

# *Evolution of Ancient and Medieval Governments: A Eurocentric Overview*

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## **Summary**

This article looks into various forms of government, through the era of antiquity to the 16<sup>th</sup> century. The governments analysed include monarchies, city states and the earliest form of democracy in the ancient city of Athens. Each form of government has a theoretical analysis and an outline of the structure of the ruling group and how power is delegated. This is followed by examples of the type of government and the strengths and weaknesses of every dynasty. It is worth noting that most of the governments that are examined in this article are European. This is due to the fact that Europe, especially Western Europe has been home to almost every major form of rule and has witnessed the evolutionary changes in all political institutions and has developed the theory of rule since the times of the Greek philosophers to the enlightenment era in the 17<sup>th</sup> century.

The governments that are covered in this essay include:

1. Monarchy
2. Aristocracy
3. Feudalism
4. The city states
5. Early democracy
6. Republic
7. Rome (Republic to Empire)

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## **Ancient and Medieval Governments**

“Nature has given to mankind such a compulsion to do good, and such a desire to defend the well being of the community, that this force prevails over all the temptations of pleasure and ease.” – Cicero (*The Republic*).<sup>1</sup>

The key to the survival of any community and the prevention of powerful groups developing, each with their own interests at heart requires that a form of government is established. The purpose of that government is to institute a system of justice to every member of society, ensure the growth and progress of the state and to protect the state from outside intervention. The governments in this paper will be examined in their most simple form to avoid any complexities in analysis.

Cicero believed that every people, every state, and every republic must be governed by some decision making process if it is to last. That process must, in the first instance, always come into being for the same reason as that which gave rise to that state. Then this process must be entrusted to one man, or a select group, or else be carried on by the whole populace. When the supreme authority is vested in one man, he is called a king, and the government of that state is a monarchy. When it is vested in a select group, that state is said to be ruled by the power of an aristocracy. A republic or democracy is the property of the public. A public is a numerous gathering brought together by legal consent and community of interest. Provided the bond holds firm, which in the first place fastened the people to each other in the fellowship of a community, any of these three types may be at least tolerable. A just and wise king, or a select group of leading citizens, or the populace itself can still ensure a stable government, provided no forms of wickedness or greed find their way into it.

This is a reference to the principles of justice which must exist in every government if it is to survive or be successful. Justice is central to the survival of humankind. This is because when injustice, tyranny and oppression take hold, social evils are born and these have the power to destroy whole nations.

## **Monarchy**

### ***Theory***

A monarchy is a form of government in which a monarch, usually a single person, is the head of state. In most monarchies, the monarch is in complete control and holds his position for life. Monarchy is one of the

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1 Cicero, *The Republic The Laws* (Oxford University Press, 1998), p.3.

oldest forms of government. Many monarchs, such as the Pharaohs of Egypt and Roman emperors, claimed to rule by divine right, or at least by divine grace, ruling either by the will of god(s) or even claiming to be (incarnated) gods themselves. In some of the early systems the monarch was overthrown or sacrificed when it became apparent that divine sanction had been withdrawn.

In monarchies the population plays too small a part in the community's legislation and debate; in aristocracies the masses have little liberty, since they are deprived of any participation in discussion and decision making; and when the government is carried on entirely by the people their equality is itself unequal, since it acknowledges no degrees of merit.<sup>2</sup>

Although some monarchs were exceptionally just and wise, that form of government was not the most desirable; for the property of the public was managed by one man's approval and wish. Of all our desires, the love of power is of the most imperious and unsociable nature, since the pride of one man requires the submission of the multitude. Unless public liberty is protected by intrepid and vigilant guardians, the authority of so formidable a magistrate will soon degenerate into despotism.

Every form of government has followed a path which led to a depraved version of itself. **Cyrus of Persia** was a tolerable man, even a likeable monarch. By pursuing a policy of generosity instead of repression, and by favoring local religions, he was able to turn his newly conquered subjects into enthusiastic supporters. Yet below him stands the cruel Romanovs (rulers of Russia till 1917). Their incompetence, cruel nature and disregard for their population which was burdened by the First World War, culminated in their eventual overthrow and destruction at the hands of the Marxists.

As for **aristocracies**, the city of Rome at one stage in its long history was ruled by a council of ten (the decemvirate). The board had great authority, not subject to appeal. In addition to their supreme power, these men were to have a task of drafting laws. They would nominate ten other men to serve the following year. In the third year of the decemvirate the personnel remained the same as they refused to appoint successors and the whole country was in the hands of leading citizens. Ten men of the highest birth were in control, unopposed by any tribunes (representatives of the people); no other magistrates had been added; and no appeal had been left against flogging and execution. In all their

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2 Cicero, p.19.

official acts they behaved irresponsibly, and they were cruel and greedy in their domination over the people. Therefore, as a result of the board's injustice, a sudden upheaval took place, followed by a restoration of the republican form of government.<sup>3</sup>

### ***Evils of Monarchy***

Thomas Paine is an extreme denouncer of monarchy and strong advocate of revolution and democracy. When outlining the two systems of government he asserts that hereditary government (i.e. monarchy), in whole or in part has in its nature tyranny. To inherit a government, is to inherit the people, which according to Paine, is a violation of the rights of man. A monarch can marshal all the resources of his kingdom or nation to an objective that may serve his purpose and even if it was for the benefit of his nation, the population has no say in the matter. The actions of one individual can have disastrous implications or effect on his country and the people.<sup>4</sup> The capricious nature of monarchs and their flaws and vices such as that of the Roman Emperors Caligula and Nero, who placed their lineage from Julius Caesar, rather than wisdom and experience as their right to rule. However, that is not to suggest that monarchy as a government is unstable and produces a succession of unworthy rulers. The later Roman Empire from 96 AD to 180 AD witnessed a series of "Good Emperors" who nominated their successors on the basis of wisdom, experience, ability and virtue. The citizens of the Empire prospered during that era of wise rule and showed stability at its core. Also, ascension to the imperial throne necessitated that the individual fulfilled a level of criteria that met the approval of the current ruler and the Senate.

The civil wars and revolutions which have originated from hereditary claims are numerous. The civil wars in Rome, France and Russia were produced by hereditary claims or imperfections of the hereditary government. Even England has suffered similar misfortunes. The contest for succession between the houses of York and Lancaster (the War of the Roses) lasted a whole century. That is the reason; Paine instead supports a representative government (a form of democratic rule). For him, the state under hereditary government operates to ensure simply obedience and ignorance.<sup>5</sup>

### ***Types of Monarchy***

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3 Livy, *The Early History of Rome* (Penguin Books Ltd, 2002), pp.233-246.

4 Thomas Paine *Rights of Man* (Penguin Classics, 1985), p.180.

5 Thomas Paine, p.180.

Throughout history there have been various types of monarchies which have varied according to the social, political and economic situation within the nations or states from which they originate.

In an **absolute monarchy**, the monarch has absolute power over every aspect of the state, if not of social life in general, and has the power to grant or withdraw a constitution. In theory, an absolute monarch has total power over his or her people or land, including the aristocracy and sometimes the clergy. In practice, absolute monarchs have often found their power limited – generally by one or other of those groups.

One of the best – known historical example of an absolute monarch was Louis XIV of France. His statement, “*I am the state,*” summarises the fundamental principle of absolute monarchy (sovereignty being vested in one individual). Although often criticised for his extravagance (his great legacy is the huge Palace of Versailles), he reigned over France for a long period, and some historians consider him a successful absolute monarch. Throughout much of history, the Divine Rights of Kings was the theological justification for absolute monarchy. Many European kings, such as the Tsars of Russia, claimed that they held supreme autocratic power by divine right, and that their subjects had no right to their power.

