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INTRODUCTION

“Uneasy lies the head that wears a crown.”

—William Shakespeare, *Henry IV*.¹

The humanists of the early Italian Renaissance fostered an increased study of classical literature that ultimately affected contemporary political theories regarding tyrannicide.² Scholars as well as political figures sought ancient literary precedents for advocating republicanism, since many desired more independent governments rather than the tyrannies of late *Trecento* Italy.³ Throughout the *Trecento* and *Quattrocento*, internal wars devastated Italy, forcing citizens to unite under *signori*, or petty despots, to protect themselves.⁴ The signorial governments initially provided a sense of peace and stability to Italian city-states, yet such illegitimate regimes were often controlled and maintained by violence, manipulating law and order to retain power.⁵ However, the growth of the *popolo*, or

¹ William Shakespeare in *Henry IV, Part II*, Ed. Giorgio Melchiori (Cambridge, England: Cambridge University Press, 1989), 116.

² Lauro Martines, *Power and Imagination: City-States in Renaissance Italy* (Baltimore, MD: The Johns Hopkins University Press, 1988), 191.

³ *Ibid.*

⁴ *Ibid.*, 94-96.

⁵ *Ibid.*, 102-103.

middle-class, enabled certain city-states to foster a republican sentiment that thrived by the *Quattrocento*, so long as the bourgeoisie was substantial in number and the noble class was weak or defeated.⁶ Republicans desired liberty over tyranny. Thus, the illegitimate rule by one man, and the problem of the tyrant, was discussed in many political texts. Humanists looked at a variety of ancient Greek and Roman sources to support their defense of civic liberty: many favored a mixed constitution, one based on the republic defined by the classical Roman senator and Stoic philosopher Marcus Tullius Cicero (106-43 B.C.).⁷

Cicero was an ideal pagan classical figure for republican humanists to study, owing to his extensive critique of the collapse of the Roman republic under Julius Caesar, whom he condemned as a tyrant. Humanists engaged in historical debates over the importance of Caesar, which evoked literary arguments regarding the comparative merits of a monarchic government or a republican body politic.⁸ Indeed, Janet Coleman asserts that self-seeking, overbearing individuals plagued the last century of the Roman republic: "The changing political alliances which characterized republican politics were not dangerous in themselves, but when they were linked to individuals with great military power the republic came to be threatened. This in turn led them into the arms of dictators and a loss of their liberty."⁹ Cicero's own excoriating rhetoric against tyrants such as Julius Caesar in his *De Officiis* offered medieval and Renaissance scholars a strong, classical justification for taking action against a political tyrant.

Still, scholars were confronted with an even more serious issue: the problem of removing the tyrant. In his *De Officiis*, Cicero praised Marcus Junius Brutus (85-42 B.C.) and

⁶ *Ibid.*, 138.

⁷ Janet Coleman, *A History of Political Thought from Ancient Greece to Early Christianity* (Oxford: Blackwell Publishers, 2000), 232.

⁸ Martines, 207.

⁹ Coleman, 230.

Caius Cassius Longinus for assassinating Caesar, thus endorsing political tyrannicide. Did Cicero's strong influence on medieval and political thought affect rhetoric regarding tyrannicide in *Trecento* and *Quattrocento* Italy? This study will attempt to analyze the influence of Ciceronian rhetoric on selected medieval and Renaissance texts that address the matter of tyrannicide.

I will devote the first chapter of this work to Marcus Tullius Cicero. Specifically, I will analyze Cicero's definition of the tyrant, as well as his justification of tyrannicide, notably in his *De Officiis* (44 B.C.). I will then examine the Ciceronian influence evident in the political text *Policraticus*, written by John of Salisbury (1120-1180). Though John was an English ecclesiastical secretary, his work is integral to our discussion regarding tyrannicide in medieval political theory. It is necessary for us to analyze his thoughts on tyrannicide briefly since the Middle Ages was a threshold period between ancient Rome with Renaissance Italy. John's *Policraticus* (1159), though not of Italian origin, was written in Latin during the twelfth century, when there was a strong revival of interest in political theory.¹⁰ In fact, the *Policraticus* is frequently commended as the first work to define a comprehensive theory of government during the Latin Middle Ages.¹¹ John's willingness to discuss the moral legitimacy of tyrannicide and his extensive citations of Cicero reveal Cicero's influence on medieval political theory. Moreover, John's qualifications regarding tyrannicide in both secular and ecclesiastical spheres indicates that scholars had begun to blend Christian thought with literary sources from antiquity to produce a new classical-Christian model of political thought. Though John of Salisbury noted that secular tyrannicide could be

¹⁰ Cary J. Nederman and Kate Langton Forhan, *Medieval Political Theory—A Reader* (London: Routledge, 1993), 26.

¹¹ Cary J. Nederman, *Policraticus* (Cambridge, England: Cambridge University Press, 1990), xv.

legitimate, his prohibition of clerical figures from engaging in tyrannicide reveals his predilection for the clergy, since he felt they were above eliminating a tyrant by murder.¹²

I will then study Bartolus of Sassoferrato (1314-1357), a jurist of the *Trecento*, whose tract, *De Tyrannia*, examined the subject of Italian tyranny from a purely legal perspective. His discussion inevitably recognizes the issues of the individual tyrant and tyrannicide while addressing the institution of tyranny. Bartolus, a student of the law, lived during the period when the *popolo* had begun to gain power within Italian city-states, prompting a hatred of tyrannical government.¹³ Bartolus's scholarship utilized Roman civil law to address political problems facing *Quattrocento* society, thus reflecting some main issues plaguing society at the time.¹⁴ Bartolus expands upon the definition of a tyrant, dividing tyranny into several qualifying categories. He then evaluates the legitimacy of tyrannicide. Bartolus's lack of classical examples defending tyrannicide, as well as his specifications regarding tyrants reveal that though there is a slight Ciceronian influence endorsing tyrannicide, scholars were becoming more immersed in the legal methods for removing a tyrant.

Finally, I will consider Coluccio Salutati (1331-1406), a humanist Florentine chancellor, and evaluate the Ciceronian influence on his political thought regarding tyrannicide. Not only is Cicero discussed frequently in Salutati's *De Tyranno*, a letter discussing the problem of the tyrant. Salutati directly refuted Cicero's belief that Caesar was a tyrant, and also John of Salisbury's idea that certain forms of tyrannicide are morally legitimate. Salutati's extensive criticism of Cicero, as well as his ardent defense of Julius Caesar, reveals that though humanists relied on classical precedents, they did not accept everything that Roman republican figures had to offer when it conflicted with their own

¹² Cary J. Nederman and Catherine Campbell, "Priests, Kings, and Tyrants: Spiritual and Temporal Power in John of Salisbury's *Policraticus*," *Speculum*, Vol. 66, No. 3 (July, 1991), 576.

¹³ Martines, 64.

¹⁴ Ephraim Emerton, *Humanism and Tyranny* (Cambridge, MA: Harvard University Press, 1925), 126.

personal agenda. Instead, Salutati's critique of Cicero, as well as his endorsement of a monarchic government, reveals a distinct shift from a pro-republican ideology to a pro-monarchal ideology.

As the Renaissance instilled more organized, stable political systems in Italy, the rationale for tyrannicide declined, since scholars favored an established, secure government, and wished to remove tyrannical leaders by means of law, not murder, by *Cinquecento* Italy. Though Ciceronian influence on political works discussing tyrannicide was unmistakable throughout medieval and Renaissance political thought, some late Renaissance scholars began to reject Cicero's classical endorsement for tyrannicide in favor of legal means to remove a tyrant.

L. Background and Formal Arguments within the *De Officiis*

Marcus Tullius Cicero (106-43 B.C.), ancient Roman statesman and orator, was an influential progenitor of rhetoric regarding tyrannicide. His literary excoriations of Julius Caesar provided a classical example for medieval and Renaissance scholars such as John of Salisbury, Bartolus of Sassoferrato and Colaaccio Salutati to follow.² Ciceronian rhetoric was especially integral to Renaissance philosophy, for scholars tended to view Renaissance law in terms of Ciceronian rhetoric.³ Cicero's arguments for tyrannicide seem to have been original, since preexisting formulations cannot be detected in earlier Greek philosophical works, namely those of Aristotle and Plato, who explicated their opposition to tyranny and the tyrant, yet never argued personally for or against tyrannicide itself.⁴ Cicero's original

² Marcus Tullius Cicero, *De Officiis*, trans. Walter Miller (Cambridge, MA: Harvard University Press, 1951), 191. All English translations are by Miller unless otherwise indicated.

³ Occas Justi and John D. Lewis, *Against the Tyrant—the Tradition and Theory of Tyrannicide* (Glencoe, Illinois: The Free Press, 1957), 10.

⁴ Janet Coleman, *A History of Political Thought from Ancient Greece to Early Christianity* (Oxford: Blackwell Publishers, 2000), 232.

⁵ Justi and Lewis, 7.

CHAPTER I:

Marcus Tullius Cicero— Ancient Progenitor of a Distinct Rationale for Tyrannicide

“Whom they fear they hate. And whom one hates, one hopes to see dead.”¹
-Ennius as quoted by Marcus Tullius Cicero, *De Officiis*

I. Background and Formal Argument within the *De Officiis*

Marcus Tullius Cicero (106-43 B.C.), ancient Roman statesman and orator, was an influential progenitor of rhetoric regarding tyrannicide. His literary excoriations of Julius Caesar provided a classical example for medieval and Renaissance scholars such as John of Salisbury, Bartolus of Sassoferrato and Coluccio Salutati to follow.² Ciceronian rhetoric was especially integral to Renaissance philosophy, for scholars tended to view Renaissance law in terms of Ciceronian rhetoric.³ Cicero's arguments for tyrannicide seem to have been original, since preexisting formulations cannot be detected in earlier Greek philosophical works, namely those of Aristotle and Plato, who explicated their opposition to tyranny and the tyrant, yet never argued personally for or against tyrannicide itself.⁴ Cicero's original

¹Marcus Tullius Cicero, *De Officiis*, trans. Walter Miller (Cambridge, MA: Harvard University Press, 1951), 191. All English translations are by Miller unless otherwise indicated.

²Oscar Jaszi and John D. Lewis, *Against the Tyrant—the Tradition and Theory of Tyrannicide* (Glencoe, Illinois: The Free Press, 1957), 10.

³Janet Coleman, *A History of Political Thought from Ancient Greece to Early Christianity* (Oxford: Blackwell Publishers, 2000), 232.

⁴Jaszi and Lewis, 7.

rhetoric supplied a distinctly innovative model for scholars who sought support for their own opinions favoring tyrannicide with a weighty classical authority.⁵ Today, Cicero stands out as the pre-eminent classical Roman figure in developing the rationale for tyrannicide.

How was tyranny defined in the classical era? The etymological origin of the word “tyrant” is from the Greek noun *tyrannos*, and the term “tyranny” was originally without derogatory moral connotations.⁶ Initially, the Greek word was used simply to designate a single political figure who had achieved power through usurpation.⁷ According to the Oxford Classical Dictionary, the Greek meaning of tyrant simply meant “a monarch, sovereign.”⁸ Later, it acquired the negative connotation of “an absolute ruler who rules outside the law, usually one who obtains without legal right.”⁹ The Greek philosophers Aristotle and Plato modified the word’s association to emphasize the nature of a tyrant’s rule rather than how he attained his power.¹⁰ The noun thus acquired a negative connotation. Both philosophers provided the noun with an explicitly moral tone of condemnation, yet with the logistics behind killing, neither philosopher adopted the definition that associated tyranny with a cruel ruler.¹¹ Though Plato and Aristotle were responsible for giving tyranny a legitimate moral position in ancient political philosophy, their restraint from arguing for or against tyranny left a rationale for removing a tyrant virtually undeveloped until the Roman Republic.¹² Consequently, Plato and Aristotle argued more on the subject of tyranny itself, and their neglect of tyrannicide created a literary frontier pioneered by Cicero.

