison Papers, 10: 266.
444 Social Contract II.3: 60. In the French original: “Que s'il y a des sociétés partielles, il en faut multiplier le nombre et en prévenir l'inégalité, comme firent Solon, Numa, Servius.”
445 “Parties” for the National Gazette, ca. 23 January 1792 in Madison Papers, 14: 198.
446 Federalist 10 in Madison Papers, 10: 266.
Madison therefore suggests a simpler and fail-safe method for increasing the number of factions: “Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens.”447 A large territory encompasses a greater number of factions and interests, and thus naturally discourages the formation of a majority faction. This effect is guaranteed and permanent. Its success does not depend on the virtue and wisdom of the ruling politicians.448

But according to Madison, this option is available only to a particular kind of popular regime – “a republic, by which I mean a government in which the scheme of representation takes place.”449 He sharply distinguishes republic from democracy: “The two great points of difference between a democracy and a republic, are first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.”450

Representation thus completes Madison’s formula. The use of representatives enables republics to operate even in an extended territory with a large population. Only a large republic contains sufficiently diverse interests and parties that prevent the formation of a majority faction. In contrast, democracies can operate only in a small territory because their citizens must administer the government directly without relying on representatives. Its small territory contains

447 Federalist 10 in Madison Papers, 10: 269.

448 To be sure, Madison lists the selection of wiser politicians as an additional advantage of an extend republic. Madison also concedes that there is a limit to the size of a republic.

449 Federalist 10 in Madison Papers, 10: 267.

450 Federalist 10 in Madison Papers, 10: 267.
fewer factions and facilitates communication between partisan groups. Democracies are thus vulnerable to majority faction.

In formulating his remedy for factions, Madison defined republic as a popular regime relying on representatives. In doing so, he quietly supplanted Rousseau’s definition of republic as “any State ruled by laws, whatever may be the form of administration.” For Rousseau, the rule of law, not representation, is the defining mark of a republic: “By this word [republic] I understand not only an Aristocracy or a Democracy, but in general any government guided by the general will, which is the law. To be legitimate, the Government must not be confused with the Sovereign, but be its minister. Then monarchy itself is a republic.” Monarchic, aristocratic, and democratic government can all be considered as a republic as long as it is ruled by law. But to be deemed as a republic, the people must possess sovereignty, that is, exercise legislative power directly without relying on representatives. But for Madison, republic is a popular state where people rely on their representatives to perform all functions of government, including legislation. Not adopting Rousseau’s distinction between government and sovereignty, Madison simply deems republic to be a type of government distinct from monarchy, aristocracy, and democracy.


452 Social Contract, II.6: 67n.
III
Hamilton and Rousseau

Rousseau and Hume were not the only thinkers guiding Madison as he drafted *Federalist* 10. He was collaborating with Alexander Hamilton, who too had carefully studied Plutarch.\(^453\) This other Publius penned *Federalist* 9, which broached the subject of factions and territorial size. This future enemy – destined to be portrayed by Madison as the “anti-Republican” in the *National Gazette* essays – also engaged with Rousseau.

Hamilton fine-tuned his notion of democracy by reflecting on Rousseau. But unlike Madison who quietly supplanted Rousseau’s definition of republic, Hamilton explicitly cited Rousseau’s definition of democracy before revising it.\(^454\) In the notes for his July 12\(^{th}\) speech at the New York Ratifying Convention, Hamilton shows an excellent command of Rousseau’s political thought. He observes correctly that “Democracy defined by some Rousseau &c” refers to “a government exercised by the collective body of the People.”\(^455\) He recognizes that Rousseau’s notion of democratic government refers to direct democracy. In the next sentence, Hamilton remarks on Rousseau’s peculiar definition of aristocratic government: \(^456\) “Delegation


\(^{454}\) Rousseau defines democracy as follows: “[The Sovereign can, in the first place, entrust the charge of Government to the whole people or to the majority of the people, so that there can be more citizens who are magistrates than citizens who are simple particulars. This form of Government is given the name *Democracy*” (Social Contract, III.3: 89).

\(^{455}\) “Notes for Speech of July 12” in *Hamilton Papers*, 5: 150.