Monarchs have also been **selected by election**. In Antiquity, there were various traditions of elected monarchs of various titles, usually rendered as kin, especially in not fully sedentary societies such as the Germanic tribes before they established kingdoms in territories of the former Roman Empire. There was often a mix of conflicting principle and interests, the ruling house tending to reserve succession for itself, with the nobility opposing it. Actual succession often depended on popular assent and/or the support of the armed forces, which could take their role of king – maker as far as deposing an incompetent ruler or even pure mutiny to seize the throne.

The Hellenistic kings of Macedon and Epirus were elected by the army (a body that was very close in composition to the council of free citizens) among the male members of the royal house. In Macedon this tradition continued until the kingdom was dissolved by the Romans after the Third Macedonian War.

An elected monarchy was popular in various states of Northern Europe even up until the Middle Ages. When Charlemagne was a child, his father was elected King of the Franks. Stanislaw of Poland was elected as king, as was Frederick I of Denmark. The tradition of an

elected monarchy is very ancient and still exists today in the office of the Pope.

In some ancient hereditary monarchies, power often resided with the **military**, as has often been the case in Thailand and Japan (where its eventual hereditary military chief, the Shogun, developed into a *de facto* monarch, nominally under the Emperor). In the Roman Empire the 3<sup>rd</sup> century AD was a period during which real power lay with the army, and it was up to the army to approve, or even to appoint, a new emperor. At times, this could reduce the succession to a squalid auction, at which the candidate who offered the greatest cash bribe to the troops was likely to take control.

### **The Roman Empire**

The Roman Empire created the political framework of European Civilisation. It embodied the Mediterranean way of life whose inspiration was Greek and whose administration derived from the Republic and the imperial rulers was also modelled on Greek bureaucracy.<sup>6</sup> At its height the Empire covered all of Western Europe as far as the rivers Rhine and Danube, Northern England, North Africa, and the Middle East as far as the modern day Syria.

#### ***Political Structure***

The emperors, as the first ministers of the republic, were exempted from the obligation and penalty of Republican laws: they were authorised to summon the senate, to make several motions in the same day, to spend the revenues at their discretion, to declare war and peace, to ratify treaties and empowered to execute whatsoever they judged advantageous to the empire.

Nevertheless, Augustus and his successors founded their new empire on the power of the Senate; and they strove on every occasion, to adopt the language and principles of Patricians (nobles). The Senate possessed considerable prerogatives as a court of justice and council of state; but in its legislative capacity, it was the emperors who reigned supreme.<sup>7</sup>

An important distinction was instituted between Italy and the provinces. Italy was the centre of the empire and the estates of the Italians were exempt from taxation. Italy was treated as the centre of public unity and the firm basis of the constitution.

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6 John Bowle, *Man through the Ages* (Weidenfeld & Nicolson, 1977), p.61.

7 Edward Gibbon, *The decline and fall of the Roman Empire* (Book Club Associates, London, 1979), pp.36-37.

The provinces of the empire were deprived of any form of constitutional freedom. The princes of former rulers of the conquered lands were dismissed from their thrones as soon as they had performed their necessary task of assimilating the vanquished nation into the Empire. The states and cities which had embraced the cause of Rome were rewarded with a nominal alliance, and descended into real servitude.<sup>8</sup>

### ***The Julio Claudians and later Emperors***

Augustus (27 BC – 14 AD), the first of the Julio Claudian emperors, brought internal peace to Rome. His regime relied heavily on the glory derived from continuous and spectacular warfare against foreign opponents. These spectacular military successes justified the prominence of the Emperor. Most of the victories were actually won by the legates (legion commander) but no one was permitted to win sufficient military glory to diminish the status of the Emperor (princeps).<sup>9</sup>

It was from the ranks of the Senate that the princeps had to select the majority of men who would govern the provinces and command the legions stationed there. A good emperor ensured that there were enough important tasks given to members of the Senate, encouraging this body to acquiesce in his role and so reducing the risk of conspiracies against him.

After Nero committed suicide (AD 68), thus died the last of the Julio Claudians. He left no heir and in the 12 months that followed, no fewer than four legates claimed power. Out of this civil war, a powerful and decisive man emerged as Emperor, Vespasian. Vespasian proved a capable and decent ruler, one of the few men whose character did not steadily degenerate under the temptations of wielding supreme power. The emptiness of the treasury and privy purse due to the extravagance of Nero forced Vespasian to raise money by plundering and taxation.<sup>10</sup>

Following the reign of his second son, Domitian, there began a time of great prosperity when the Roman Empire reached its zenith. Edward Gibbon would see the years between 96 and 180 AD as “the period in the history of the world during which the condition of the human race was the most happy and prosperous.”

The army, which had to sustain ferocious wars along the frontiers, eventually became the remedy for the empire. Emperor Septimus Severus, an African, abandoned the old constitutional forms and

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8 Edward Gibbon, pp.15-16.

9 Adrian Goldsworthy, *In the name of Rome – the men who won the Roman Empire* (Phoenix, 2004), p.270.

10 Adrian Goldsworthy, pp.328-29.

established a military dictatorship. From his time the army was the chief and, indeed, the disastrous force in Roman politics. To maintain his power every emperor in the third century had to bribe the soldiers. For almost 50 years no less than 21 emperors rose and fell. It was a period of anarchy and misery, during which the army terrorised the civil border and neglected the security of the frontier.<sup>11</sup>

The situation was only changed by Diocletian (284 – 305), who imposed a bureaucratic despotism, based on a semi – barbarised army, and set the stage for the autocracy of Constantine and Theodosius.<sup>12</sup> Constantine rejected the traditional Roman gods in favour of Christianity as the state religion and founded a new imperial capital at Byzantium in the east.

### **Poor economic policy**

The Roman Empire was a highly centralised government run mainly through heavy taxation and excess spending on imports from the Far East. The problem with the Roman administration was that they did not invest their excess surplus (from taxes) in the provinces of the Empire. Emperors would amass wealth for their fortune and family inheritance. The only resources in abundance were slaves. However, this manpower was not exploited and invested in by the administration.

The Empire had its own gold reserves which were concentrated in Italy amongst the imperial family and nobles. This proved to be a problem in the long run as the external commerce concentrated in the import of luxuries drained the empire of its gold. The Empire in turn did not export any goods to compensate and thus ran a balance of payments deficit.

The lack of statistical knowledge and slow transportations meant that the Emperor's administrators had trouble in collecting a "database" of activity in the provinces. Thus attempts by some Emperors to fix prices and control the money supply invariably failed.<sup>13</sup>

During the 3<sup>rd</sup> century AD, when the army played a major role in politics, disastrous inflation was largely caused by the continual increases in pay which the emperors had to give the army if they were to keep their thrones.<sup>14</sup>

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11 Field – Marshal Viscount Montgomery of Alamein, *A History of Warfare* (Book Club Associations, 1982), p.123.

12 John Bowle, *Man through the Ages*, p.61.

13 John Bowle, *A History of Europe* (Secker and Warburg Ltd, 1980), p.116.

14 Field – Marshal Viscount Montgomery of Alamein, p.123.

***Inactive and ineffective legions***

Furthermore, the Empire's survival depended on conquest and the legions being proactive. The garrison and border watch of the legions blunted their effectiveness. During the time of the Republic the governors and legion commanders could launch punitive expeditions and plunder foreign lands, satisfying and paying the Roman soldiers. Rome accumulated wealth through a "looting and plunder" economy. The emperors feared devolving power to governors and overextending their vast empire and declared it an official policy not to carry out expeditions without imperial approval.