⁵ *Ibid.*, 10.

⁶ Jaszi and Lewis, 4.

⁷ *Ibid.*

⁸ *Oxford Classical Dictionary* (Oxford, England: Clarendon Press, 1968), 1999.

⁹ *Ibid.*

¹⁰ Jaszi and Lewis, 4.

¹¹ “Any ruler, etc. who exercises authority in a cruel or oppressive way, a tyrant.” The Oxford Classical Dictionary lists Cicero as the earliest source for such a connotation.

¹² Jaszi and Lewis, 7.

Plato and Aristotle, though their beliefs would permeate the spirit of Renaissance humanism, as did Cicero's, refrained from allying themselves to either side of the ethical conundrum known as tyrannicide.¹³ Cicero, however, chose a specific side. Why did Aristotle and Plato withhold their personal views on this issue? Plato's assumption that people would naturally assassinate a tyrant may have eliminated the need for personal commentary on the matter.¹⁴ Aristotle discussed citizen motives for murdering a tyrant, and even delved into possible justifications behind killing unwarranted usurpers, yet never committed himself personally to a position.¹⁵ Perhaps neither philosopher supplied a rationale because neither man felt personally involved with the issue. Plato and Aristotle, though popular Greek philosophers, were never threatened directly by the rise of a particular tyrant in ancient Greece.

Conversely, Marcus Tullius Cicero, firmly engaged in the Roman republic, had every reason to protect himself and his society from emerging tyrants. The rise of Marius Sulla and Julius Caesar, each general having virtually unlimited authority, intimidated other powerful senatorial legislators, such as Cicero.¹⁶ Plato and Aristotle, lacking the intimidation of a serious competitor, could afford to be neutral in their ethical contributions to the subject of tyranny. Julius Caesar's rise to power provided Cicero the immediate motivation to develop rhetoric defending tyrannicide.

Representative of Cicero's rhetoric endorsing tyrannicide is his *De Officiis* (44 B.C.), written shortly before his death.¹⁷ Cicero's anti-tyrant ideology resounds more clearly

¹³ *Ibid.*, 7-8.

¹⁴ *Ibid.*, 7.

¹⁵ *Ibid.*, 7-8.

¹⁶ *Ibid.*, 8.

¹⁷ Neal Wood, *Cicero's Social and Political Thought* (Berkeley, CA: University of California Press, 1995), 68.

following Julius Caesar's assassination in early 44 B.C.¹⁸ Unlike his earlier work, the *De Provinciis Consularibus*, which he wrote in praise of Caesar while he lived, Cicero's posthumous criticism of Caesar offers insight into his true feelings on the dead tyrant.¹⁹ The *De Officiis* offers one of Cicero's most comprehensive surveys of Roman government, written after it became apparent that Caesar's assassination had not promoted a restoration of the republic.²⁰ Cicero explicitly states in the *De Officiis* that he has written more in 44 B.C. than before, cleverly declaring Caesar's rise and fall to be analogous to the fall of the Republic: "I have, accordingly, written more in this short time since the downfall of the Republic than I did in the course of many years, while the Republic stood."²¹ Cicero believed the Roman Republican period and the period of Caesar's dictatorship were mutually exclusive.²² Cicero felt that Caesar's rise to power represented the nadir of the Republic, and brought about its demise. The *De Officiis* is an important text for understanding Cicero's political philosophy, because Cicero focuses on the changes in republican philosophy that resulted in Roman political destabilization as well as the corruption of the Republic.²³

Cicero's motives for writing the *De Officiis* were not solely to explain the causes and sources of Republic's decline; rather, his reasons were personal as well as political. Throughout the text, he strives to counsel his family, advising his son Marcus (via an extended epistle) to live a life of moral rectitude.²⁴ According to the scholar Neal Wood, Caesar's assassination allowed Cicero to augment his own power, by representing himself as a champion of freedom or more specifically, republican liberty: "Caesar's death gave Cicero

¹⁸ Coleman, 250.

¹⁹ Westel Woodbury Willoughby, *The Political Theories of the Ancient World* (New York, NY: Longmans, Green & Co., 1903), .275.

²⁰ C.E.W Steel., *Cicero, Rhetoric and Empire* (Oxford: Oxford University Press, 2001), 192.

²¹ Cicero, 273.

²² Andrew R. Dyck, *A Commentary on Cicero, De Officiis* (Ann Arbor, MI: University of Michigan Press, 1996), 501.

²³ Steel, 192.

²⁴ Dyck, 2.

one last political opportunity, and during the first half of 43, if anyone can claim the distinction, he was the virtual ruler of Rome in the name of liberation from tyranny.”²⁵ Cicero bases *De Officiis* on the previous work of the Stoic philosopher Panaetius of Rhodes, who wrote a work entitled *On Duties* (circa 140 B.C) as well.²⁶ In his two-part work, Panaetius grapples with determining whether an act is morally right or wrong and if it is either expedient or inexpedient.²⁷ However, Panaetius neglects to include the possibility of morality (*honestum*) coinciding with the expedient (*utile*); Cicero’s *De Officiis* attempts to reconcile this conflict.²⁸ Defining moral and immoral acts, the *De Officiis* provided the perfect literary philosophical foundation for Cicero; his blatant discussion and justification for killing tyrants not only secured his role as defender of liberty but also created a textual template for later views on tyrannicide.²⁹ Thus, Cicero’s *De Officiis* will be the focus of this first chapter. Cicero’s many direct and indirect allusions to Julius Caesar support the argument that Julius Caesar’s murder served as the stimulus for Cicero’s development of his theory on tyrannicide.

Yet it is important to recognize the *De Officiis* is not an explicit treatise solely defending tyrannicide. Instead, the Ciceronian rhetoric defending such an act is, for the most part, implicitly stated within the text. With respect to his formal argument, the main focus of the work centers on Cicero’s conception of the state and the essential criteria for those who should have the responsibility of taking an active role in public life.³⁰ As Janet Coleman asserts, this text is integral to our understanding of Ciceronian political theories: “It has only recently been acknowledged by specialists in Hellenistic philosophy that Cicero’s *De*

²⁵ Wood, 54.

²⁶ Coleman, 250-251.

²⁷ Wood, 68.

²⁸ *Ibid.*

²⁹ Jaszi and Lewis, 10.

³⁰ Coleman, 258.

Officiis tells us more about Cicero's politics than anything else he wrote."³¹ Cicero believed that the political state, known as the *res publica* (the matters of the public), was the concern of the people themselves, who united under a political body to pursue a common interest, thus attaining self-preservation.³² Cicero also maintained that all men were subject to the *ius naturale*, the law of nature, which upheld the moral sanctity of each individual's desire for self-preservation.³³ Cicero's principles regarding natural law were rife with Stoic thought and he was one of the first great thinkers to examine this subject fully. Cicero's hard work would not go unheeded: later Christian theories would rely heavily on his doctrine of natural law.³⁴

Specifically, Cicero's *De Officiis* discusses the common utility of justice as derived from the natural law.³⁵ From this principle, Cicero expounded his thoughts to reveal that man should accept what nature has given him, but if an individual sought to attain what was not his, he would be defying the law of human fellowship.³⁶ According to traditional Stoic thought, this commitment to self-preservation through human fellowship produced justice so long as an individual's concern for others was founded in an inherent concern for his own well-being.³⁷ In his *De Officiis*, Cicero strives to inform his readers that the universal human fellowship contained certain values that could not be changed--mainly that as a community all should share certain goods provided by nature.³⁸ Yet despite this communal sharing, Cicero maintained that with respect to basic human assistance, it should be given in a manner that balanced the pursuit of one's own interests without doing harm to another.³⁹

³¹ *Ibid.*, 232.

³² *Ibid.*, 230.

³³ *Ibid.*, 256.

³⁴ Wood, 70.

³⁵ *Ibid.*, 74.

³⁶ *Ibid.*

³⁷ *Ibid.*, 257.

³⁸ *Ibid.*, 258-259.

³⁹ *Ibid.*, 259.

Thus, the *honestum* or honorable deed would be reconciled with the *utile*, or the expedient.⁴⁰ Hence, Cicero's formal argument in his *De Officiis* was grounded in his conception of natural law and the greater good of self-preservation.

But how did Cicero's formalized conception of the natural law produce an explicit argument endorsing tyrannicide? To identify this, one must analyze the principles of justice to which all men were obligated under the natural law.⁴¹ Wood condenses four main principles that Cicero held to be the basic duties of man: "(1) not to injure others physically without cause; (2) to respect private and common property; (3) to fulfill obligations for which our word has been pledged; (4) to be kind and generous to others, according to our worth and their means."⁴² Cicero felt all men should obey these tenets to preserve society—when an individual violated any of these, the bond of human fellowship would be destroyed, resulting in a weakening of the state.⁴³ A tyrant, one who essentially violates the law of nature by seeking to usurp what is not his, thus fosters the deterioration of society. Cicero stated that certain individuals possessing good morals could defend their property and themselves when threatened by senseless assaults and violations.⁴⁴ Cicero in turn extended this belief to the preservation of government. Yet Cicero's belief that only certain people were morally good enough to defend themselves in this manner allowed only certain individuals to commit justifiable tyrannicide. Though Cicero implicitly advocates tyrannicide in the *De Officiis*, his own personal preferences limited those individuals who could protect the state, as we will see in the second part of this chapter.

⁴⁰ *Ibid.*

⁴¹ Wood, 76.

⁴² *Ibid.*

⁴³ *Ibid.*, 75.

⁴⁴ *Ibid.*, 77.

II. Julius Caesar and the Subject of Tyrannicide

The vastness of Cicero's *De Officiis* requires that we limit our main textual analysis regarding tyrannicide to Books II and III. Although Book I, "Moral Goodness," is the longest, on whole it does not address our main subject, and will not be the focus of this chapter.⁴⁵ However, one important point is not to be neglected. Cicero first refers directly to Gaius Julius Caesar in Book I, but later in the work, his attacks take on a more emotional tone, even though Caesar's name is left unmentioned.⁴⁶ Cicero introduces his attack on Caesar with a general statement about personal ambition: "The great majority of people, however, when they fall prey to an ambition for either military or civil authority, are carried away by it so completely that they quite lose sight of the claims of justice."⁴⁷ This statement allows Cicero to frame his first open accusation against Caesar, who the author specifies as his target: "We saw this proved but now in the effrontery of Gaius Caesar, who, to gain that sovereign power which by a depraved imagination he had conceived in his fancy, trod underfoot all laws of gods and men."⁴⁸ Cicero's early assertion that Caesar violated both secular and divine law is by far a broad one. This claim, seemingly unsupported by direct evidence in Book I will be referred to numerous times in Books II and III. Notice that the term *tyrannus* is neither used nor applied to Caesar's name. But the word *tyrannus* will become a more frequent term in Books II and III, as direct references to Caesar decline. The decline of Cicero's use of Caesar's name coupled with the increase of the term *tyrannus* could indicate that Cicero felt the two were synonymous.

⁴⁵ Dyck, 57.

⁴⁶ *Ibid.*, 121.

⁴⁷ Cicero, 27.

⁴⁸ *Ibid.*

Like Book I, Book II, entitled "Expediency," follows closely its corresponding chapter found in Panaetius's Greek text.⁴⁹ Book III, on the other hand, is far more original, since Panaetius had not discussed a reconciliation of the first two chapters in his earlier work.⁵⁰ Book III also offers the most extensive use of Roman examples to elucidate Cicero's argument that the moral can be reconciled with the expedient.⁵¹ Not only is his analysis extensive, it is also modern—Cicero brazenly denounces the actions of all three members of the First Triumvirate within only eleven paragraphs.⁵² Given the relatively contemporary Roman political examples, this section contains a more complete description of Cicero's views on tyrannicide than the preceding two, and will be analyzed thoroughly later in this chapter.