\(^{456}\) Rousseau defines aristocracy as follows: “[the Sovereign] can restrict the Government into the hands of a small number, so that there be more simple Citizens than magistrates, and this form bears the name Aristocracy” (Social Contract, III.3: 89).
of their power has been made the criterion of Aristocracy.”457 He notices that the concept of representation is embedded in Rousseau’s definition of aristocratic government.

Hamilton then announces his own definition of democracy and divides it into two types: “Democracy in my sense, where the whole power of the government in the people I. Whether exercised by themselves, or 2. By their representatives chosen by them either mediately or immediately and legally accountable to them.”458 The first type of democracy corresponds to direct democracy, which maps onto Rousseau’s notion of democratic government. The second type refers to representative democracy – what Rousseau calls aristocratic government. By subdividing democracy into two types, Hamilton dispels the “great confusion about the words … Democracy, Aristocracy, Monarchy” introduced by Rousseau. Hamilton concludes by identifying “the proposed government” of the United States as “a representative democracy.”459 This is one of the earliest use of the term “representative democracy”, but Hamilton had already used this word eleven years earlier, possibly coining it.

In his letter to Gouverneur Morris, Hamilton presents representative democracy as the best form of popular government.460 He was responding to Morris’s claim that “the very Nature of popular elective Governments” is “unstable.”461 According to Hamilton, “a strict examination of the matter, from the records of history” proves that the instability of democracies did not arise

457 “Notes for Speech of July 12” in Hamilton Papers, 5: 150.
458 “Notes for Speech of July 12” in Hamilton Papers, 5: 150.
459 “Notes for Speech of July 12” in Hamilton Papers, 5: 150.
460 To Gouverneur Morris, 19 May 1777 in Hamilton Papers, 1: 254-6.
461 From Gouverneur Morris, 16 May 1777 in Hamilton Papers, 1: 253-4.
from “the popular principle.” Instead, the instability “has proceeded from [the popular principle] being compounded with other principles and from its being made to operate in an improper channel.”

Hamilton elaborates on these two sources of instability for democracy. Compound democracy mixed with aristocratic or monarchic principle is unstable because it contains clashing interests: “Compound governments, though they may be harmonious in the beginning, will introduce distinct interests; and these interests will clash, throw the state into convulsions & produce a change or dissolution.” Mixed government may enjoy harmony at its inception, but it will eventually destabilize.

Democracy also becomes unstable when the popular principle operates improperly. The case in point is direct democracy: “When the deliberative or judicial powers are vested wholly or partly in the collective body of the people, you must expect error, confusion and instability.” When people directly exercise deliberative or judicial power, they upset the workings of popular government.

After rejecting both mixed and direct democracy, Hamilton presents representative democracy as his preferred form: “a representative democracy, where the right of election is well secured and regulated & the exercise of the legislative, executive and judiciary authorities, is vested in select persons, chosen really and not nominally by the people, will in my opinion be

462 To Gouverneur Morris, 19 May 1777 in Hamilton Papers, 1: 255.
463 To Gouverneur Morris, 19 May 1777 in Hamilton Papers, 1: 255.
464 To Gouverneur Morris, 19 May 1777 in Hamilton Papers, 1: 255.
465 To Gouverneur Morris, 19 May 1777 in Hamilton Papers, 1: 255.
most likely to be happy, regular and durable.” In a representative democracy, the popular principle operates in a proper channel: representatives, not the people, run the government. Like Madison, Hamilton is here endorsing a pure representative democracy. Representatives must perform all functions of the government – legislative, executive, and judicial. It is pure also in another sense since it is uncompounded with aristocratic or monarchic principles: the people choose “really and not nominally” all representatives through well-regulated elections.

In this precocious letter, Hamilton distinguishes representative democracy from (1) those mixed with aristocratic or monarchic principles and (2) democracies that mix representation with direct rule. In positing his ideal as a pure representative democracy, Hamilton anticipated Madison’s *Federalist* 63. There, Madison claims that representation was “neither unknown to the ancients, nor wholly overlooked in their political constitutions.” What differentiates the United States from other polities is “the total exclusion of the people in their collective capacity from any share in the [administration of government].” As we saw above, Hamilton’s letter to Morris shows Hamilton making virtually identical claim ten years before Madison. In fact, it is quite possible that Madison’s notion of pure representative democracy originated from Hamilton. The period when Madison was drafting the *Federalist Papers* was the peak of his friendship with Hamilton. In 1787–8, they were collaborating on this famous project and corresponding frequently as they spearheaded the campaigns for ratification in New York and Virginia.