With no conquests to live off the Empire depended on heavy taxes and requisitioning to support the legions on the frontier and fill the treasury. Those who were least able to bear it, such as the farmers, suffered the most. Farmers deserted their land, depriving cities of the livestock and produce necessary to survive. Taxes began to be paid in kind and the administrative and fiscal backbone of the empire had to meet their obligations out of their own resources.

The reforms of the Emperor Hadrian had been of doubtful benefit. The troops who were now stationed permanently in the same frontier areas were enlisted mainly from the local farmers, who paid as little attention as possible to their military duties. Furthermore, the defensive strategy of armed forces strung out along the frontiers was unsuccessful; there was no defence in depth, and nor reserves were kept for counter – attack. By 250 the fighting qualities of the legions was deteriorating; imaginative tactics were needed to deal with new enemies who fought in ways strange to the Roman soldiery.<sup>15</sup>

However, three emperors in the second half of the third century, Gallienus, Aurelian and Diocletian, reformed the army and pulled the empire together again. Their efforts enabled the empire to hold out against final ruin for another two centuries.

***Fall of Empire***

Coupled with these weaknesses, from the third century onwards Rome was in decline. Continued instability impaired central government so that a good deal of power came to be dispersed amongst local leaders. Internal weakness resulted in more frequent defeats on the frontiers, which sometime led to civil war as emperors were killed or discredited by failure, and some regions decided that the solution to the problem posed by external foes was to create their own emperor. Very gradually

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15 *Ibid.*

Rome's strength grew lesser and lesser. Much of the infrastructure which supported the army – roads, bases and supply lines – decayed simply because there was neither the money nor determination from central authority to maintain them.<sup>16</sup> This was coupled with economic weakness and the withering of cities, the fall in population, the assimilation of provincial and barbarian cultures and the creation of an Eastern empire: all these were deeper causes and more significant symptoms.<sup>17</sup> The army was still large and formidable but was rarely able to perform at its best.

In the East, a powerful new neighbour, the Sassanian Empire of Persia, invaded Syria. In the north and west, Germanic peoples including Goths and Alamanni crossed the Rhine and Danube to raid deep into Roman territory. Faced by these threats, the imperial government became increasingly militarised and autocratic, and the empire less prosperous. In addition, the empire was divided in two, with one emperor in Constantinople and another at Rome.

## **Medieval Monarchies and Dynasties**

### ***Political situation in Western Europe***

Until the eighth century the political geography of Western Europe was fluid; kings held sway over some territories, but often regional or local leaders were more dominant, though even they had only nominal control over lands where main focus of existence was the food producing village. Each monarch ruled over a court of nobles rather than a definite territory, or even a discrete people, while the boundaries were ill – defined and often irrelevant. The great borders of the Roman Empire – one the Rhine, at Hadrian's Wall and on the Danube – had dissolved to be replaced by the customary free movement of people and goods.<sup>18</sup>

From the eighth century onwards the kingdoms of the West began to combine, breaking out from the old Roman defined territories to encompass ever larger realms. By then England comprised six kingdoms, but the west of the continent of Europe was dominated by the kingdom of the Franks, which stretched from the Rhineland to the Atlantic, encompassing all of present – day France.<sup>19</sup>

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16 Adrian Goldsworthy, p.407.

17 Field – Marshal Viscount Montgomery of Alamein, p.125.

18 Roger Osborne, *Civilisation: a new history of the Western World* (Pimlico, 2007), p.145.

19 Roger Osborne, p.144.

### **Western Europe**

After the last Roman Emperor of the West had been deposed, a series of “barbarian” warlords attempted to lay claim to Western Europe. The first was under Theodoric, King of the Ostrogoths. Under his rule, although Goths and Romans had their own separate laws and intermarriage was forbidden, barbarians and sub – Romans might have settled down together and a single government still have controlled the peninsula. However, Theodoric as an Arian, had incurred the implacable hostility of the Catholic Church; moreover, as often in barbarian realms, his dynasty collapsed. His house was destroyed by the ambitions of relatives which culminated in internecine conflict and murder.<sup>20</sup>

On the other hand, the Franks, long notorious for treacherous ferocity appeared as a new and formidable power in Gaul. Chlodovech, the first Merovingian of European fame, was baptised by Catholic bishops at Rheims. Thus, the papacy secured the historic alliance with the French monarchs. Chlodovech was now the greatest power in all Gaul. However, his prestige and recognition depended greatly on his religious beliefs, which could not contradict that of the papacy.

The Christian ruler would have to answer to Christ for the souls of his subjects. In the West this idea made weaker rulers even more susceptible to the demands of the Catholic Church.

By 754, the last and hopelessly incompetent Merovingian was deposed. Charles Martel, Pepin and Charlemagne took charge and building on one another’s work, created the political framework of Western Europe. Charlemagne’s empire was overambitious, without the economic and administrative foundation for such a vast hegemony and it collapsed through the perennial weakness of all the barbarian dynasties, the partition of the inheritance among younger sons. Charlemagne was an able ruler and formidable soldier who checked the fast advancing Moors, pacified the Saxons and increased Western influence in Bohemia and Poland. In theory, he was as absolute as any autocrat, ruling both the Church and the State.<sup>21</sup>

“The Will of the Emperor is absolute, his ban cannot be questioned, and let no one in any respect act contrary to his will or precepts.” Yet this statement gives the impression of intense but uncoordinated activity, from major decisions of policy to general moral supervision of the clergy as well as the laymen. Charlemagne’s power was indeed more effective

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20 John Bowle, *A History of Europe*, pp.143-44.

21 *Ibid.*, pp.169-70.

in war than in peace. The large armies that intermittently fought for 33 years must have been fairly well organised; but the provincial administration was inadequate, it was the rudiments of the first feudal society of largely self – supporting sub – Roman benefice, with sub – Roman titles, in return for military service, who themselves gave land to their own vassals.

The royal inspectors sent out to investigate the condition of the counties and royal estates would vanish on their long, slow peregrinations in early summer and not return until the fall, when it would be hard for government to act on any recommendation they might make. It was no surprise that when the Emperor died the Carolingian empire began to break up.

### ***Feudalism***

The empire was based upon a primitive economy and rudimentary feudalism. The West was a predominantly rustic economy, in which economic, social and military power was based on the ownership of land. In relatively good times, this rural society could be self – sufficient, it was liable in bad ones to local famine. And here the Church, with its vast estates, hoarded treasure, and systematic accounting came through better than the secular lords; it could even, without exacting interest, alleviate local distress; for the local clergy took the conservative landed subsistence economy for granted, and were hostile and contemptuous towards trade.<sup>22</sup>

The most important social and political consequences of the decline into a rustic economy derived from the urgent needs of defence. The commonsense answer to the needs of defence, following the breakdown of the large well – organised Roman armies, was the rise of the heavy armoured knights – who were endowed with landed “fiefs”, held in return for military service. This “feudal” and essentially personal improvisation was not a “system”; it was an answer to the collapse of one. This proved a long – term challenge to any central authority, particularly in the context of the dynastic partitions and rivalries of later Carolingian times. The power of the kings came to derive not so much from their title or sacred prestige, but from their domains and status as the greatest of all feudatories, increased by conquests. Since the whole feudal relationship was intensely personal, much depended upon the personality of the king and whether he was a great enough warrior and negotiator to control his magnates.<sup>23</sup>

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22 *Ibid.*, p.174.