The quote beginning this chapter articulates Cicero's conception of an individual's personal motives for tyrannicide.⁵³ This section, in which Cicero argues that long-term political acquisitions cannot be gained by intimidation, draws its examples from poetic and political material; however, with respect to specific Roman examples, Cicero repeatedly reverts to Julius Caesar.⁵⁴ Although Cicero drew many specific Greek examples from Panaetius to support his point, he alludes more often to the current example of Caesar, warning Romans of the dangers of self-aggrandizement.⁵⁵ Cicero quotes Ennius, a popular third century Roman republican epic poet.⁵⁶ This general admonition from centuries earlier enables Cicero to make a seamless transition to a more specific topic—tyrannicide.⁵⁷ Beginning with the Ennian verse, Cicero reveals his belief that tyrants are unable to secure

⁴⁹ Miller, xii

⁵⁰ Wood, 69.

⁵¹ Dyck, 33.

⁵² *Ibid.*

⁵³ Please refer to Book II, Section Twenty-Three of the *De Officiis*.

⁵⁴ Dyck, 31-33.

⁵⁵ *Ibid.*, 31,

⁵⁶ Steel, 86.

⁵⁷ Dyck, 393.

themselves successfully by means of terror.⁵⁸ In the next sentence, Cicero's own opinion that "no amount of power can withstand the hatred of many" provides a warning to tyrants-to-be.⁵⁹ This warning, seemingly a general one, is anything but. Cicero's reference to an incident "recently discovered" alludes to Julius Caesar's assassination.⁶⁰ Cicero never names his literary target here, but his audience can ascertain the specific man to whom he refers: "The death of this tyrant, whose yoke the state endured under the constraint of armed force and whom it still obeys more humbly than ever, though he is dead, illustrates the deadly effects of popular hatred."⁶¹ This sentence implies that Cicero's moral advice is far from generalized. Nor is this example applicable only to this specific period. Niccolo Machiavelli, almost fifteen hundred years later, would suggest almost identical advice to Italian Renaissance readers in his *Prince*:

"... the Prince should... determine to avoid anything which will make him hated and despised. So long as he does so, he will have done what he should and he will run no risk whatsoever if he is reproached for the other vices I mentioned. He will be hated above all if, as I said, he is rapacious and aggressive with regard to the property and the women of his subjects. He must refrain from these."⁶²

Machiavelli's statement that oppression leads to popular hatred mirrors that seen in this section of the *De Officiis*. Here, Cicero reveals that he strived to prevent Rome's demise; Cicero excoriates Caesar's quest for glory through tyranny because he was well aware of how tyrants had ruined the democracy in Greek city-states.⁶³

Cicero's organization allows him to insert his opinion that Caesar's death never really worked in Rome's favor. Although Caesar was killed because of intervening forces, namely

⁵⁸ *Ibid.*, 392.

⁵⁹ Cicero, 190.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² Niccolo Machiavelli, *The Prince*, trans. George Bull (London: Penguin Books, 1999), 58. For Machiavelli's full section on this matter, please refer to XIX. *The need to avoid contempt and hatred*.

⁶³ Dyck, 31.

Brutus and Cassius's conspiracy, Rome still embraced Caesar's legacy through the one-man rule of his successor, Octavian. Cicero's recognition here that partisans support their leaders even in the wake of assassination is not original in his rhetoric—Cicero claimed in his *De Amicitia* that Tiberius Gracchus's supporters maintained his positions after his own assassination.⁶⁴ Cicero maintained throughout his works that the survival of the state is the top priority overriding any and all other concerns. That being said, forcible suppression of tyranny, even through assassination, was morally justifiable if it was undertaken to protect the state.⁶⁵ Still, there exists an inherent inconsistency in this section of the *De Officiis*.⁶⁶ While Cicero advises leaders to rule by instilling affection instead of fear in their subjects, he hypocritically urges leaders to use severity in order to maintain power: "But those who keep subjects in check by force would of course have to employ severity".⁶⁷ Cicero makes a clear distinction between what is acceptable for certain political leaders and what is acceptable for everyone else, as Janet Coleman observes: "But it is clear that Cicero's main interest in *On Duties* is in those individuals who take an active part in public life. He has almost nothing to say about obligations to recognized social inferiors—slaves or clients..."⁶⁸ Coleman's acknowledgement reveals not only Cicero's neglect of the lower classes, but also his unwavering trust in specific political leaders; for Cicero implies that the *iri boni*, or good men, are the self-appointed keepers of the state.⁶⁹

Who, exactly, are the *iri boni*? Cicero makes an important distinction between the *populares* and the *optimates* in his *Pro Sestius* (56 B.C.).⁷⁰ In this letter, Cicero essentially divides the ruling class into these two categories, characterizing the former as a threat to the state,

⁶⁴ Dyck, 394.

⁶⁵ Wood, 188.

⁶⁶ Dyck, 392.

⁶⁷ Cicero, 190.

⁶⁸ Coleman, 258.

⁶⁹ Wood, 189.

⁷⁰ *Ibid.*, 194.

while giving the latter the distinction of being defenders of the state.⁷¹ One of the main points at issue between the two parties was that of land redistribution, which the *populares* supported, while the landed *optimates* class vehemently opposed.⁷² This explains Cicero's derogatory comments about both the Gracchi and Caesar, since all were champions of land reform as well as *populares*.⁷³ Cicero saw the shifting land policies as detrimental to the state, adding to his resentment of the *novi viri*.⁷⁴ In this ideological (as well as socio-economic) clash between the *novi viri* and the *boni viri* (as Cicero saw them), Cicero sided with the latter, and it becomes clear that preventing tyranny mainly involves the *optimates* class quelling threats from the dangerous *populares* class. Tyranny to Cicero is most threatening from the *populares* class, and he strives to prevent their usurpation of power by encouraging a return to the 'golden age' when *populares* had no prominent influence.⁷⁵ Cicero deliberately uses the term *populares* in many of his Roman examples, blaming them as potential or past threats to the Roman state. Neal Wood's premise that Cicero, himself a sympathizer with the *optimates*, uses distinctive language to characterize such government rogues is well-supported; indeed, Cicero reveals his negative attitudes toward these *populares* through his bitter excoriations in the *De Officiis*, depicting these men as insane, morally corrupt individuals who endanger the state.⁷⁶

Cicero uses deductive reasoning in Book II as he strives to apply a distinct and recent political example into another denunciation of the *populares*: "For the sake of illustration, let us assume some particular case that admits of wider application..."⁷⁷ Indeed, Cicero employs this *exempli causa* because it offers him a prime opportunity to state his views

⁷¹ *Ibid.*, 195. Cicero used figures such as the Gracchi, Marius and Caesar as *populare* examples.

⁷² Coleman, 265.

⁷³ Wood, 195-197.

⁷⁴ *Ibid.*

⁷⁵ Coleman, 268.

⁷⁶ Wood, 195.

⁷⁷ Cicero, 286.

on Roman politics.⁷⁸ Cicero's Roman political commentary derives from his belief in *jus naturale*—tyrants betray the laws of nature by violating the rights of their fellow man.⁷⁹ Cicero presents his audience with a pointed rhetorical question in order to fully expose Caesar's guilt: "What more atrocious crime can there be than to kill a fellow man, and especially an intimate friend?"⁸⁰ This question enables Cicero to make a valid case for a crime he considers a justifiable murder. The second question in this section augments Cicero's case further by establishing a pretense of doubt in his line of questioning with respect to the immoral nature of tyrannicide: "But if anyone kills a tyrant—be he never so intimate a friend—he has not laden his soul with guilt, has he?" Cicero proceeds to answer his own question by gauging public opinion as a means of adequately analyzing Caesar's lack of morality. Cicero offers a generalized statement to justify the murder of Caesar since he claims the Roman public approved such an act: "The Roman people, at all events, are not of that opinion; for of all glorious deeds they hold such a one to be the most noble."⁸¹ Did all Romans deem this assassination a laudatory act? This statement seems somewhat exaggerated. Still, Cicero utilizes the generally assumed opinions of his audience to justify his own praise of the assassination.

Book III attempts to reconcile moral rectitude with expediency and in doing so, provides the most extensive support for Cicero's rhetoric endorsing tyrannicide of the three books. Book III is Cicero's most philosophically autonomous chapter in the *De Officiis*.⁸² After explaining how Panaetius's disregard for the possibility that the two subjects might overlap prompted him to write a third book on their convergence, section nineteen explains

⁷⁸ Dyck, 518.

⁷⁹ Willoughby, 281.

⁸⁰ Cicero, 286.

⁸¹ *Ibid.*

⁸² Dyck, 491.

how tyrannicide can unite the two under specific circumstances. Indeed, Cicero asserts that the two never really conflict, but are equal in nature when understood correctly.⁸³ According to Cicero, *utile* or the expedient, is equal to *honestum*, the honorable deed, implying that no matter what a person thinks will benefit them in the long run, transient advantages should never take precedence over performing one's moral duties.⁸⁴

Unlike Cicero's *De Legibus*, which forbade violence in government meetings, Cicero's approval of tyrannicide in the *De Officiis* represents the exception to his general rule that murder is wrong.⁸⁵ This significant discrepancy has baffled scholars, one of whom has posed an important question: "If murder is morally wrong, what for Cicero makes tyrannicide such a glorious deed, in fact one in which morality and utility are identical?"⁸⁶ Cicero seems to support tyrannicide, for he thinks killing tyrants is for the greater good of the state: "For, as certain members are amputated, if they show signs themselves of being bloodless and virtually lifeless and thus jeopardize the health of the other parts of the body, so those fierce and savage monsters in human form should be cut off from what may be called the common body of humanity."⁸⁷ Cicero's use of the extended metaphor of the human body reflects his belief that the *populares* are an imminent threat to the well-being of the state. Cicero characterizes potential tyrants, not coincidentally *populares*, as plagues that it is morally acceptable to eliminate. Cicero essentially dehumanizes tyrants, augmenting the moral legitimacy of tyrannicide.

As in Book II, Cicero prefaces his views on tyrannicide with a generalized statement: "For it often happens, owing to exceptional circumstances, that what is accustomed under

⁸³ Johan Van der Zande, "The Microscope of Experience: Christian Garve's Translation of Cicero's *De Officiis* (1783), in *Journal of the History of Ideas* (1998), 89.

⁸⁴ *Ibid.*

⁸⁵ Wood, 186-191.

⁸⁶ *Ibid.*, 191.

⁸⁷ Cicero, 298-299.

ordinary circumstances to be considered morally wrong is found not to be morally wrong.”⁸⁸ Yet along with generalized statements, Book III contains a slew of specific literary imprecations, aimed at many well-known figures, including Phalaris, a well-known Greek tyrant, and Romulus, the legendary founder of Rome.⁸⁹ These prominent examples provide Cicero with ample diversions from his main target, Caesar.

Cicero blatantly encourages violence in his rhetoric defending tyrannicide, and his endorsement of Caesar’s murder is not the first example of his support for such preemptive strikes.⁹⁰ During his consulship in 63 B.C., Cicero quelled the Catilinarian conspiracy by employing violent measures and executing conspirators without a fair trial.⁹¹ As a result, Cicero “has long been remembered and praised by libertarians as one of the most vigorous opponents of tyranny and devoted advocates of tyrannicide.”⁹² Cicero reiterates his belief that tyrannicide is legitimate in section thirty-two of Book III. Here, Cicero abandons his Caesarian prosecution and focuses on another tyrant, Phalaris: “We have no ties of fellowship with a tyrant, but rather the bitterest feud; and it is not opposed to Nature to rob, if one can, a man whom it is morally right to kill;--nay, all that pestilent and abominable race should be exterminated from human society.”⁹³ Although Cicero refrains from mentioning Caesar, it is clear that he regards tyrants as a type that all good men have the right to kill. Once again, Cicero appeals to the good men, the *boni viri*, whom he feels possess the proper morals to defend the state against the offensive populares. Cicero’s lack of a Caesarian reference does not signify a literary détente between Cicero and Caesar. Rather, the author’s utilization of a well-known and cruel political leader, Phalaris, provides a broad, stock

⁸⁸ *Ibid.*, 286-287.