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466 To Gouverneur Morris, 19 May 1777 in *Hamilton Papers*, 1: 255.


Hamilton’s letter to Morris also foreshadows Hamilton’s June 18th speech at the Constitutional Convention. In the letter, Hamilton argued that a government run solely by representatives is still a democracy as long as the people select all officials. He repeated this claim at the Constitutional Convention in defense of his proposal: “But is this a Republican Govt., it will be asked? Yes if all the Magistrates are appointed, and vacancies are filled, by the people, or a process of election originating with the people.”*469

In this famous speech at the Constitutional Convention, Hamilton seems to have turned to Rousseau again. Although Hamilton did not explicitly cite him, he used Rousseauian terms like “Particular & general interests Esprit de Corps – Vox populi vox Dei” under the subheading “INTEREST to support [government].”*470 These three concepts appear together in a key paragraph of Rousseau’s *Political Economy*, which was published in 1755:*471

Every political society is made up of other, smaller societies of different kinds, each one of which has its interests and maxims; but these societies, which everyone perceives because they have an external and authorized form, are not the only ones that really exist in the state; all private individuals who are united by a common interest make up as many other, permanent or transient societies whose force is no less for being less apparent, and whose various relations, well observed, constitute the genuine knowledge of morals. It is all these tacit or formal associations which in so many ways modify the appearance of the public will by the influence of their own [esprit de corps]. The will of these particular societies always have two relations; for the member of the association, it is a general will; for the larger society, it is a particular will, which very often proves to be upright in the first respect, and vicious in the second [particular and general

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*470 “Alexander Hamilton’s Notes” for *Constitutional Convention Speech on a Plan of Government*, 18 June 1787 in *Hamilton Papers*, 4: 180. He also wrote after the sentence “to ascertain practicability of this let us examine the principles of civil obedience—”, the following sentence “I. Maxim Particular Interests General Int. Esprit de Corps” which he later crossed out.

*471 These ideas also appear in *The Social Contract*. 
interests]. A given person may be a devout priest, or a courageous soldier, or a zealous lawyer, and a bad citizen. A given deliberation may be advantageous to the small community, and most pernicious to the large one. It is true that since particular societies are always subordinate to those that contain them, one ought to obey the latter in preference to the former, that the duties of the citizen take precedence over those of the senator, and those of man over those of the citizen: but unfortunately personal interest is always inversely proportional to duty, and increases in direct proportion as the association grows narrower and the commitment less sacred; invincible proof that the most general will is also the most just, and that the voice of the people is indeed the voice of God [vox populi vox dei].

It is entirely conceivable that Hamilton had read the above paragraph: he cited Rousseau at the New York Ratification Convention; his French was impeccable; and he was extremely well read in political economy. His speech also closely follows Rousseau’s text. Like Rousseau, Hamilton argues that all associations entail esprit de corps: “Every Set of men who associate acquire an Esprit de Corps. This will apply forcibly to States – they will have distinct Views – their own Obligations thwart general Good.” Like Rousseau, Hamilton considers particular interest to be stronger than the general interest: “I hold it, that different societies have all different views and interests to pursue, and always prefer local to general concerns. And this will ever be the case. Men always love power, and states will prefer their particular concerns to the general welfare.” Hamilton then argues that state governments possess particular interests

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472 Rousseau, “Political Economy” in the Social Contract and Other Later Political Writings, 7-8.

473 He read extensively on the subject of political economy long before the Constitutional Convention. See, for example, “To Robert Morris,” 30 April 1781 in Hamilton Papers, 2: 604-635. He had read Richard Price and David Hume’s writings on political economy by 1781. See also, “Pay Book of the State Company of Artillery.”


detrimental to the general interest: “An active & constant interest in supporting [the government] … does not exist in the States in favor of the federal Govt. They have evidently in a high degree, the esprit de corps. They constantly pursue internal interests adverse to those of the whole.”476