23 *Ibid.*, pp.174-75.

The Franks took their highly developed system of feudalism and implanted it in societies that had lived by different means. Feudalism grew up in France by gradual assertion of aristocratic power; in countries that were gradually conquered, England for example; it was brutally imposed as the fulfilment of deeds made between monarchs and nobles in advance of conquest. After 1066 Norman nobles were given estates, duchies and bishoprics by William I in return for services in the conquest of England.<sup>24</sup>

The administration of much of the Frankish empire was run by local officials called counts. The position of count was an echo of the Roman Empire, a local noble or governor who collected taxes, presided over court, and led the local troops in battle. Through the counts and the lesser nobles the military and civil parts of society became even more closely entwined. This fusion was the bedrock of feudal society. The complex system of benefices, agreements, charters and indentures linked the lowest slave to the highest noble and on to the king. Agreements went on through layer after layer of society, binding the whole population into a net of legal, political, social, military relations.<sup>25</sup>

### ***Byzantine Empire***

In spite of the German Catholic drive into Eastern Europe which has encompassed the Poles, Slavs of Bohemia, Hungarian plains and Croats, Orthodox Byzantium remained the most powerful influence in Eastern Europe, among the Southern Slavs, the Bulgars, and in Kievan Russia.

By the tenth century, the empire was at the peak of power and influence, with by far the best organised army in Europe. The Byzantine government was itself still strictly centralised under the Basileus autocracy, and mainly administered by eunuchs; having no descendants and being barred from the throne, they were not considered dangerous. They dominated the civil service; decisive power thus civilian and often emasculated.

To this central administration the twenty – five provinces were subordinate; the pattern was extended when the expansion of the empire threatened to give the border barons a dangerous independence, and so continued until the loss of vital and extensive territories in Anatolia and the occupation of Constantinople by the Franks and Venetians of the Fourth Crusade. In comparison with the West, the government was immensely rich with colossal gold reserves. Taxation was systematic,

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24 Roger Osborne, p.153.

25 *Ibid.*, p.154.

through “head taxes”, “hearth taxes”, and land taxes on rural and urban property. The Byzantine tax collectors knew all about death duties, custom dues and levies on imports. With a freer hand than modern governments, they even managed to control inflation by limiting the money supply. The smuggling in of slaves duty – free was prevented, and the state itself went into business in the silk factories and in the corn trade.

“The whole system of taxation, by giving the emperor a constant supply of cash and thus enabling him to maintain his huge bureaucracy and his standing army.” – Runciman <sup>26</sup>

### ***Barbarossa’s Empire***

During the creative era of the Renaissance, European power politics at the summit and their military and political consequences rumbles like an intermittent thunderstorm around Western Christendom. A cosmopolitan civilisation, officially united by Catholic Christian beliefs, was afflicted by a contest between the empire and papacy for impracticable power, each side claiming divine sanction for supreme authority.

Friedrich Barbarossa (1152 – 1190) seemed the ideal feudal king. He was handsome, a soldier and ruler of untiring energy, with virtues of charm, good manners and lavish generosity. He had vast and romantic ambitions, and he was also a formidable legislator and diplomat. He was well read in the history of the Roman Empire as well as in the newly revived Roman law, so that he believed himself the heir of Constantine and Justinian. He claimed being nothing less than the leader of all Christendom.

After being chosen King of Germany by the Electors at Frankfurt, he proclaimed a general land peace to stop private war, hanged persistent and eminent offenders and destroyed their castles. In 1155 he made an example of the Count Palatine of the Rhine and ten of his followers by reviving an old Frankish custom whereby knightly offenders had to carry dogs for a mile.

His settlement of Germany was precarious, for he had won the support of the Reich lords only by giving them too free a hand, and weakened the imperial power when most successful monarchies depended on centralised realms. From being a relatively simple pattern of tribal duchies, Germany became divided into a much greater number

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26 Steven Runciman, *Byzantine Government* (University Paperbacks, London, 1975), p.142.

of feudal principalities, even more impossible. Such improvisation had been inevitable, for the country had to be settled somehow before Barbarossa could assert his imperial power over Italy; and then the constant expeditions he made over the Alps jeopardised his work in Germany.<sup>27</sup>

After his defeats in Italy against the Lombard League, wealthy Italian cities which hurriedly patched up ending their mutual animosities, the Pope and the Normans, in 1184, Barbarossa appeared supreme in Germany. Though, he had succeeded only by putting too much weight on tenuous feudal ties and diminishing the power of the crown. It was impossible to rule Germany and be Emperor of Italy as well.

### ***England and France***

In contrast to the far – flung ambitions of Barbarossa and his Hohenstaufen Empire, the feudal monarchies in the West were consolidating their relatively manageable realms. The most successful were the French Capetians and the Plantagenets of England. The former, with originally very small domains, but with the consistent backing of the Church, very gradually imposed their over lordship on the regions of France. The kings were enforcing their feudal rights over their own original territory and then beyond. When they asserted national leadership, the monarch would focus on the possible and put down rebellion in their own domain. Philippe Auguste centralised his government through royal non – feudal baillies (magistrates), while exploiting his feudal rights to the full. While Barbarossa had despised and fought the Italian Communes, Philippe extended his support and authority by making the French ones his vassals. Louis IX made the monarchy popular by intervening to settle the grievances that followed the exertions of the royal baillies, and conciliated the magnates by a fair interpretation of feudal rights. Furthermore, he consolidated the French hold on the Mediterranean against the Plantagenets and eliminating the Hohenstaufens.<sup>28</sup>

In England, Henry I exploited both the Anglo – Saxon chancery, with its charters, records and writs, and the ancient English shire courts. He had centralised the administration on his own curia or household, thus linking it with local government and had established a new court of Exchequer to collect taxes and keep accounts, and sending out itinerant justices to the shire courts.

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27 John Bowle, *op.cit.*, pp.225-26.

28 *Ibid.*, pp.240-242.

Henry II established the Exchequer and the law courts permanently in London, for the largest and richest city in the realm; and he asserted the royal authority throughout the land by regular assizes held by royal judges. He also strengthened the growing land establishment and retained its support of the crown by protecting the rights of property and inheritance. Litigation superseded violence. The decisions made and recorded in the royal courts built up into a formidable body of "Common" Law – so called because common to the whole realm. This achievement was rooted in Anglo – Saxon and Norman procedures, and, along with the use of juries to find out the facts, it made for a more centralised, businesslike routine within a manageable realm.<sup>29</sup>

Monarchs, indeed, were now better established; within their now more settled royal caste, they could better extend their influence and their possessions by dynastic marriages. Subject always to feuds within the royal families, which the grant of huge dukedoms to younger sons had fostered, the structure of the Western realms was now becoming set: the problem was to raise taxation for the paid armies and artillery trains which had superseded the feudal host.

Absolute monarchy emerged in France, from the degradation of the French Kingdom during the "Hundred Years" War (1337 – 1453). The war started with Edward III of England through his mother, daughter of Phillippe IV of France, to claim the French throne by descent. The first part of the war from 1337 to 1360 went badly, as the French could not adapt themselves to the English tactical innovations, such as using deadly professional archers and fighting on foot. By 1360, the French king was captured and all of Aquitaine belonged to the English.