⁸⁹ Dyck, 33.

⁹⁰ Wood, 186.

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ Cicero, 298-299.

example of a tyrant, one which philosophers can interpret.⁹⁴ Although the German scholar Strasburger believes that Phalaris is an allegorical reference to Caesar, at any rate this generalization offers yet another rationale for the legitimization of a specific murder.⁹⁵

Book III also offers the earliest and strongest direct denunciation of Romulus's tyranny.⁹⁶ Cicero's opinion on this crime of fratricide examines the morally controversial issue of individual political ambition.⁹⁷ By examining this fratricide, Cicero also can expound his beliefs regarding tyrannicide. Cicero characterizes Romulus as greedy and immoral, and condemns his selfish crime: "When he decided that it was more expedient for him to be king alone than with another, he killed his brother."⁹⁸ The harsh, unfeeling rhetoric suggests that Romulus was also depraved, since the advantages of sole power were held above dual authority. Here, Cicero returns to the contrast between morality, *honestum* and advantage, *utile*, through a discussion of Romulus's behavior.⁹⁹ Cicero's emphasis on morality leads him to deny that Romulus was justified, since his murder of Remus was not morally necessary.¹⁰⁰ Why would Cicero condemn Romulus so harshly? Was Cicero so morally upright that any diversion from the straight and narrow resulted in a fervent literary diatribe? Like any politician, Cicero's motivations were not entirely pure. Instead, Cicero utilized the myth of Romulus to criticize Caesar.¹⁰¹

Romulus's tyrannical actions provided an original, rhetorical vehicle for Cicero's extensive propaganda against Caesar. Caesar's divisive political motives, as well as his lust

⁹⁴ Dyck, 534.

⁹⁵ *Ibid.*

⁹⁶ *Ibid.* For a more in-depth discussion on Cicero's literary treatment of the myth of Romulus and Remus, please refer to my paper "Romulus and Remus: Political Propaganda through Myth," authored on December 13, 2003.

⁹⁷ T.P. Wiseman, *Remus A Roman Myth* (New York: Cambridge University Press, 1995), 11.

⁹⁸ *Ibid.*

⁹⁹ Cynthia J. Bannon, *The Brothers of Romulus* (Princeton, NJ: Princeton University Press, 1997), 162.

¹⁰⁰ *Ibid.*

¹⁰¹ Jane Evans, *The Art of Persuasion* (Ann Arbor, MI: University of Michigan Press, 1992), 90.

for exclusive authority that could be interpreted as analogous to Romulus's own offered Cicero the ideal opportunity to portray Caesar in a more derogatory light.¹⁰² Ironically, Cicero previously had been condemned as a "Romulus from Arpinium" for his Catilinarian prosecution.¹⁰³ Catullus was among the first to associate Caesar with the negative figure of Romulus. Cicero soon followed, after Caesar's actions prevented Pompeius Magnus, Cicero's son-in-law, from ruling Rome.¹⁰⁴ Cicero's letter to Atticus expressing his desire to see Caesar's statue in the Temple of Quirinius indicates his hatred of Caesar, for he wished him to suffer the same end as Romulus.¹⁰⁵ Cicero's attempt to denigrate Caesar by associating him with Romulus indicates his willingness to exploit the founding myth of Rome in order to portray Caesar in the most negative light possible.

Section Eighty-Two of Book III constitutes Cicero's final and most complete stand against Julius Caesar. Although Caesar's name is never mentioned, Cicero's clear accusations glorify Caesar's murder: "The passage needs to be evaluated, however, against its immediate political context, a time when the right or wrong of Caesar's assassination was a large political issue."¹⁰⁶ Although the preceding sections denounce the Marii for their extreme political aspirations, Cicero's extended description of Caesar's own ambition generates a harsh diatribe regarding Caesar's tyrannical behavior.¹⁰⁷ Cicero, a supporter of Pompey, censures his behavior in a manner most contradictory to the passages earlier in the *De Officiis* praising the man.¹⁰⁸ Cicero denigrates Pompey, yet his critique of Pompey's father-in-law, Caesar, is far more intense.¹⁰⁹

¹⁰² *Ibid.*, 91.

¹⁰³ *Ibid.*, 90.

¹⁰⁴ *Ibid.*, 91.

¹⁰⁵ *Ibid.*

¹⁰⁶ Dyck, 602.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*, 603.

¹⁰⁹ *Ibid.*

While Cicero mentions Caesar once again, he lashes out at the object of tyrannicide in the succeeding section: "Behold, here you have a man who was ambitious to be king of the Roman People and master of the whole world; and he achieved it! The man who maintains that such an ambition is morally right is a madman; for he justifies the destruction of law and liberty..."¹¹⁰ This quote, which Andrew Dyck argues is Cicero's most vituperative assault on Caesar, fails to name him as the 'madman'; yet Dyck's assessment has merit on the grounds that it not only alludes to Caesar in an unmistakable fashion, but also implicates him as an insane perpetrator of anarchy.¹¹¹ Why is Cicero criticizing the deceased Caesar so harshly? In order to gauge his motives accurately, one must be aware of the acute political context surrounding Cicero's *De Officiis*.¹¹² To prevent future tyrants from attempting to take over the state, Cicero's excoriations of such behavior stress how neither happiness nor glory is achieved by unwarranted usurpation.¹¹³

Ironically, Cicero uses a familiar term to denigrate Caesar. Cicero acknowledges Caesar in a clearly recognizable manner in order to unite the necessary union of moral rectitude with expediency: "For oh ye immortal gods! Can the most horrible and hideous of all murders—that of the fatherland—bring advantage to anybody, even though he who has committed such a crime receives from his enslaved fellow citizens the title of 'Father of his Country?'"¹¹⁴ The phrase *pater patriae* given to these men - one for saving the republic (Cicero in 63 B.C.) and one for overthrowing it (Caesar in 45 B.C.) - is used to portray Caesar negatively.¹¹⁵ In his comparison to Romulus, Cicero appropriates a name that has

¹¹⁰ Cicero, 357.

¹¹¹ Dyck, 33.

¹¹² *Ibid.* The political spirit in Rome following Caesar's assassination involved the important question of whether or not the murder was a justifiable act. Due to the widespread division on this issue, Rome seemed on the brink of a civil war.

¹¹³ *Ibid.* Cicero explicitly sees the threat of a future tyrant in Caesar's friend, Antony.

¹¹⁴ Cicero, 357-358.

¹¹⁵ Miller, 354.

been applied to him in a positive sense and applies it against Caesar in a derogatory manner. This final literary stab at Caesar is a complete and utter revelation of Cicero's distaste for the dead leader.¹¹⁶ Although Cicero viewed the Roman republic as a protectorate, it is clear that he did not trust Caesar as an adequate father figure for Rome.¹¹⁷

Marcus Tullius Cicero's *De Officiis* utilized many specific Roman examples to illustrate his belief that, in some cases, violence to suppress a tyrant was morally legitimate. Cicero's vicious rhetoric against many *populares*, especially Julius Caesar, revealed his distinct predilection for the landed aristocracy.¹¹⁸ Though Cicero explicitly believed that actions could be morally sound as well as expedient to maintain a balanced, just society, his underlying argument revealed that all men were not equal in such a society. Although Cicero provided other examples of tyrants in the *De Officiis*, his frequent excoriations of Caesar offered a form of contemporary political propaganda for upper-class readers at a time when Rome was on the brink of revolution.¹¹⁹ Cicero's efforts to maintain the superiority of the *optimates* class advanced preexisting doctrines on tyrants, personally endorsing the murder of a specific human threat to the state.

These efforts would not be forgotten. Indeed, the survival of the *De Officiis* would ensure the perpetuation of Ciceronian political doctrines; Cicero's *De Officiis* was being cited as early as the fourth-century A.D.¹²⁰ Cicero's argument defending tyrannicide became more well-known beginning in the twelfth century, when authors such as John of Salisbury began to adapt it to address the political situation facing his own generation.¹²¹ The *De Officiis*

¹¹⁶ I used to term literary stab to indicate that Cicero helped to stab Caesar in a literal as well as figurative sense.

¹¹⁷ S.E. Smethurst, "Cicero and Roman Imperial Policy," in *Transactions and Proceedings of the American Philological Association*, Vol. 84 (1953), 216.

¹¹⁸ Wood, 195.

¹¹⁹ Dyck, 32-33.

¹²⁰ *Ibid.*, 41

¹²¹ *Ibid.*, 43.

greatly influenced Italian *Trecento* and *Quattrocento* scholars, such as Bartolus of Sassoferrato and Coluccio Salutati, and it was the first classical Latin text to be printed following the invention of movable type.¹²² The next three chapters will therefore examine the medieval and Renaissance Italian scholarship regarding tyrannicide through the texts of John of Salisbury, Bartolus of Sassoferrato, and Coluccio Salutati. Based on these texts, I will attempt to reveal Cicero's distinctive influence on the evolution of medieval and Renaissance political thought regarding the subject of tyrannicide.

John of Salisbury: The Transmission of the Argument for Tyrannicide through the Middle Ages and into the Early Renaissance

"As the image of the deity, the ruler is to be loved, venerated and respected, the tyrant, as the image of depravity, is for the most part even to be killed." -John of Salisbury, *Politicus*

The influential rationale for tyrannicide offered in Cicero's *De Officiis* managed to re-enter Western political thought in the Middle Ages. The extremely limited diffusion of classical works allowed only a predominant few to have great impact. But Cicero's works, like those of Plato and Aristotle, were among the privileged few.¹ Though Aristotle's influence would eventually overshadow Cicero's as the principal classical source for political philosophy from the Middle Ages onward, the continuity of Ciceronian study ensured an uninterrupted influence on Cicero's ideas in Western political thought. As Cary Noyesman observes, "It has perhaps been too seldom appreciated in recent scholarship that Cicero was the only political thinker of pagan antiquity whose writings continued to be accessible to the

¹ John of Salisbury, *Politicus*, in Cary J. Noyesman and Kate Langford Fother, eds., *Western Political Theory—A Reader* (London: Routledge, 1993), 54. All John of Salisbury translations are from this work, unless otherwise indicated.

¹²² *Ibid.*, 44.

Christian West following the collapse of Roman domination.¹ Political thinkers of the Middle Ages reflected a predilection for Cicero's texts, especially for the *De Officiis*, mainly because of its Stoic emphasis on political naturalism, an Aristotelian doctrine found in Cicero's texts which preceded the discovery of Aristotle's *Nicomachean Ethics*. The continuation of Ciceronian ideals within an emerging Christian context soon produced a radically different concept of tyrannicide as scholars sought to reconcile pagan antiquity with religious considerations.

CHAPTER II:

John of Salisbury--The Transmission of the Argument for Tyrannicide through the Middle Ages and into the Early Renaissance

"As the image of the deity, the ruler is to be loved, venerated and respected; the tyrant, as the image of depravity, is for the most part even to be killed." --John of Salisbury, *Policraticus*¹

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¹ Cary J. Nederman, "Nature, Sin and the Origins of Society: The Ciceronian Tradition in Medieval Political Thought," in *Journal of the History of Ideas*, Vol. 49, No. 1 (Jan-Mar., 1988), 5.