After analyzing the danger posed by state governments using Rousseauian concepts, Hamilton then parts way with Rousseau by rejecting vox populi vox dei. For Rousseau, this republican maxim was confirmed by his reflection on esprit de corps and the general will: “unfortunately personal interest is always inversely proportional to duty, and increases in direct proportion as the association grows narrower and the commitment less sacred; invincible proof that the most general will is also the most just, and that the voice of the people is indeed the voice of God.”477 But Hamilton reached the opposite conclusion: “The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right.”478

Hamilton’s rejection of republican principles in his long speech praising the British constitution must have left an indelible impression on Madison. As if recalling Hamilton’s Rousseauian language, Madison would invoke Rousseau five years later when he composed the National Gazette essays to denounce the “anti-Republican” Hamilton. Indeed, when composing


477 Rousseau, “Political Economy” in the Social Contract and Other Later Political Writings, p. 8.

these essays, Madison must have consulted his records of Hamilton’s speech: in his notebook used for National Gazette, Madison wrote, “See Convention Notes.”

IV

Hamilton, Madison, and the “Enlightened Statesmen” in Federalist 10

As noted above, Madison restates his famous remedy for factions (presented in Federalist 10) in his draft for the National Gazette essay “Parties”: “natural divisions exist in all political societies, which should be made mutual checks on each other.” Then he writes, “but it does not follow that artificial distinctions, as kings & nobles, should be created, and then formed into checks and balances with each other & with the people.” In this sentence, I argued, Madison is rejecting Rousseau’s solution to factions – the reliance on enlightened legislators to multiply divisions among citizens. But Madison may have had an additional target in mind: the “anti-Republican” Hamilton.

In his long speech at the Constitutional Convention, Hamilton endorsed the senate and life-term president as a solution to factions. Madison meticulously transcribed this portion of the speech. But Hamilton’s view on factions is captured most clearly in his own notes for the speech:

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479 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 158.

480 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 160.

481 “Notes for the National Gazette Essays,” ca. 19 December 1791 – 3 March 1792 in Madison Papers, 14: 160.

482 See “James Madison’s Version” for Constitutional Convention Speech on a Plan of Government, 18 June 1787 in Hamilton Papers, 4: 192-4: “In every community where industry is encouraged, there will be a division of it into the few & the many. Hence separate interests will arise. There will be debtors & creditors &c. Give all power to the many, they will oppress the few. Give all power to the few, they will oppress the many. Both therefore ought to have power, that each may defend itself agst. the other. To the want of this check we owe our paper money, instalment laws &c. To the proper adjustment of it the British owe the excellence of their Constitution. Their house of Lords is
Society naturally divides itself into two political divisions – the few and the many, who have distinct interests. If government in the hands of the few, they will tyrannize over the many. If (in) the hands of the many, they will tyrannize over the few. It ought to be in the hands of both; and they should be separated. This separation must be permanent. Representation alone will not do. Demagogues will generally prevail. And if separated, they will need a mutual check. This check is a monarch. Each principle ought to exist in full force, or it will not answer its end. The democracy must be derived immediately from the people. The aristocracy ought to be entirely separated; their power should be permanent, and they should have the caritas liberorum. The most popular branch will acquire an influence over the other. The other may check in ordinary cases, in which there is no strong public passion; but it will not in cases where there is – the cases in which such a principle is most necessary. … The monarch must have proportional strength. He ought to be hereditary, and to have so much power, that it will not be his interest to risk much to acquire more. The advantage of a monarch is this – he is above corruption – he must always intend, in respect to foreign nations, the true interest and glory of the people. … A democratic assembly is to be checked by a democratic senate, and both these by a democratic chief magistrate.\textsuperscript{483}

Hamilton considers the bipartite division between the few and the many as natural. Each must possess an exclusive legislative assembly to check each other. But this is not enough because the more democratic assembly tends to outstrip the more aristocratic one.\textsuperscript{484} Moreover, when extraordinary events inflame popular passion, the aristocratic senate cannot restrain the

\textsuperscript{483} “Alexander Hamilton’s Notes” for Speech on a Plan of Government, 18 June 1787 in Hamilton Papers, 4: 185-6.

\textsuperscript{484} Hamilton is probably thinking of the British House of Commons which eventually dominated both the House of Lords and the monarch.
democratic assembly. So a powerful executive for life – and if possible, a hereditary monarch – is necessary to check both the democratic assembly and aristocratic senate. Unlike the two legislative assemblies, the monarchic executive can rise above factionalism and pursue the common interest of the whole state.