However, by the 1400s, the French fortunes changed. The superior resources of France were gradually bought to bear; following the imposition of regular taxes through the hearth tax, the salt tax and in 1429, an inspired peasant girl of eighteen, Jeanne d'Arc from Lorraine induced Charles VII to sanction a successful relief of Orleans and to venture to Rheims for his coronation without which he could not command his full powers. Jeanne's capable and hardy leadership enhanced French morale. By a royal ordinance of 1439 the French King had created a standing army; and by 1455 they amounted to twelve thousand professional soldiers with artillery. With Burgundy reconciled with the French, from Charles VII's generous offer of Macon and Auxerre, the English lost Normandy, Maine and in 1453, Gascony as well.

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29 *Ibid.*, p.243.

The horrors of civil war and foreign occupation proved, on the public level, the making of the French monarchy. The crown was forced into organising large and permanently recurring revenue from a potentially wealthy realm, and to do so, on its own authority. The nobles, with typical irresponsibility, had resisted the extension of power in a revolt which Charles VII proved able to quell and he could also ignore the various regional parliaments.

### ***The Habsburgs and Muscovite Russia***

The only really solid dynastic achievement in Central Europe, and destined to spread far beyond it, was the accretion of Habsburg power, extended in 1477 by the marriage of Maxmillian, son of the Holy Roman Emperor to Mary, heiress of Burgundy. When most other dynasts, as the Plantagenets, fell into bitter internecine feuds, the Habsburgs, though they had their differences, concerted their policies by vesting the authority of their House in all the males of the family, of whom the eldest was admitted to be the final authority. In 1379, through the Treaty of Neuberg, the family possessions had been peacefully divided between the Archduke of Austria, his brother Leopold. Finally the family possessions were united under Friedrich III. Though he failed to assert his authority or collect revenues to which he was entitled, he was clever and popular; he made a good dynastic marriage with Elanor of Portugal and arranged the decisive Burgundian marriage of his son Maxmillian.

So while Poland and Hungary failed to develop effective central government or to prevent the increasing oppression of the peasantry, in Austria and Corinthia, on the other hand, in south-eastern Central Europe in the lands where the Turkish encroachment would have to be met, the Habsburgs had established an increasingly formidable power, drawing on resources extending far beyond their original territories.

The Grand Princes of Moscow, who had collaborated with the Tatars to survive, were now asserting their independence, and in spite of occasional Tatar raids, unobtrusively extending their power. Ivan III the Great (1462 – 1505), was the first Grand Prince to assert his independence of the Tatars, refuse tribute and call himself Tsar. He incorporated other regions into Muscovy. The long subjection to the Tatars had increased the Muscovite respect for autocracy, and the Tsar, who recruited Tatar troops, so adding to his massive resources of manpower, discarded the ancient popular assemblies, as at Novgorod, and was better able to control the magnates, who had absolute power over their serfs. Ivan also developed a nobility of military service in return for grants of state land. The Russian autocrat, in Muscovy, escaped the predicament of the Polish, Lithuanian and Hungarian

monarchs whose power was hamstrung by their own nobles and gentry; he laid the foundations of a centralised and powerful state.

### **The City States**

The most crucial political event to occur between 800 and 500 B.C. were the creation of the *polis*, a word roughly translated as 'city state.' In about 800 B.C., the nobles succeeded in breaking the absolute power of the kings and, as a result, gave a new lease of life to politics. To Aristotle, a civilised man was meant by nature to live in *polis*, a place where the law was observed and all citizens granted legal protection.<sup>30</sup>

The Greek idea of the state was not based primarily on a unit of territory, but rather on a social unit formed by the citizens. Most city states had an urban centre which, depending on population and geographical position, might be anything from a small village to a large town. Each *polis* enjoyed political independence. The most important administrative and religious buildings were concentrated near the homes of the rich, and all the inhabitants would gather there whenever necessary. The inhabitants of the *polis* did not live in an affluent society; they comprised a small stratum of nobles and high officials and mass of artisans and farmers. The power of the nobles began to be challenged increasingly from the first half of the seventh century B.C. The reasons were growing dissatisfaction with their despotic behaviour and the increasing burden of debt borne by the small farmers.<sup>31</sup>

Before the creation of the city states the old form of government was hereditary monarchy with established rights and limitations; but as Hellas (Greece) became more powerful and as the importance of acquiring money became more and more evident, tyrannies were established in nearly all the cities, revenues increased.<sup>32</sup> Thucydides, an Athenian historian, argued that there was no great enterprise, intellectual achievement, and nothing was achieved until these tyrannies were overthrown and replaced.<sup>33</sup>

### **Athens**

Before becoming a democracy, Athens had a lawgiver, Dracon who, between 624 and 621 BC was charged with the codification of customary law in response to Cylon's attempt to establish a tyranny and the killing

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30 Wilhelm Ziehr, *The Ancient World* (Book Club Associates: London,1982), pp.81-82.

31 Wilhelm Ziehr, p.82.

32 Thucydides, *History of the Peloponnesian War* (Penguin Classics, 1972), p.43.

33 Thucydides, p.45.

of the followers of Cylon whose relatives demanded justice.<sup>34</sup> According to accounts provided by Aristotle in his *Athenian Constitution* and his *Politics* states that Dracon was the author of laws but not of the constitution. Classical writers have stressed the severity of his laws. Demedes, a fourth century Athenian orator, is often quoted: that Dracon wrote his laws in blood, not ink. To this day harsh measures are called 'draconian.' In spite of this, Dracon's measures were important in that they codified legal practice.<sup>35</sup>

### **Transition to Democracy**

However, by the first half of the seventh century tension was growing between the aristocrats and the common people. At the very bottom of the scale were the bonded peasants, who were unable to meet their obligations to creditors. The tension between 'the people and the rulers of the state' (who were also the wealthiest families) had reached breaking point. It was the condition of the farmers that most threatened the ruling group. The Attican farmers and their villages supplied the men who fought in the Athenian army. The farmers en masse were potentially dangerous.<sup>36</sup> Solon, the reformer, sought what the Greeks called the 'good order,' a central notion in the governance of cities and the ordering of life. He outlawed debt – bondage, cancelled all such existing debts and recalled all exiled Athenian. Land confiscated for non payment of debts was returned to the farmers. In addition, Solon drew up a constitution for the *polis*, which divided the population into four classes according to the property they owned. Each class was then allocated certain official posts and the lowest class of citizens had the right to sit in a popular assembly and be selected for jury court.<sup>37</sup>

As well as being divided horizontally by social status and wealth, Athenian society was divided vertically by order or phyle. Solon decided that the four phylae should propose candidates for the different posts and that the successful candidates should be chosen by lot. This helped to break the factionalism of the oligarchy. However, Solon's laws had not protected the people from misuse of those laws. Cleisthenes, head of one of Athens most powerful families proposed a set of radical reforms based on a radical reorganisation of Athenian society. His crucial reform was to dissolve the four orders of phylae, each dominated by a group of wealthy

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34 Pavel Olivia, *The birth of Greek Civilisation* (Book Club Associations, 1981), p.131.