² Nederman, *Medieval Political Theory*, 3.

Franklin I. Ford, *Political Murder: From Tyrannicide to Terrorism* (Cambridge: Harvard University Press, 1987), 691.

¹ John of Salisbury, *Policraticus*, in Cary J. Nederman and Kate Langton Forhan, trans., *Medieval Political Theory—A Reader* (London: Routledge, 1993), 54. All John of Salisbury translations are from this work, unless otherwise indicated.

² *Ibid.*, 2-3.

Christian West following the collapse of Roman domination.”³ Political thinkers of the Middle Ages reflected a predilection for Cicero’s texts, especially for the *De Officiis*, mainly because of its Stoic emphasis on political naturalism, an Aristotelian doctrine found in Cicero’s texts which preceded the recovery of Aristotle’s *Politics*.⁴ The continuation of Ciceronian ideals within an emerging Christian context soon produced a radically different concept of tyrannicide as scholars sought to reconcile pagan antiquity with religious considerations.

John of Salisbury (1115-1180), a medieval English political theorist, embraced Cicero as his favorite of all ancient writers; John’s Ciceronian predilection is especially appropriate with respect to our discussion, since both literary figures endorsed acts of tyrannicide.⁵ Indeed, Cicero’s rationale for tyrannicide seems to be emulated by John in his own strong condemnation of tyrants. John’s extensive knowledge of classical Roman moralists, especially Cicero, is apparent from his numerous literary citations. In his *Policraticus*, John quoted ancient Roman figures more often than he referred to biblical or religious figures.⁶ The *Policraticus*, revealing a clear doctrine endorsing tyrannicide, is arguably the most detailed political treatise of its time, as Richard and Mary Rouse assert: “Although John was not the first Western thinker to propose the legitimacy of tyrannicide, the fact that he was the first to expound the idea fully and explicitly entitles him to be called the ‘author’ of the doctrine insofar as concerns twelfth-century Europe.”⁷ John’s insertion of a rationale for tyrannicide into the mainstream of political thought in the Middle Ages is important not only for its

³Cary J. Nederman, “Nature, Sin and the Origins of Society: The Ciceronian Tradition in Medieval Political Thought,” in *Journal of the History of Ideas*, Vol. 49, No. 1 (Jan.-Mar., 1988), 6.

⁴Nederman, *Medieval Political Theory*, 3.

⁵Franklin L. Ford, *Political Murder: From Tyrannicide to Terrorism* (Cambridge: Harvard University Press, 1985), 123.

⁶Janet Coleman, *Political Thought from the Middle Ages to the Renaissance* (Oxford: Blackwell Publishers, 2000), 53.

⁷Richard H. and Mary A. Rouse, “John of Salisbury and the Doctrine of Tyrannicide,” *Speculum*, Vol. 42, No. 4 (Oct. 1967), 693.

originality in this period, but also because it added innovative, religious considerations that drastically altered the earlier, Ciceronian anti-tyrannical theory.

John continued the preceding pagan, Ciceronian rationale for tyrannicide in the Middle Ages, yet his work also incorporated important new Christian considerations as well. John's extensive career in the church allowed him considerable power.⁸ In 1147, his position as secretary to Archbishop Theobald of Canterbury permitted him to travel as a religious ambassador, to advise the archbishop on political and legal matters, and to write letters on his behalf.⁹ John collaborated with another prelate, Thomas Becket, and worked under him following Becket's appointment as chancellor under King Henry II.¹⁰ The pro-ecclesiastical tone of the *Policraticus* should not come as a surprise, given John's position as the secretary to Thomas Becket, the royal chancellor to King Henry II.¹¹ The *Policraticus*, dedicated to Becket, essentially reconciles classical tyrannicide with Christian values.¹² Thus, the *Policraticus* blends secular and religious commentary, as John of Salisbury articulated his ideals of a Christian political body.¹³

But what were John's specific motives for discussing tyrannicide? Though John hoped his professional superior, Becket, would appreciate his literary efforts, John also wrote the text in hopes that Becket would persuade Henry II to rule in a just manner.¹⁴ In many instances, John appealed directly to Becket, acknowledging him in matters of current events or specific figures.¹⁵ Yet, even as John of Salisbury addressed Becket, his primary aim was to

⁸ *Policraticus*, trans. Cary J. Nederman (Cambridge: Cambridge University Press, 1990), xvi. Citations from this source are taken from the Introduction, authored by Nederman, unless otherwise noted.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ Rouse, 705.

¹² *Ibid.*

¹³ Walter Ullmann, *Law and Politics in the Middle Ages* (Ithaca, NY: Cornell University Press, 1975), 255.

¹⁴ Rouse, 704.

¹⁵ Nederman, *Policraticus*, xvi.

warn King Henry II (1153-1189) to protect the interests of the Church of England.¹⁶ Though John supported Henry's leadership, he opposed Henry's policies that sought to banish the English prelates from the royal court in 1156 and 1157.¹⁷ Henry II exiled John of Salisbury from Canturbury for these years, prompting him to begin a work of prose articulating how to live a good life and how to avoid potential difficulties in both secular and ecclesiastical spheres.¹⁸ John's apprehension regarding King Henry II's intentions toward the Church of England provoked him to include the rationale for tyrannicide within the *Policraticus*, a text essentially instructing proper behavior for princes.¹⁹

If princes were not exposed to appropriate moral teachings, argued John, the body politic would suffer, since the secular ruler was at the head of the government.²⁰ Though the *Policraticus* is not formally intended for any one person, its content instructs political leaders on how to rule in a just manner. Just as Cicero's *De Officiis* warned against the threat of tyrannical *populares* disrupting the Roman republican government, John of Salisbury's *Policraticus* utilized similar reasoning to warn readers against royal tyrannical threats against the Church of England.

But first, it is important to establish that John of Salisbury explicitly viewed Caesar as a tyrant. Chapter Ten of Book Three reveals a distinct Ciceronian influence on the *Policraticus*. Just as Cicero excoriated the actions of Romulus in the *De Officiis*, John launches an attack on the founder's act of fratricide as well: "... Romulus consecrated to his gods the city of Rome upon the auguries of sacrilegious fratricide and the shedding of a brother's blood, after which, being harassed by ghosts, he endeavoured to redeem the slaughter of his

¹⁶ *Ibid.*, xvii.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*, 705.

²⁰ Nederman, *Medieval Political Theory*, 27.

brother by the empty honor of pretending to share supreme power.”²¹ Again, an author uses the founding myth of Rome to provide a legendary template for a ruthless tyrant. It seems John mentions Romulus to determine a pattern of flawed leadership that would continue at least during the reign of Julius Caesar: “If you inquire into these times, direct yourself to that period when Julius Caesar’s dictatorial powers were either uncovered or perfected (I know not which); just as he was made all things, so he took possession of all things.”²² John leaves a question of whether Caesar’s tyrannical authority was discovered or ‘perfected,’ yet he makes no mistake in assuming that Caesar had control over everything. This premise is important in understanding John’s perception of absolute secular authority: “For so long as all are led by a single preeminent will, they are deprived of their own free will, universally and individually.”²³ Just as Cicero believed Caesar had usurped the rights of the people, John of Salisbury also viewed Caesar as a tyrant for violating the *jus naturale* that protected the fundamental rights of others.

While John did not approve of a secular tyrant, he believed that the church was essentially superior to worldly government. John’s dedication to the idea that the preeminence of spiritual authority over secular government not only justified John’s language against tyrants, but is also supported by John’s description of the church in his text.²⁴ Book Four explicitly states that political rulers must be subordinate to the will of the papacy, and of God: “The ruler is therefore a sort of minister of the priests and one who exercises those features of the sacred duties that seem an indignity in the hands of priests.”²⁵

²¹ John of Salisbury, *Policraticus*, trans. Cary J. Nederman (Cambridge: Cambridge University Press, 1990), 22. Chapter Ten is entitled “That the Romans are dedicated to vanity and what the ends of flatterers are.”

²² *Ibid.*, 22-23.

²³ *Ibid.*, 23.

²⁴ Cary J. Nederman and Catherine Campbell, “Priests, Kings, and Tyrants: Spiritual and Temporal Power in John of Salisbury’s *Policraticus*,” *Speculum*, Vol. 66, No. 3 (July, 1991), 573-574.

²⁵ John of Salisbury, 33.

John manages to assert the primacy of the church, while revealing the fundamentally inferior position of secular officials.²⁶ John elaborates his aggressive assertion of spiritual dominance over temporal power in his body metaphor in Book Five: "... that which institutes and moulds the practice of religion in us and which transmits the worship of God (not the 'gods' of which Plutarch speaks) acquires the position of the soul in the body of the republic".²⁷ Though in this case he cites Plutarch, John's reliance on the body metaphor derives from Cicero's *De Officiis*.²⁸ More importantly, John alters Plutarch's pagan, physical metaphor of the state, to include a Christian dimension, reflecting his belief that the church provides the ultimate source of spiritual legitimization for any political state: "The inferiority of temporal princes in comparison with spiritual authority rests upon the differing functions appropriate to the soul and to the head of the organism. Just as the soul gives life to the flesh and exercises final authority... so the priesthood must be obeyed as the source of life in every political community."²⁹ John's core belief that religious leaders comprised the essential spirit of any political body legitimized his anti-tyrannical logic, based on the premise that tyrants ultimately acted against God by attempting to usurp either secular or spiritual authority.

Book Eight of John's *Policraticus* offers his most explicit statement of his beliefs regarding tyrannicide. His formulation, which reconciles ancient pagan examples with contemporary Christian thought, fundamentally regards tyrannicide as a justifiable act punishing those who act against God. John reiterates the fundamental difference between a rightful ruler and a tyrant in order to draw the conclusion that the latter can be exterminated legitimately: "As the philosophers have portrayed him, the tyrant is, therefore, one who

²⁶ Nederman and Campbell, 574.

²⁷ John of Salisbury, 38.

²⁸ Nederman, "Ciceronian Tradition in Medieval Political Thought," 11.

²⁹ John of Salisbury, in Nederman and Campbell, 574.

oppresses the people by violent domination, just as the ruler is one who rules by the laws.”³⁰ A clarification of ‘the laws’ is necessary to identify a tyrant under this definition.³¹ John defines the ‘law’ as something spiritually derived, thus interweaving Christian thought into his argument on tyrannicide: “The law is a gift from God, the likeness of equity, the norm of justice, the image of the divine will, the custodian of security, ... the excluder and exterminator of vices and the punishment of violence and all injuries.”³² Under that definition, neither the *jus naturale* nor the *Corpus Juris Civilis* is the secular legal standard which all must obey; instead, John states that all rulers must be subject to a higher authority, one mandated by God—John’s unwavering credence in the divine law places a tyrant at odds with God himself.³³ John’s interpretation of the law differentiates his rationale for tyrannicide from Cicero’s. While Cicero supported an endorsement of tyrannicide grounded in the *jus naturale*, John appealed to a higher power.

According to John any tyrant, one who violates the law, is in a sense usurping God’s authority and provoking God to take action against him: “In whatever manner this happens, the grace of God is plainly being assailed and God is in a certain fashion being challenged to a battle.”³⁴ Therefore, John advised Christians to slay a tyrant acting against the state or the Church, justifying it with both divine and temporal right.³⁵ John not only advises Christians to commit tyrannicide if necessary, he declares that one who fails to take action against a tyrant “sins against himself and against the whole body of the secular state.”³⁶ However, John does not authorize all citizens to engage in tyrannicide; his explicitly stated exceptions

³⁰ John of Salisbury, 53. See Book II, Chapter Seventeen.

³¹ Rouse, 695.

³² Nederman, *Medieval Political Theory*, 53-54.

³³ Rouse, 695-696.

³⁴ John of Salisbury, 54.