Hamilton’s solution for factions is clearly derived from the British model, and Hamilton proclaimed this fact openly: “the British Govt. was the best in the world: and that he doubted much whether any thing short of it would do in America”\(^{485}\) He found in the British monarch and the House of Lords a blueprint for the American constitution – a constitution immune to factions formed by aristocratic minority and democratic majority. This Hamiltonian vision may have been Madison’s target when he condemned the creation of “artificial distinctions, as kings & nobles” as the anti-republican solution to factions.\(^{486}\)

But at the Constitutional Convention, Madison’s view on factions was surprisingly close to that of Hamilton. Madison also considered the popular assembly to be naturally more powerful than the aristocratic senate. Even after proposing a long seven-year term for the senate, “his fear was that the popular branch would still be too great an overmatch for [the senate].”\(^{487}\) One week after Hamilton’s infamous speech, Madison reiterated his stance on the senate. He began by conveying his view on factions: “In all civilized Countries the people fall into different classes havg. a real or supposed difference of interests. There will be creditors & debtors,


farmers, merchts. & manufacturers. There will be particularly the distinction of rich & poor.”

Like Hamilton, Madison viewed the division between the rich few and the poor many as fundamental. Moreover, he regarded the aristocratic senate as a crucial check on a tyrannical majority:

the major interest might under sudden impulses be tempted to commit injustice on the minority. …. An increase of population will of necessity increase the proportion of those who will labour under all the hardships of life, & secretly sigh for a more equal distribution of its blessings. These may in time outnumber those who are placed above the feelings of indigence. According to the equal laws of suffrage, the power will slide into the hands of the former. No agrarian attempts have yet been made in this Country, but symptoms, of a leveling spirit, as we have understood, have sufficiently appeared in a certain quarters to give notice of the future danger. How is this danger to be guarded agst. on republican principles? How is the danger in all cases of interested coalitions to oppress the minority to be guarded agst.? Among other means by the establishment of a body in the Govt. sufficiently respectable for its wisdom & virtue, to aid on such emergences, the preponderance of justice by throwing its weight into that scale. Such being the objects of the second branch in the proposed Govt. he thought a considerable duration ought to be given to it. He did not conceive that the term of nine years could threaten any real danger.  

Madison was deeply anxious about the possibility of the poor majority passing a law redistributing the property of the rich minority. To prevent such “agrarian attempts,” he wanted a powerful senate with a “considerable duration.” So he supported Read’s proposal to give senators a nine-year term. Madison envisioned the senate as an assembly representing the rich minority: “Landholders ought to have a share in the government, to support these invaluable interests and to balance and check the other. They ought to be so constituted as to protect the minority of the opulent against the majority. The senate, therefore, ought to be this body; and to

488 “Term of the Senate,” 26 June 1787 in Madison Papers, 10: 76.

489 “Term of the Senate,” 26 June 1787 in Madison Papers, 10: 76-77.
answer these purposes, they ought to have permanency and stability.” As a legislative body representing the opulent minority, the senate would protect the rich landholders from the poor majority.

After listening to Madison’s speech, Hamilton rose to express his approval: “He concurred also in the general observations of (Mr. Madison) on the subject … that nothing like an equality of property existed: that an inequality would exist as long as liberty existed, and that it would unavoidably result from that very liberty itself. This inequality of property constituted the great & fundamental distinction in Society.” Like Madison, Hamilton regarded the inequality of property as the fundamental division that separates the rich minority from the poor majority. He also agreed that “commerce and industry will still increase the disparity.” To prevent the poor majority from overthrowing the American government, Hamilton argued, the delegates to the Constitutional Convention “must devise a Repository of the Rights of the wealthy.” Hamilton shared Madison’s view of the senate as the legislative body representing the rich minority. So he also supported a nine-year term for the senate to give it greater power and permanency.

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490 “Yates’s version” for “Term of the Senate,” 26 June 1787 in Madison Papers, 10: 78. Yates’s record is confirmed by Lansing’s record of Madison’s speech: “The Senate ought to represent the opulent Minority.”

491 “Remarks on the Term of Office for Members of the Second Branch of the Legislature,” 26 June 1787 in Hamilton Papers, 4: 218.