35 Pavel Olivia, p.132.

36 Roger Osborne, p.51.

37 *Ibid.*, p.53.

families, and set up a system of ten new phylae. This cut the root of the wealthy families' power.<sup>38</sup>

### ***Evolution of Government***

Through the efforts of Solon and Cleisthenes, the Athenians first devised constitutional self – government by the citizens of a slave owning society. The idea of the rule of law existing in its own right, since, they argued, no one could be trusted with absolute power, was one of their major contributions to democratic statecraft. They organised elaborate assemblies, councils and voting, gave them theoretical sanction and defined the rule of law. They hated lawless power: “*Man the social animal should not merely live but live well*” – Aristotle.<sup>39</sup> From 500 BC to 321 BC the city state of Athens was a direct democracy. Any citizen could attend the assembly and the daily government of the city was controlled by the council; judicial and audit functions were conducted by large juries. Membership of both council and juries was by lot; any citizen had a chance of being president or chief justice of Athens for one day. All the Athenian citizens were eligible to speak and vote in the Assembly, which set the laws of the city state, but neither political rights nor citizenship were granted to women, slaves or metics (an alien enjoying certain rights). Of the 250,000 inhabitants, only 30,000 on average were citizens. It was a form of citizen government including free discussion, voting, election by lot, and the exile of intolerable politicians for ten years.

The early form of democracy by the Athenians did not involve representation. That was unknown in the ancient democracy. As these democracies expanded in population, and the territory expanded, the simple democratised form became unwieldy and impracticable. As the system of representation was not known, the state degenerated into a form that was similar to a monarchy.

They repelled invasions by Persian kings Darius the Great and Xerxes – on the grounds that the Pax Iranicus was oppressive and Hellenic civilisation demanded liberty. Not that politically they made good use of it. Great as were its cultural achievements, the Greek system was a political failure, and even their victory over the Persians had been a near thing.<sup>40</sup> The city – states only united during the Persian invasions. The only thing that held them together was a foreign enemy, not any love

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38 *Ibid.*, p.54.

39 John Bowle, *Man through the Ages*, p.43.

40 John Bowle, *A History of Europe*, p.52.

for each other. The Greek resistance to Persia is a catalogue of bad planning, gross inefficiency and selfishness punctuated by occasional acts of brilliance and heroism.<sup>41</sup> So competitive was the Greek drive for success by any means that the politics of the cities are a kaleidoscope of bribery, corruption and political murder.<sup>42</sup>

### ***Expansion into an Empire***

Athens gradually built up its power base after the unsuccessful invasion of Greece by the Persian King Xerxes. The city expanded the size of its fleet which had been instrumental in the naval victory at Salamis. In the course of time, Athens took over the fleet of her allies and made them pay contributions of money.

The increasingly imperialistic psychology of Athens also expressed itself in other measures. Athens took control of the corn routes from the Black Sea with her navy, ordered a cessation of local coinage throughout the empire, and the exclusive use of Athenian coins, and trials involving Athenian citizens were moved to Athens, as were cases involving capital punishment.<sup>43</sup>

Above all, Athens intervened to impose or support democratic governments (oligarchies were tolerated in non – Greek communities). Despite assumptions historians and contemporary observers had with regards to the desirability of freedom, the pattern among allies was not a simple one. Many men welcomed employment in the Athenian navy, where they received the same pay and conditions as an Athenian. Not all the allied populations felt themselves enslaved, and this is reinforced by Thucydides. By and large, Athens could count on the support of the lower classes and the hostility of the wealthy and aristocratic families – hence the support of local democracies. The reverse situation existed in Sparta – “The Spartans did not make their allies pay tribute, but saw to it that they were governed by oligarchies who would work in the Spartan interest.”<sup>44</sup>

Pericles (430 BC) was the first ideologue of democracy, which he justified on the grounds that it promoted tolerance and public spirit. Aristotle did mention as a justification of majority rule that “*the majority ought to be sovereign, rather than the best, where the best are few...A feast to which all contribute is better than one given at one man’s*

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41 Peter Connolly, *Greece and Rome at War* (Macdonald Phoebus Ltd, 1981), p.29.

42 John Bowle, *A History of Europe*, p.52.

43 Thucydides, p.609.

44 *Ibid.*, p.46.

expense.”<sup>45</sup> However, Plato and Aristotle both deplored democracy on the grounds that it handed control of the government from experts in governing to populist demagogues and Aristotle on the grounds that government by the people was in practice government by the poor, who could be expected to expropriate the rich. There is the fear in a democracy that the majority would become tyrants and exploit the minority groups.<sup>46</sup>

### **Sparta**

The Spartans were the most feared state in Greece. It was accepted that one Spartan was worth several men of any other state, and none of the other States would dare oppose Sparta on the battlefield. They Spartans had a strange constitution. Although they were commanded in battle by two hereditary kings who could be, and often were, removed if the people did not like them, they were governed by five magistrates (ephors) who were elected annually. By the 5<sup>th</sup> century BC, the ephors were the true power in the state and were answerable only to their successors.<sup>47</sup>

It was not until the sixth century BC that the state (*polis*) of Sparta attained its final form, but from that time onwards the provisions of Lycurgus – the mythical lawgiver of Sparta – were strictly adhered to. The rebellion of the Messian helots had brought home to the Spartans the fact that the stability of their country could be ensured if all the citizens stood together.<sup>48</sup> The Athenian soldier and writer Xenophon spent many years within Sparta and several on campaigns with them. From his writings one can build up a very full picture of Sparta at the end of the fifth century BC. Everything in Sparta was regulated by the state. All Spartan men were soldiers. All other professions were forbidden to them. In order to maintain the status quo every Spartan had to devote his life to soldiering so that he could keep the helots down. Bravery was considered the ultimate virtue and cowardice the greatest vice.<sup>49</sup>

Sparta became one of the greatest and most powerful Greek states, ruling over Messenia and Laconia, including the *perioecic* settlements. The people of many cities of Southern Greece were bound to Sparta by

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45 Iain McLean and Alistair McMillan, *Concise Dictionary of Politics* (Oxford University Press, 2003), p.29.

46 Iain McLean and Alistair McMillan, p.140.

47 Peter Connolly, p.38.

48 Pavel Olivia, p.79.

49 Peter Connolly, p.39.

treaties of alliance, giving Sparta hegemony within the Peloponnesian League. The helot problem, however, remained the Achilles heel of the Spartan state.

### ***The Helots***

The helots are most frequently described as slaves or serfs, yet neither category entirely fits the case. The helots were allotted to individual Spartan citizens along with their share of the land. The difference between the helots and the serfs of medieval feudalism was that the former were not part of the nation of Sparta, but were natives enslaved by foreign invaders and robbed of their freedom in the same way as slaves.<sup>50</sup>

They were obliged to deliver their quota to the Spartans in kind. Helotry was often criticised by classical authors. Plutarch described the treatment of the helots as the cruellest and most illegal system. The relations between helots and Spartans were most succinctly described by the saying that in Sparta the free were the freest and the slaves the most enslaved. The ephors, the highest officials in Sparta, declared war on the helots every year at the beginning of their term in office, in order to legalise the killing of helots. This measure is in itself proof that the Spartans were aware of having conquered the helots by military invasion. This was accompanied by a series of disciplinary measures in which helots were hunted by young Spartans.<sup>51</sup> This practice was tribal in nature and part of the survival instincts that man has retained from his earliest ancestors. The war against the helots served a new function in Sparta, becoming part of the military training which was directed at the preservation of the existing order.

The punitive campaigns took place at times when the helots were thought to be in particular danger. As Thucydides said in his account of the War of the Peloponnese, the Spartans were constantly worried about their internal security, mainly because of the helots. According to some reports, the Spartans never laid aside their arms, and were constantly on the alert to prevent them falling into the hands of the helots. Xenophon remarked that the hatred of the helots and other oppressed and subordinated groups for the Spartans was so fierce that 'they would have liked to eat them, even raw.'<sup>52</sup>

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50 Pavel Olivia, p.68.