³⁵ Rouse, 696. For a primary source citation, see footnote #1.

³⁶ *Ibid.*, 697.

reveal a clear distinction between church and state, thus differentiating his text from preexisting theories regarding tyrannicide.

Is John of Salisbury a firm proponent of tyrannicide? The fact that John's *Politicus* is fraught with frequent discrepancies, limitations, and blatant incongruities challenges some scholarly perceptions of John as an unequivocal supporter of tyrannicide.³⁷ John's two major exceptions to his validation of tyrannicide concern the clergy and matters of oaths and fealty. The immunity that certain groups received from John with respect to tyrannicide refutes the belief that John was universally an advocate for tyrannicide.

First, John makes distinctions between different types of tyrants, thus differentiating the necessary punishments for such men: "the specific type of tyranny, rather than ... tyrannical behavior, determines the appropriate treatment ... Thus private tyrants are to be punished in accordance with the law; ecclesiastical tyrants are to be left to the clerical system of justice; and public tyrants are to be cautioned and eventually slain."³⁸ Indeed, John even places clear limitations on who should participate in tyrannicide. While Cicero named the *optimates* the protectors of the state, and encouraged them to commit tyrannicide if necessary, Nederman and Campbell recognize John's stipulation that only non-clerical figures could execute tyrants: "John never advocated that the church undertake direct action against a tyrannical ruler, even though it seems clear that the secular subjects of such a master have a duty to kill him if his conduct threatens to ruin the body politic."³⁹ John's insistence that the clergy must be above committing murder against a tyrant is yet another major distinction he makes between the spiritual and temporal aspects of society.

³⁷ *Ibid.*, 574.

³⁸ Nederman and Campbell, 576.

³⁹ *Ibid.*, 583.

Yet this distinction is a legitimate one, given John's belief in the two swords doctrine.⁴⁰ Though John believed that spiritual authority should not be regarded as equal to temporal authority, nevertheless he stated that such spheres should be kept separate. John maintained that though the two were separate entities, each could have grave effects on the other, depending on the moral character of each authoritative body.⁴¹ In the case in which a tyrannical temporal ruler threatened the liberty of the church, John advocates public resistance to temporal tyranny, yet the church may not commit acts of tyrannicide: "Although in this case the priesthood is under no obligation to obey the government in those matters which conflict with the laws of God, it is not permitted to attack the public tyrant directly."⁴² The church, devoid of temporal authority, must passively endure the sufferings a secular tyrannical leader may cause.⁴³

Conversely, in the case of an ecclesiastical tyrant, a type of tyranny considered more serious than temporal tyranny, John encouraged public resistance, yet prohibited anyone from taking murderous action against such a man.⁴⁴ John states that lay assassins are the only appropriate individuals to carry out a legitimate tyrannicide against a lay authority. John holds nothing back from this explicitly stated exception: "In the case of a [tyrannical] priest, even though he engages in tyranny, it is not permitted to exercise the material sword against him because of the reverence due to sacred things, unless perhaps he extends a bloody hand against the Church of God after he has been defrocked..."⁴⁵ Though clergy are capable of tyrannical behavior, their spiritual authority allows them immunity so long as they are recognized ecclesiastical officials. John's clear separation of church and state allowed him to

⁴⁰ *Ibid.*, 574.

⁴¹ Nederman and Campbell, 576.

⁴² John of Salisbury, 576.

⁴³ *Ibid.*, 583.

⁴⁴ *Ibid.*, 584-585.

⁴⁵ John of Salisbury, 585.

legitimize temporal tyrannicide by means of a temporal citizen, yet his qualifications towards ecclesiastical tyranny reveal the spiritual privilege that clerical tyrants had over their secular counterparts in John's *Policraticus*.

Just as John excluded the clergy from being the executors or the victims of tyrannicide, his belief that men obligated by oath or fealty could not commit tyrannicide constituted his other main exception. Chapter Twenty of the *Policraticus*'s Eighth Book explicitly eliminates such men from moral eligibility to commit tyrannicide: "... we are to take care, ... lest anyone cause the death of a tyrant who is bound to him by the obligation of fealty or a sacred oath... Not that I do not believe that tyrants are to be removed,... but that they are to be removed without loss of religion or honor."⁴⁶ Here, John clearly enunciates the two main exceptions to his endorsement of tyrannicide. The fealty and oath codicil is especially attention-grabbing since it ruled out the possibility of killing most tyrants: "The stipulation... rather effectively nullifies the legality of killing any tyrant except the ruler of a country other than one's own!"⁴⁷ Technically, under the fealty and oath premise, no English citizen could legitimately assassinate the king, since all men owed primary fealty to their political leader.⁴⁸ Richard and Mart Rouse stress that John ignored this technicality and I am inclined to agree; however, John's leap of logic allows him to assert his final opinion on tyrannicide—that the act should only be used as a last resort.⁴⁹ Ultimately, John urges every man to "humbly resort to the protection of God's clemency" to rid themselves of an unruly tyrant.⁵⁰ John of Salisbury's doctrine regarding tyrannicide differs from its ancient,

⁴⁶ John of Salisbury, 59.

⁴⁷ John of Salisbury, in Rouse, 698.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ John of Salisbury, 59.

Ciceronian model, for the Christian overtones within the document ultimately appeal to a higher authority for salvation from tyranny.

John of Salisbury indubitably endorsed anti-tyrannical action by means of murder in his *Policraticus*. John's reliance on Christian values and spiritual authority added new elements in the evolution of the theory of tyrannicide, rooted in a distinctly pagan foundation. Unlike Cicero's outright endorsement of tyrannicide, John's doctrine is rife with specific limitations and restrictions, especially regarding the areas of religion and honor. John's reconciliation of tyrannicide with Christianity revealed how the re-emergence of a recurring political problem, the tyrant, necessitated the alteration of a classical political philosophy to render it applicable to European society in the Middle Ages.

I. Legal Theory and Political Reality in Renaissance Italy

As Italy entered its Renaissance period, scholars soon developed a revived interest in the subject of ancient Roman law.¹ According to Cary Nederman, this occurred primarily within areas concerning public administration and justice.² While the Italian middle-class, gained authority, an expansion of government soon followed, the result of an emerging popular hatred for tyrannical government.³ This hatred precipitated a *Quattrocento* political thought as the ideal of a popular political consensus entered mainstream Renaissance scholarship. As Lauro Martines observes, "This idea is clearly seen at the highest level of legal-political thought, in the concept of the *populus* as the

¹ Bartolus of Sassoferrato, *De Tyrannide*, in *Enchiridion*, Epitome, trans. Humanism and Tyranny (Cambridge, MA: Harvard University Press, 1979), 141-142.

² Cary J. Nederman and Kate Forster Lough, *Medieval Political Theory—A Reader* (London: Routledge, 1993), 3.

³ *Ibid.*

⁴ Lauro Martines, *Power and Inequality: City States in Renaissance Italy* (Baltimore, MD: The Johns Hopkins University Press, 1968), 64.

CHAPTER III:

Bartolus of Sassoferrato: Tyrannicide, Roman Law and Renaissance Republicanism

“In the case of a count, duke, marquis or baron whose title is regular but who is proved to be a tyrant by his conduct (*exercitio*) what action ought his overlord to take? He ought to depose him... Perhaps also he [the tyrant] is liable to the penalty of death.”

-Bartolus of Sassoferrato, *De Tyrannia*¹

I. Legal Theory and Political Reality in Renaissance Italy

As Italy entered its Renaissance period, scholars soon developed a revived interest in the subject of ancient Roman law.² According to Cary Nederman, this concern emerged mainly within areas concerning public administration and justice.³ While the Italian *popolo*, or middle-class, gained authority, an expansion of government soon followed; this resulted in an emerging popular hatred for tyrannical government.⁴ This hatred permeated *Trecento* and *Quattrocento* political thought as the ideal of a popular political community entered mainstream Renaissance scholarship. As Lauro Martines observes, “This effect is clearly seen at the highest level of legal-political thought, in the concept of the *populus liber* (“free

¹ Bartolus of Sassoferrato, *De Tyrannia*, in Emerton, Ephraim. trans. *Humanism and Tyranny* (Cambridge, MA: Harvard University Press, 1925), 147-148.

² Cary J. Nederman and Kate Forhan Langton, *Medieval Political Theory—A Reader* (London: Routledge, 1993), 3.

³ *Ibid.*

⁴ Lauro Martines, *Power and Imagination: City-States in Renaissance Italy* (Baltimore, MD: The Johns Hopkins University Press, 1988), 64.

people”) and its attendant notions regarding the local sovereignty, as developed by the most influential jurist of the fourteenth century, Bartolus of Sassoferrato.”⁵ Late medieval scholars’ renewed interest in Roman civil law also influenced Renaissance political thought, as authors imbued their texts with legal terminology and rationales while tackling issues concerning sovereignty, justice and imperial majesty.⁶ The late medieval reconciliation of ancient Roman philosophy with ancient Roman civil law directly promoted the revival of theories regarding tyrannicide among Renaissance Italian political philosophers.

Bartolus (1314-1357), originally from Sassoferrato and a resident of Perugia, composed a wide variety of legal commentaries covering a multitude of jurisprudential topics.⁷ Bartolus was one of the primary medieval scholars to utilize specific legal treatises to address political issues.⁸ Bartolus was a member of a group of legal commentators known as the post-Glossators, who managed to apply Roman legal precedents to problems afflicting political life in Renaissance Italy.⁹ These men differed from their predecessors, the Glossators, who tried simply to understand Roman law by itself.¹⁰ Though early Renaissance scholasticism demonstrated a reliance on ancient Roman law, Bartolus himself infused a significant amount of ancient Aristotelian thought into his legal works—Bartolus was one of the first jurists to include this style in his tracts and commentaries.¹¹

But first, why did Bartolus study Roman law? Bartolus reinterpreted the civil code to provide Italian communes with a legal justification for their desired autonomy from the

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Walter Ullmann, *Law and Politics in the Middle Ages* (Ithaca, NY: Cornell University Press, 1975), 108-109.

⁸ *Ibid.*

⁹ James M. Blythe, *Ideal Government and the Mixed Constitution in the Middle Ages* (Princeton, NJ: Princeton University Press, 1992), 172.

¹⁰ *Ibid.*

¹¹ Quentin Skinner, *The Foundations of Modern Political Thought* (Cambridge, England: Cambridge University Press, 1978), 51.

Roman Empire.¹² Unlike many of his scholarly predecessors, who relied on sheer rhetorical tactics to argue their case, Bartolus supported his statements with solid, legal precedents.¹³ A prominent jurist, Bartolus was not satisfied with mere flowery diction to justify his objectives. While Cicero's rhetorical descriptions of tyranny and the tyrant could be purely theoretical since he lacked solid, written legal standards, Bartolus had centuries of authoritative legal sources to support his declarations. Quentin Skinner argues that Bartolus's efforts both revolutionized Roman legal study, assisted in instituting the idea of Italy being a plurality of independent political authorities, and created a specific theory that granted city-states autonomy from one another as well as from the Empire.¹⁴ Bartolus's new methodology of reconciling facts with the law led him to formulate and defend an original theory of tyrannicide. Bartolus's original differentiation between *de facto* and *de iure* jurisprudential constructions allowed him to support the idea of political sovereignty.