But Madison envisioned the senate to be more than a mere representative of the rich minority. As its wiser and more virtuous counterpart, the senate would not only restrain the popular House of Assembly but also check the factionalism of individual states. “Being a firm, wise and impartial body,” it would “not only give stability to the Genl. Govt. in its operations on individuals, but hold an even balance among different States.” Senators would be more than “the mere Agents & Advocates of State interests & views.” They would serve as “the impartial umpires & Guardians of justice and general Good.”

Madison’s language evokes his earlier defense of the federal negative as an impartial check on factious state governments. In fact, Madison had earlier “supposed that the negative might be very properly lodged in the senate alone.” Although the federal negative had been voted down, Madison clung onto his hope that the senate could serve as an effective guardian of justice even if it lacked the negative.

Like Hamilton, Madison too had turned to Britain when searching for a remedy for factions. Indeed, he had derived the federal negative from the negative voice wielded by the British king: “let [the national government] have a negative in all cases whatsoever on the Legislative Acts of the States as the K. of G. B. heretofore had.” He considered this negative power “heretofore exercised by the Kingly prerogative” as “absolutely necessary” to check state governments.

495 “Salaries for Members of the Senate,” 26 June 1787 in Madison Papers, 10: 78.

496 “Power of the Legislature to Negative State Laws,” 8 June 1787 in Madison Papers, 10: 42.

497 Madison to Edmund Randolph, 8 Aprils 1787 in Madison Papers, 10: 370.

498 Madison to George Washington, 16 April 1787 in Madison Papers, 10: 383.
Although Hamilton voted against Madison’s version for the federal negative, he supported the idea of the negative. He envisioned the governor of each state, not the national senate, wielding this negative: “the Governor or President of each state shall be appointed by the general government and shall have a negative upon the laws about to be passed in the state.”\footnote{“Plan of Government,” 18 June 1787 in \textit{Hamilton Papers}, 4: 209.} These governors would “have a negative on all state laws” to void state laws that contravene the federal laws.\footnote{“Robert Yates’s Version” for “Speech on a Plan of Government,” 18 June 1787 in \textit{Hamilton Papers}, 4: 201.}

But Hamilton also wanted to endow the national executive with an absolute negative against the national legislature. Only the executive could be trusted to defend the general interest of the whole country. So the executive had to possess an absolute veto to check the two legislative houses which will inevitably pursue factional interests.

Madison sympathized with this view. He conceded that “in Monarchies the sovereign is more neutral to the interests and views of different parties” than the majority in republics who “have frequently an interest real or supposed in abusing [the right of decision].”\footnote{Madison to George Washington, 16 April 1787 in \textit{Madison Papers}, 10: 384.} But Madison did not share Hamilton’s optimism about the monarchical sovereign: “unfortunately he too often forms interests of his own repugnant to those of the whole.”\footnote{Madison to George Washington, 16 April 1787 in \textit{Madison Papers}, 10: 384.} Madison therefore refrained from seconding Hamilton’s call to endow the executive with an absolute veto. In fact, Madison was
not particularly concerned about the configurations of the executive power; he was preoccupied with the goal of endowing the national legislature with the federal negative.503

Madison considered the federal veto as an essential component of his blueprint. In his view, the national legislature needed this power to check the state governments and effectively perform its role as “a disinterested & dispassionate umpire in disputes between different passions & interests in the State.” Endowed with the negative, the national legislature would suppress factionalism between and within states. It would restrain the tendency of the states “to harrass each other with rival and spiteful measures dictated by mistaken views of interest.” Within each state, it would stop “the aggressions of interested majorities on the rights of minorities and of individuals.” If the federal government had possessed the negative, Madison argued, it would never have “given an assent to paper money” and other unjust measures serving factional interests.504

The negative veto thus reveals yet another parallel between Madison’s and Hamilton’s thought on factions. In addition to viewing the rich minority and the poor majority as the fundamental factions, these two thinkers considered the negative as a crucial weapon against tyrannical majority and factious state governments. Both sought to introduce the negative voice of the British monarch into the American constitution. They only differed in the location of the veto: the federal and state executives for Hamilton; and the national legislature (more specifically, the senate) for Madison.