51 *Ibid.*, p.69.

52 *Ibid.*

### ***The Perioeci***

In addition to the helots were the *perioeci* who also occupied the lands under Spartan rule. There were several dozen *perioecic* cities, with their autonomous administration. Although they were free men, the *perioecic* took no part in the administration of the Spartan state. The cities varied both in size and in their ethnic composition. Like the people of other Greek cities, the *perioeci* were primarily agricultural, but in some places, at least, the crafts soon developed. The majority of articles like iron tools and weapons, woollen cloth, shoes and furniture, were made by artisans settled in the *perioecic* cities.

Compared with the *perioeci*, and especially with the helots, the Spartans formed but a minority within the State. If they were to keep power in their own hands, they had to maintain the military way of life they had brought with them when they invaded Laconia.

### ***The Peloponnesian League***

The history of this League goes back to the middle of the sixth century BC, when Sparta began to enter into formal alliance with other city – states in the Peloponnese. They were a combination of defensive alliances and non – aggression pacts. However, by no means were all signed voluntarily by the other party.<sup>53</sup>

The assembly was summoned whenever there was need for combined military action. Only Sparta, however, could call a military; any ally who wished to had first to go to Sparta and persuade her.

However, membership in the League fluctuated according to Spartan fortunes and the general political situation in Greece. Power politics was what counted, not formal constitutional provisions. There was a revival in membership when Athenian imperial power grew. The League had no finances of its own – allies paid no tribute – and no permanent executive. Each state had one vote in assembly – yet there is the delusion that one – state one – vote principle works.<sup>54</sup>

## **The Roman Republic**

### ***The Constitution***

Rome's early history is shrouded in legend and mythology. What can be speculated is that the constitution of the Republic originated from the fear of tyrannical kings. In the Republic, the consuls represented the

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53 Thucydides, pp.607-608.

54 Thucydides, p.608.

dignity of the state. They levied and commanded the legions, presided in the assemblies both of the people and the senate. The general control of the finances was entrusted to their care and they were considered the supreme guardians of law, equity and public peace. The tribunes were instituted to defend the oppressed, to pardon offences and to stop – when they judged it necessary – the whole machine of government. The dangerous influence which either the consul or the tribunes might derive from their respective jurisdiction was diminished by several restrictions. Their authority expired with the year in which they were elected; consul power was divided between two; tribunical powers among ten persons and as they were adverse to each other, their mutual conflicts contributed, for the most part, to strengthen rather than to destroy the balance of the constitution. In addition, any legislation or any decision made by the consul or the tribunes had to meet the approval of the Senate. The Senate had the responsibility of electing the two consuls and ten tribunes whom they believed were most suitable for the post.<sup>55</sup> However, Roman justice was not easy to come by for the poor: the social order depended on the status and the ownership of land. Like the city of Athens, slavery was taken for granted.<sup>56</sup>

### ***Political Issues***

A vigilant nobility and stubborn commons, tenacious of property and part of a constitutional assembly, form the only balance capable of preserving a free constitution against enterprises of an aspiring prince. However, in history not even this form of government could survive. During the last century BC powerful politicians vied to become “Primus inter pares” – “First among Equals” through whatever means necessary, and ambitious men were only kept in check by equally ambitious competitors. Marius and Sulla were the first, which later gave rise to the Triumvirate of Caesar, Crassus and Pompey, and of the second one involving Octavian, Marc Antony and Lepidus. This was not helped by the fact that the legions were more loyal to such men than to the Senate that refused them pay and did not honour them for their years of service. The Senate could not and did not want to adapt to the changing power structure and were pushed aside by the ambitious individuals just mentioned. Moreover, the Senate had proven, time and again, to be selfish, arrogant, incompetent and short-sighted that the Roman population no longer trusted them to lead. The Senate was often too willing to protect its friends, allies and members from lawful prosecution

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55 Edward Gibbon, p.36.

56 John Bowle, *A History of Europe*, pp.78-79.

for even the most evident and extraordinary crimes. In 133 BC, with the killing of the Graachi brothers who came from the ranks of the citizens and worked outside the constitutional system by using the popular assemblies instead of the Senate, the Roman people – seeing their champions being eliminated by the conservative Senate – became more willing to accept the measures suggested by the reformers to ensure their laws and their lives. Caesar's seizure of power was technically treason, but no one outside the Senate cared, as it promised real change for a corrupt and unworkable Republic.

In addition, Rome's government was not designed to rule an empire. The Republic was meant to govern a city – state; one that was only supposed to extend through the regions of central Italy. The Republic proved incapable of ruling new territory and the provinces became fiefdoms of the new governors who proceeded to plunder them at will. There was no system of accountability, no ancient tradition of dealing with corrupt governors. The problem was that the Republic was tradition – bound and would not change to handle it.

### ***The Renaissance***

During the 12<sup>th</sup> Century Renaissance, there was a revival of trade and Roman law with its rational and written procedure, with the result that the towns and the transactions of merchants became better organised. They varied according to origin and locality, from Constantinople and Cordoba which entirely outclassed any others, to big cosmopolitan parts of Italy – Venice, Pisa and Genoa – down to local strongholds under the protection of a great lord or bishop, which served both as market centres, as refuges.

Within these various settings, alien in a rustic feudal society, there grew up the bourgeoisie. Some cities, as Venice or Genoa, were rich enough to become Republics, acknowledging no superior and negotiating as equals with kings. Most remained under at least the nominal authority of their local lords, to whom they owed feudal obligations; but from whom they often bought rights of internal self – government. If they could raise their own taxes and militia, they had more regular resources available than most of the great feudatories or even kings. And their liberties, written and exact like their own systematic accounting, were better defined than the personal and customary obligations of feudal order. Custom was being superseded by written rights.<sup>57</sup>

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57 *Ibid.*, p.215.

It was cash and business sense that counted, not descent, and the towns were governed by a council of the wealthier families who elected a “Mayor” or “Provost” from among themselves for a limited term of office, an oligarchic election in which the occasional popular assemblies had limited influence.

A civic and courtly humanism with a better understanding of the culture of antiquity, itself a derivative from city states, gradually transformed the outlook of educated western and central Europe through successive phases. Spreading out from originally republican Florence, this new humanism extended first over the other Italian cities and states, then, in the 16<sup>th</sup> century High Renaissance, over Northern Europe and into Spain and Portugal, making the Italians again culturally the most important people in Europe, while in the Netherlands wealthy and thriving cities became the cultural beacons of the North.

The city states, Italian and Flemish, had their roots in the Middle Ages; but they had risen through commerce and banking, they were incongruous in the feudal world and their outlook was businesslike and methodical. Italian political theorists now began to derive the states’ authority not, as had Dante, from a divine cosmic order, but from a secular commonwealth of the citizens, or simply as workable power justified by itself.

Where the vitality of feudal society had been rural, drawn from the mutual obligations of the manor or its equivalent and conditioned by ancient customary law, the vitality of early modern times, regulated by commercial Roman – style law, would emerge more from the cities; in particular from those of Central and Northern Italy and the low countries.<sup>58</sup>

### ***The Italian City States***

Since the days of Barbarossa, the vitality of the Italian republics had been irrepressible; with no monarch to crush them and sustained by flourishing long – distance commerce, by cosmopolitan banking, and by the extension of their territories, republican communes had emerged. Most of them were republics governed by patrician families through councils; and in spite of internal strife within the craft guilds, they had bought themselves out of their old obligations to the emperors or to the bishops. But the conflicts between nobles and patricians had been exploited by adventurers: they had monopolised civic offices of the Council and, held on to them, organised their own gangs and, in the

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58 *Ibid.*, pp.278-79.

aftermath, seized power and kept it by cunning methods, military and civilian.