Bartolus thus separated himself from the school of Glossators and promoted the idea of communal autonomy by methodologically dealing with the reconciliation of political realities with the law. Though the Glossators believed that facts must conform to legal texts, Bartolus emphasized the opposite idea: that the law must be changed to comply with political realities. Bartolus's dedication to reality over legalism is seen best through his commentary on the Code itself: "it should not be a matter of surprise if I fail to follow the words of the Gloss when they seem to me to be contrary to the truth, or contrary either to reason or to law."¹⁵ Though laws could be changed, facts were unalterable and legal and

¹² *Ibid.*, 9. Skinner specifies that Bartolus formulated his legal arguments primarily for the Lombard and Tuscan communes.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*

imperial authorities were urged by Bartolus to accept that general truth.¹⁶ Indeed, Bartolus's commitment to argue from fact (*de facto*) made him an innovative jurist, since most legal scholars tended to argue from the law (*de iure*).¹⁷ By taking the *de facto* position over the accepted *de iure* position, Bartolus enabled himself to argue from the position that not only were cities autonomous, but also that it was legitimate to overthrow a tyrant; though cities got jurisdiction *de iure* via an emperor, citizens could act *de facto* and justifiably attain sovereignty by taking power from an unjust superior.¹⁸ Based on his *de facto* interpretation, Bartolus was the first jurist to develop a complete, consistent theory of political sovereignty for Renaissance communes.¹⁹

Arguing the *de facto* approach, Bartolus was able to defend the political sovereignty of city-states successfully. Bartolus maintained that the existence of many independent polities essentially qualified northern Italian city-states for the same kinds of jurisdiction.²⁰ Bartolus felt that the approval of the people could be held as a legitimate substitute to the opinion of a superior authority.²¹ Bartolus regarded customary law as law that did not require the approval of a superior and used this to justify his support of political sovereignty.²² Bartolus reconciled the disparity between political realities and theories in his reliance on customary law, whereby he combined such customs with popular approval to elicit a doctrine of Italian Renaissance republicanism. As Arthur Monahan observes: "Quite simply, Bartolus contended that an actual political structure acquired legal status *ipso facto* by existing 'for a

¹⁶ *Ibid.*, 10.

¹⁷ *Ibid.*, 9.

¹⁸ Quentin Skinner, *A History of Medieval Political Thought* (Cambridge, England: Cambridge University Press, 1992), 168.

¹⁹ Anthony Black, *Political Thought in Europe, 1250-1450* (Cambridge, England: Cambridge University Press, 1992), 115.

²⁰ Arthur P. Monahan, *From Personal Duties towards Personal Rights* (London, England: McGill-Queen's University Press, 1994), 21.

²¹ Skinner, *A History of Medieval Political Thought*, 168.

²² *Ibid.*

very long time.”²³ Bartolus’s reliance on customary law allowed him to supercede existing legal codes; because customary law was based on the tacit or passive consent of the people, customary law could be cited more easily, since if citizens merely followed the custom, they were essentially consenting.²⁴ Legal statutes, by contrast, required active popular consent in order to be deemed valid.²⁵ Bartolus’s concept that political sovereignty derived from popular consent went beyond the typical *ius gentium* construction, which was a common law of nations, thus legitimizing political autonomy through customary law.²⁶ By moving from the *ius gentium* that advocated a universal human communal society, Bartolus could deem some city-states to be independent of Roman imperial authority.

Indeed, in his legal commentary on the Code, Bartolus confirms this belief when he states that if cities have exercised *merum Imperium* for a long time, then their right to autonomy is a legitimate one.²⁷ This premise led Bartolus to formulate an important political maxim—that since the *civitas* is governed essentially by free citizens, then the state itself should exist as an autonomous polity; in scholarly brevity, Bartolus coined the phrase, *civitas sibi princeps*.²⁸ Essentially, the expression *civitas sibi princeps* allowed the theoretical development of popular sovereignty expressed in current legal form as Quentin Skinner argues: “He used the *lex regia* and customary law as instruments and thus arrived at state sovereignty and the principle of representation epitomized in the Bartolist formula of ‘Concilium repraesentat mentem populi.’”²⁹ Furthermore, Bartolus extrapolated this principle to express his idea that *Rex in regno suo est Imperator*.³⁰ Yet Bartolus stipulated that

²³ Monahan., 21-22.

²⁴ *Ibid.*

²⁵ *Ibid.*, 22-23.

²⁶ Skinner, *A History of Medieval Political Thought*, 170.

²⁷ Skinner, *Foundations*, 10-11.

²⁸ *Ibid.* The city is the prince itself.

²⁹ Ullmann, 109-110. The council represents the mind of the people.

³⁰ Skinner, *Foundations*, 11. Literally means the king in his kingdom is the Emperor.

however powerful, no legitimate ruler could ever supercede the will of the people, thus promoting his explicit defense of republicanism.³¹ Bartolus's advancement of political autonomy allowed for its introduction into civil law and also legitimized the self-held authority within Italian city-states, thus justifying their abilities to choose and maintain Republican autonomy.³²

However, Bartolus did not rely only on strict legal formulations to support his premises; instead, Bartolus occasionally relied on his own opinions as a supplement to civil law: "As a lawyer Bartolus is, of course, bound to respect precedent where it affords him a certain indication, but he is not a slavish follower of authority."³³ Though Bartolus handled his legal sources with the utmost rigor, he oftentimes inserted his own opinion when necessary, adding phrases such as "I think" or "in my opinion" to conclusions he enunciated with the help of cited authorities.³⁴ In addition to following Roman legal sources, Bartolus's juridical works contained classical influences, specifically from Aristotle and Cicero.

Bartolus's dependence on Aristotle was feasible, since Aristotle's *Politics* had been translated into Latin after 1250.³⁵ According to Skinner, one cannot underestimate Aristotle's influence since Bartolus quoted the philosopher widely to identify and solve fundamental political problems plaguing the Italian city-states.³⁶ Nonetheless, one must not neglect the importance of Ciceronian thought on Bartolus's works. Bartolus's belief that the *civitas* had the power to grant citizenship exemplified a commitment to public utility that mirrored a similar ancient Roman principle.³⁷ Though Bartolus believed civil law should be regarded as higher than natural law with respect to citizenship, his credence in the *consilium*

³¹ *Ibid.*, 65.

³² *Ibid.*, 11.

³³ Ephraim Emerton, *Humanism and Tyranny*. (Cambridge, MA: Harvard University Press, 1925), 122.

³⁴ *Ibid.*

³⁵ Skinner, *Foundations*, 50.

³⁶ *Ibid.*, 51-52.

³⁷ Ullmann, 110.

mimicked Ciceronian ideology that believed the *civitas* essentially represented a group of men joined in the body politic to be ruled by the law.³⁸

Moreover, as Italian scholars embraced Republicanism, a new image of ancient Rome materialized within scholarly texts—the Republican period’s rejuvenated role as ancient Rome’s political zenith allowed late Republican writers such as Cato and Cicero to be regarded as paradigms of Republican liberty and their efforts to denounce tyranny were analyzed extensively by Renaissance scholars.³⁹ Bartolus’s keen awareness of the legitimate connections between classical philosophy, ancient Roman law, and Italy’s contemporary political troubles resulted in his applicable, adaptable legal texts: “So Bartolus, one of the pioneers in adapting ancient patterns to modern civic life, not only gave legitimacy to the Italian *civitas* by identifying it with the Roman *princeps* but also, from his knowledge of ancient law and philosophy, drew up a classic indictment of political tyranny.”⁴⁰ Though some texts written by Bartolus are heavily imbued with Aristotelian thought, with respect to his rationale for tyrannicide in his *De Tyrannia* Bartolus’s text reveals a distinct Ciceronian influence regarding legitimate tyrannicide.

II. The Tyrant

This section will examine the Ciceronian influence on Bartolus’s *De Tyrannia*. This work, more relevant to our topic than other works by Bartolus, must be understood in context to highlight its fundamental differences from previous works examined. Though Bartolus supported popular sovereignty, he was not ignorant of the fact that a tyrannical

³⁸ Julius Kirschner, “*Civitas Sibi Faciat Civem*: Bartolus of Sassoferrato’s Doctrine on the Making of a Citizen,” *Speculum*, Vol. 48, No. 4. (Oct., 1973), 700.

³⁹ Skinner, *Foundations*, 54.

⁴⁰ Donald R. Kelley, “Civil Science in the Renaissance: Jurisprudence Italian Style” *The Historical Journal*, Vol. 22, No. 4. (Dec., 1979), 793.

ruler could threaten any *civitas*. The *De Tyrannia*, literally meaning On Tyranny, is a legal piece discussing the subject of tyranny, and not the tyrant.⁴¹ Specifically, the work is a *tractatus*, or tract arguing on a specific legal issue.⁴² Not surprisingly, there is a distinct Aristotelian influence, given that Aristotle's text was available; also, Aristotle dealt with the institution of tyranny in his *Politics*. Bartolus was innovative in this tract, since he differentiated between particular types of tyrants. While some tyrannical actions could be justified, the *ipso facto* indications of tyranny were to be regarded as always unjustifiable.⁴³ Bartolus utilized Aristotelian definitions of tyranny to identify such tyrants, highlighting two characteristics of a tyrant that would have been the most significant in the medieval setting.⁴⁴ However, with respect to tyrannicide, Cicero's influence resounded since he was the preeminent classical figure who defended personally a famous example of tyrannicide and his works also had been available to Bartolus at the time.

Bartolus defines a tyrant in the second chapter of the *De Tyrannia*: "A tyrant properly so called is one who governs a commonwealth arbitrarily (*non jure*)."⁴⁵ Bartolus's definition of a tyrant as one who governs outside the law is analogous to John of Salisbury's definition. Bartolus interestingly enough credits Pope Gregory I (590-604) with this definition.⁴⁶ In fact, Bartolus uses Gregory I as the sole authority for this chapter: "Such are the words of Gregory, and they are to be kept a rule of action."⁴⁷ It is important to note that although Bartolus maintained the legitimacy of sovereign imperial power, he explicitly supported papal

⁴¹ Emerton, 119.

⁴² *Ibid.*, 122.

⁴³ Oscar Jaszi and John D. Lewis, *Against the Tyrant—the Tradition and Theory of Tyrannicide* (Glencoe, Illinois: The Free Press, 1957), 22.

⁴⁴ *Ibid.*

⁴⁵ Bartolus, 127.

⁴⁶ *Ibid.*, 126.

⁴⁷ *Ibid.*, 127.

authority within the realm of spiritual matters.⁴⁸ Again, religious undertones permeate this document, despite its legal neutrality, as they had in the *Policraticus*. Simply put, a tyrant is one who holds power, yet does so outside the law.

But is this definition as simple as it seems? Not according to Bartolus. Bartolus then mentions that there are many different types of tyrants, some tyrannical in action, others in spirit: "... it must be remembered that everyone of a proud spirit (*superbus*) practices tyranny after his own fashion— one in a state through an office... while another may practice tyranny through his own inner malice, regarding not God in his innermost thoughts, and though he lacks the power, doing what evil he can."⁴⁹ Bartolus deems such a potential tyrant as "a tyrant at heart, being governed within by iniquity." Bartolus does not consider a person with inner tyrannical thoughts to be entirely impotent. Rather, he stresses that such a person may eventually become a full-blown tyrant: "For if one is a tyrant who outwardly oppresses his neighbors, it is enough if one inwardly desires power that he may oppress them."⁵⁰ Here, Bartolus equates a person's desire for power with their ability to obtain such power eventually. Bartolus ends Chapter Two with an explicit definition of a tyrant: "It should specially be noted that an act of tyranny consists specifically in the oppression of one's subjects. He is called a tyrant who impoverishes and brings suffering upon his own people, as has been said."⁵¹ As seen in the *De Officiis* and *Policraticus*, the principle associating explicit tyranny with outright popular suffering is enunciated once again.

Bartolus makes an even more important distinction between two specific types of tyrants. A tyrant who rules without the sanction of a superior authority is a tyrant by defect of title (*ex defectu tituli*) and a tyrant who rules unjustly or with unwarranted aggression against

⁴⁸ Monahan, 20.