503 For Madison’s view on the executive branch and federal negative, see Eric Nelson, the Royalist Revolution: Monarchy and the American Founding (Cambridge, MA, 2014), pp. 199-203.
504 Madison to George Washington, 16 April 1787 in Madison Papers, 10: 384.
Conclusion

The defeat of the federal negative left Madison deeply pessimistic about the American Constitution. Soon after the Constitutional Convention, he vented his frustrations to Thomas Jefferson in a long letter. There, “begging pardon” for an “immoderate digression,” Madison painstakingly charted the crucial functions the federal negative was intend to serve.\footnote{147}

Though he regarded the constitution as deeply flawed, Madison ultimately enlisted to fight for its ratification. When he drafted the first of his \textit{Federalist Papers} – the celebrated \textit{Federalist} 10 – he was still bitter and downbeat. This gloom may have prompted him to pen the oft-neglected sentence: “It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good.”\footnote{148} The senate, which Madison viewed as the wiser and more aristocratic legislative body, had been defanged. It lacked the federal negative, the crucial weapon against tyrannical majority and factious state governments.

The identity of Madison’s “enlightened statesmen” remains elusive. This phrase may indeed refer to the wise and impartial senate. But more likely it refers to other remedies for factions considered and rejected by Madison: Rousseau’s ancient legislators who neutralized factions by multiplying them through artificial divisions; or Hamilton’s life-time executive rising above factions and wielding the absolute negative to serve the interest of the whole state.


\footnote{148} \textit{Federalist} 10 in \textit{Madison Papers}, 10: 266.
After finishing Federalist 10, Madison revisited Rousseau’s and Hamilton’s solutions to factions. In Federalist 51, he argued that Hamilton’s hereditary executive prevents tyrannical majority at the cost of introducing another evil: “creating a will in the community independent of the majority … prevails in all governments possessing an hereditary or self-appointed authority. This at best is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major, as the rightful interests of the minor party, and may possibly be turned against both parties.”507 In the National Gazette essays, Madison criticized Hamilton’s and Rousseau’s method of creating artificial parties: “From the expediency, in politics, of making natural parties, mutual checks on each other, to infer the propriety of creating artificial parties, in order to form them into mutual checks, is not less absurd than it would be in ethics, to say, that new vices ought to be promoted.”508

Although Madison rejected Rousseau’s remedy, he inherited Rousseau’s framework for analyzing factions. For Rousseau, a majority faction can harm the common good under the disguise of democratic principles: by dictating the outcome of the vote, a majority faction can pass laws that express its factional will rather than the general will. As discussed above, to prevent citizens from forming a majority faction, Rousseau prescribes a solution modeled after the laws of ancient lawgivers: the state must increase the number of factions by introducing new divisions among citizens. By multiplying factions and readjusting their configuration, government can make factions check each other.

507 Federalist 51 in Madison Papers, 10: 478.

508 “Parties” for the National Gazette, ca. 23 January 1792 in Madison Papers, 14: 198.
Madison reconfigured Rousseau’s framework by adding territorial size to the formula: he endorsed large territory as the best solution for factions. Expansive territory allows the popular government to forestall the emergence of a majority faction without resorting to state intervention. This solution is more reliable than Rousseau’s since it does not depend on the virtue and foresight of enlightened statesmen.

Extended territory naturally comes with more factions, which will inevitably restrain each other. But to institute a popular government with a large territory, representation is necessary; and Madison identified representation as the essence of a republic, silently overturning Rousseau’s definition of republic as a state ruled by the general will.

The other Publius, Hamilton, openly cited Rousseau’s definition of democracy and sharpened it to arrive at his own definition. But unlike Rousseau who embraced the republican maxim *vox populi vox dei*, Hamilton deemed this maxim as “not true in fact” since “the people are turbulent and changing” and “seldom judge or determine right.” Hamilton denied the justice of the general will, thereby spurning the core tenet of Rousseau’s republicanism. Hamilton was destined to be portrayed as “anti-Republican” by Madison – ironically so, since Madison had crossed out *volonté générale* from Rousseau’s cherished definition of republic and inserted in its place Rousseau’s hated word *representation*.

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509 “the most general will is also the most just, and that the voice of the people is indeed the voice of God” Rousseau, “Political Economy” in *The Social Contract and Other Later Political Writings*, p. 8.