The Italians developed the secular city states, republican or despotic, as a deliberately constructed institution. These city states had no moral basis, merely successive power. The first major Italian architect of such a state was Can Grande della Scale, tyrant of Verona (1312 – 29), who conquered Padua, Feltre and Cividale. Without hereditary or feudal status, such opportunists had to use the utmost intelligence and finesse; hence their patronage of scholars and artists who advertised their upstart and competitive courts.

In Florence, the republican tradition was strong and predatory; the republic took over Arezzo and in 1406 conquered Pisa and Livorno. But by the mid – fifteenth century an immensely rich banker, Cosimo de' Medici, won de facto control, and by the time he died in 1464, he had established the predominance of his family. He was one of such many patricians who had made their fortunes out of banking or cloth working, and rigged the originally democratic civil franchise into an oligarchy by monopolising the rotating offices of the Council. Like the Athenians, the Florentines were patrons of literature and the arts.<sup>59</sup>

The wealthiest city state was the Republic of Venice, which had defeated Genoa after long naval wars and having exterminated various Slav pirate nests in the Adriatic, was now immensely rich. Within a Doge elected for life, power shared by a network of espionage combined with spectacular pageantry for visitors and populace, this republican oligarchy not only commanded great wealth, but also the most sophisticated diplomatic service of its day. In spite of their competitive belligerence, the city states of Milan, Florence and Venice all had a common interest in creating at least a balance of power and keeping out foreigners.<sup>60</sup>

### ***Italian theory of the state***

Italian political theory reflected the facts of Italian politics. It has already been recorded that in the days of Can Grande della Scale of Verona, Marsilio of Padua had adumbrated a secularised theory of the city state. He had set aside the claims of the Church, itself to be ruled by a Council of Christendom, and derived public authority from the will of the civic oligarchy.

Niccolo Machiavelli, a Florentine civil servant, had assumed that a secularised state power was a law unto itself and justified it simply by

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59 *Ibid.*, p.284.

60 *Ibid.*, p.285.

success. Arguing that it is safer for a ruler to be feared than loved, “because it is asserted in general of men that they are ungrateful, fickle, false, cowardly, covetous and as long as you succeed they are yours entirely: they will offer you their blood, property, life and children...but when it approaches, they turn against you. Since such is human nature and since it does not change, only the most vigilant foresight and ruthless cunning can win and keep public power” (*The Prince*).<sup>61</sup> Machiavelli discarded any hope of the divine cosmic order envisaged by Dante, and still hoped for by Marsilio, the principles on which great dynastic national states and supranational states have ever since conducted foreign policy. He argues that when the entire safety of our country is at stake, no consideration of what is just or unjust, merciful or cruel, praiseworthy or shameful, must intervene. A course must be taken which procures the existence of the country and preserves its liberty. Such was the first modern theory of the state.<sup>62</sup>

The Italian city states were called republics yet they were ruled by aristocrats or an oligarchy. They were less concerned with democracy or right to live as is traditionally associated with republics. Instead, survival, wealth and security carried precedence in the running of the cities.

### **What is an ideal State? – Cicero’s Theory**

*“The good of the people is the chief law” – Cicero (De Legibus)*

Governments pass through cycles and revolutions in their changes. It is the business of the intelligent man to be aware of them, to modify their effects and to keep stable the fragile components of the state. Cicero believes that the best type of constitution is one in which other constitutions in general pass into one another. As soon as a king begins to rule unjustly, that government vanishes, for that man has become a tyrant. If he is overthrown by an aristocracy, the country moves into the second of the constitutions. It is a paternal council of leading men who have the best interests of the people at heart. If the tyrant has been expelled or killed by the people acting directly, the latter behave with reasonable restraint as long as they remain wise and sensible. They take pleasure in what they have done, and are keen to preserve the constitution which they themselves have set up. But if violently or

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61 Machiavelli, *The Prince* (Everyman edition), Chapter XVII.

62 John Bowle, *A History of Europe*, pp.288-89.

otherwise, the population deposes a just king, and subjects the entire state to its wild caprice, then the result is:<sup>63</sup>

Every private household is devoid of authority. Father fears son, son ignores father, respect is completely absent...a teacher is afraid of his pupils and submits to them: they treat their teachers with contempt...citizens become so tender and hypersensitive that at the slightest hint of authority they are enraged and cannot bear it. In consequence they begin to ignore the laws too; and the final outcome is total anarchy."<sup>64</sup> – Plato

From that wild and indeed savage populace, a chief is usually chosen. He chooses a group of henchmen and ends up tyrannising the very people from whom he emerged. Thus, this extreme freedom produces a tyrant, along with extremely harsh and evil subjugation of the population that goes with his power. If that man is overthrown, as often happens, by decent citizens, constitutional government is restored. But if he is supplanted by unscrupulous thugs, then a junta is created which is just another form of tyranny.<sup>65</sup>

Having highlighted the instability of the three simple forms of government, it could be concluded that a state should possess an element of regal supremacy; something else should be assigned and allotted to the authority of aristocrats; and certain affairs should be reserved for the judgement and desires of the masses. Such a constitution has, in the first place, a widespread element of equality which free men cannot long do without. Secondly, it has stability; for although the three original forms easily degenerate into their corrupt versions – despot in monarchy, oligarchy in aristocracy and a disorganised rabble in a democracy – such outcomes rarely happen in a political structure which represents a combination and a judicious mixture – unless, that is, the politicians are deeply corrupt.

## Review

The question of what form of government is best, however, depends on circumstances. Should a supremely wise and good person arise, who contributes supremely to the state, then according to the transactional principles of distributive justice such a man should be given supreme power, and be permitted to rule within the law, to ensure that he does not abuse this power.

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63 Cicero, p.30.

64 *Ibid.*, p.31.

65 *Ibid.*, p.32.

In the absence of an ideal monarchy or aristocracy, however, the best constitution for the majority of states is a mixture of democracy and oligarchy in which power is in the hands of the most appropriate individuals and at the same time, the citizens should have a part in political decisions. The more people are involved in arriving at a decision the more likely it is to be correct. Such a government is now possible thanks to modern communications and computers which have removed many of the technical obstacles. Indeed democracy has been more desirable due to its stability as mentioned previously that most violent political upheavals originate from the failure of the monarchy or hereditary government.

According to Aristotle, the chief reason for constitutional instability and revolution is discontent arising from perceived inequality. Everyone agrees that there should be justice, and that there is proportional equality, but there is no agreement on what the criterion for this should be: democrats would claim it is freedom and oligarchs that it is wealth. The way to ensure stability, therefore, is to prevent such discontent by giving as many people as possible at least some share of honours, offices and profits. Laws should be passed to guard against extremes of wealth and poverty.<sup>66</sup> The most effective safeguard of all, however, is education: through education, the state can habituate its young to the ways of the constitution. Justice is central to the survival of any government. This is because when injustice, tyranny and oppression take hold, social evils are born and these have the power to destroy whole nations.

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66 Iain McLean and Alistair McMillan, p.27.