⁴⁹ Bartolus, 127.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*, 129.

his citizens is a tyrant by his conduct (*ex parte exercitii*).⁵² Bartolus differentiates between these two types of tyrants in order to determine which tyrants may become legitimate rulers and which ones cannot. While tyrants by defect of title may legitimize their title with the approval of an overlord, tyrants by conduct are a more dangerous type of tyrant, and cannot be legitimized as easily. In Chapter Six, Bartolus presents a definition of the tyrant *ex defectu tituli*: "I ask: What is a manifest tyrant by defect of title in a commonwealth? My answer is: One who rules there openly without a lawful title, as evident from our previous definition."⁵³ However, Bartolus makes a series of qualifications about the tyrant *ex defectu tituli* with respect to fear and violence. Bartolus states that if a city-state possesses the right to elect its own ruler and grants jurisdiction to someone, even under duress, then that ruler is not a tyrant *ex defectu tituli*.⁵⁴ If a man procures his authority with the help of a large body of citizens, he is not a tyrant of this nature, but a ruler created through fear and violence instead.⁵⁵ However, if a man assumes power by initiating mass violence and instills general fear through the entire population, then he is tyrant *ex defectu tituli*: "... if a ruler is chosen by means of a tumult or unlawful uprising, he is a manifest tyrant by defect of title. And even if thereafter he rules well, still he is tyrant—that is unless he be later legitimated [by an overlord]."⁵⁶ Notice that Bartolus does not believe in the theme of once a tyrant, always a tyrant. His statement that a tyrant can become a legitimate ruler with the approval of an overlord implies that a tyrant *ex defectu tituli* is not a constant type of tyrant.

Bartolus continues his exploration of the nature of tyranny in Chapter Seven, discussing the tyrant by defect of title with an emphasis on the potential validity of a tyrant's

⁵² *Ibid.*, 64-65.

⁵³ *Ibid.*, 132.

⁵⁴ *Ibid.*, 133.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, 134.

actions: "I inquire whether acts done by a manifest tyrant by defect of title or during his administration are valid."⁵⁷ Bartolus attempts to define the continuity of legal obligations during administrative transitions.⁵⁸ It is not surprising that Bartolus would raise this issue, given the many power struggles and turnovers of government in Italian city-states during the Renaissance. Bartolus maintains that the acts of a tyrant are *ipso jure* invalid, as are any actions taken by officials he appoints.⁵⁹ Yet, some acts done by a tyrant of defective title are valid, according to Bartolus: "Thus in the present case a people held under the power of a tyrant does certain things which officials chosen by the people would have done in any event, even if they had been free to act for themselves... Such acts are valid, because they are done voluntarily."⁶⁰ Though Bartolus strives to identify tyrants of defective title, he maintains that such tyrants can be legitimized and that certain actions taken by them may be considered legitimate as well. His opinions on a tyrant by means of conduct are dramatically less flexible, thus defining the latter as a far more serious type of tyrant.

In Chapter Eight, Bartolus defines and discusses the tyrant *ex parte exercitii*. This tyrant seems more tyrannical in his nature, since it is his actions, not his title that designates him as such: "Even though his title be sound he is none the less a tyrant. I say that he is a tyrant because he rules 'tyrannically,' that is, his actions are not directed toward the common good but to his own advantage, and that means to rule unjustly—as is the case *de facto* in Italy."⁶¹ Bartolus then cites Plutarch as the classical authority for defining such a tyrant, and examines the ten acts that may make a tyrant *ex parte exercitii*.⁶² Though Bartolus cites

⁵⁷ *Ibid.*, 135.

⁵⁸ *Ibid.*, 134.

⁵⁹ *Ibid.*, 135.

⁶⁰ *Ibid.*, 136.

⁶¹ *Ibid.*, 140.

⁶² *Ibid.*, 142-144. Bartolus defines the ten acts as follows: to ruin 'specially capable persons,' to ruin men who are wise, to forbid the procuring of wisdom and learning, to prohibit private and public meetings, to retain informers, to consciously divide the community to prevent uprisings, to keep his subjects financially

Plutarch as his authority, there are similarities to the Ciceronian rationale within this chapter. Initially, Bartolus mentions Romulus and Remus when defining this type of tyrant: "First, To cause the ruin of specially capable persons, even of a brother, is a tyrannical act. This is true unless it be for a just cause, as, for example, in the case of Romulus and Remus."⁶³ Once again the mythical brothers are alluded to, yet this time Romulus is seen as justified for committing anti-tyrannical fratricide. This justification is entirely contrary to Cicero's position, since Remus' murder was hardly a 'just cause' in the *de Officiis*.⁶⁴ Yet given Cicero's belief that Romulus' behavior mirrored Julius Caesar's, one cannot be surprised that Cicero would excoriate Romulus as he did Caesar.

The *De Tyrannia*, however, posited no such Caesarian enemy. Instead, Bartolus makes Romulus' actions the exception to the general rule that the murder of someone 'specially capable' is a tyrannical act. Though Remus was thought to possess such capabilities, his brother's transgression against him did not make Romulus a tyrant. Rather, the murder legitimized his rule. Did Bartolus believe that Romulus was a legitimate ruler, while Remus was a potential tyrant? Did Bartolus discourage dual rulership in favor of a strong centralized monarch? Despite the differences between the *De Tyrannia* and the *De Officiis*, it is important to note that both works cite Julius Caesar's murder as well as the myth of Romulus and Remus. While Caesar's murder serves as the main example supporting tyrannicide, the myth of Romulus and Remus is also a litmus test for adjudging legitimate tyrannicide.

Bartolus ends Chapter Eight with a survey of the two most serious types of a *tyrannus ex parte exercitii*. Section Thirty summarizes the different definitions of tyrants in the

poor, to wage foreign wars to keep his subjects occupied abroad, to employ a foreign bodyguard, and to be partisan with respect to factions to quell them.

⁶³ *Ibid.*, 142. Section Twenty-Nine of the *De Tyrannia*

⁶⁴ See *De Officiis*, Book III, Sections 40-41.

chapter, and places two specific kinds above the rest: "the promoting of divisions within the community and the impoverishment of citizens and abusing them in their persons or in their property."⁶⁵ These two main characteristics of the tyrant deemed tyrannical by means of conduct are neither original nor illogical in preexisting theories regarding tyrannicide. Since most scholars even before Cicero desired to protect the greater good of the state, it seems natural that tyrants would be considered extreme threats to such unity. Bartolus, like Cicero and John of Salisbury, viewed oppression of the people as a paradigm of any true tyranny. These two factors--the potential for political division as well as the abuse of the citizens--made the offending individuals the most serious types of tyrants. This definitive passage at the end of Chapter Eight is not only consistent with preceding theory on tyranny, it also provides the perfect rationale for Bartolus to advocate the removal of a tyrant.

Chapter Nine offers Bartolus's most convincing statement regarding tyrannicide. In the previous chapters, Bartolus had established certain definitive types of tyrants and tyranny. Here, he seeks to determine the legal means for eradicating such tyranny.⁶⁶ Though Bartolus cites an example of the papal adoption of tyrants as vicars to subvert their oppressive behavior, a scenario analogous to actions taken by Cardinal Egidio Albornoz, he nevertheless maintains that tyrants *ex parte exercitii* must be removed.⁶⁷ Even if the tyrant is a former tyrant *ex defectu tituli*, the fact that he continues to rule tyrannically makes him a tyrant *ex parte exercitii*, since his conduct is tyrannical regardless of his legitimized title. Under this circumstance, Bartolus maintains that these tyrants are subject to the law.

Bartolus then uses the two main types of tyranny defined at the end of Chapter Eight to determine how tyrants *ex parte exercitii* should be handled according to the law: "As to the

⁶⁵ Bartolus, 144.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, 145.

ruler who has a clear title but is shown to be a tyrant by his conduct, I say that, because he oppresses his subjects in their persons he falls under the *lex julia de vi publica*. Also, because he encourages factions in the community and thus prevents the courts from acting regularly, he falls under the same law *de vi publica*.⁶⁸ The *lex Julia de vi publica* was a law under Julius Caesar that allowed a woman to press charges against her rapist.⁶⁹ Bartolus's appeal to this particular piece of legislation is significant for two reasons. First, by using a rape law, Bartolus is insinuating that usurpers rape or violate the state and those who are assaulted by such tyrants have the right to seek retribution. Second, the fact that this law was enacted under Caesar associates a victim of tyrannicide with legislation that Bartolus claims is a legitimate legal precedent for punishing a tyrant. With this law, Bartolus argues that such a tyrant ultimately "forfeits all rights under the civil law and, as an infamous person, loses his dignities and his offices."⁷⁰ Once again, Bartolus is arguing from the *de facto* perspective to the *de iure* construction. By oppressing citizens and promoting the division of the *civitas*, the tyrant by means of conduct is a threat to the state itself and should be thought of as a traitor. Bartolus entertains the thought of tyrannicide in Chapter Nine, thus following Cicero. While he does not state the legitimacy of such an action in an explicit manner, the reference to tyrannicide indicates that Bartolus was not against such an act when necessary. Though Bartolus's justification of tyrannicide was not nearly as explicit as that of Cicero or John of Salisbury, he nonetheless seems a supporter of punitive measures to deter specific tyrants who are inherently harmful to the well being of the *civitas*.

Although Bartolus of Sassoferrato is best known for his revolutionary juristic theories protecting popular sovereignty, one cannot disregard his powerful analysis of the

⁶⁸ *Ibid.*

⁶⁹ Brian Compton, *Roman Law*, Miami University, www.vroma.org/~plautus/lawcompton.html, (accessed April 5, 2004).

⁷⁰ Bartolus, 145.

subject of Renaissance tyranny. As a result, Bartolus's ideas had significant influence on *Trecento* political thought, since he argued against the political tyrant in favor of republican liberty.⁷¹ Bartolus's *De Tyrannia*, while not explicitly promoting tyrannicide, is rife with Ciceronian ideals, since like his ancient Roman predecessor, Bartolus's main premise is that the essential goal of political life is the protection of peace—yet such peace can be attained without a loss of liberty.⁷² Just as Cicero believed that tyranny could be prevented in a way that combined morality with expediency to uphold the *ius naturale*, Bartolus's own belief that the prevention of tyrants justified republicanism was a fundamental reconciliation between the peace and liberty, thus safeguarding the greater good of the Italian *civitas*.

"Yet in my opinion, far from being despised a tyrant in a lawful way is to be loaded with honors, so he who knowingly does a just deed deserves the severest penalty." —Coluccio Salutati, *De Tyrannia*

As republicanism informed Renaissance political thought in *Quattrocento* Italy, scholars began to study classical authors not only for their persuasive rhetorical style, but also for their intrinsic political theories.⁷³ As a result, the intense study of ancient authors to support contemporary ideals of liberty promoted the emergence of the first true republics. Though scholars in the Middle Ages had relied often on the ancient texts to support their own political theories, the Renaissance humanists differed from their predecessors in that they studied such authorities from a more critical, challenging perspective.⁷⁴ Robert White's reflection regarding pre-Renaissance scholarship accurately explains the limited reflection that ancient precedents had on medieval theories: "...in the very shadow of the secular world, Italians of the twelfth and early thirteenth centuries were too busy developing their

⁷¹ Coluccio Salutati, *De Tyrannia*, in *Emerson, Euphrasia*, trans. Humanism and Tyranny (Cambridge, MA: Harvard University Press, 1923), 72.

⁷² Quentin Skinner, *The Foundations of Modern Political Thought* (Cambridge, England: Cambridge University Press, 1978), 37.

⁷³ *Ibid.*⁷¹ Skinner, *Foundations*, 65.

⁷⁴ *Ibid.*⁷² *Ibid.*

CHAPTER IV:

Coluccio Salutati--The Effects of Renaissance Humanism on the Rationale for Tyrannicide

“Yet in my opinion, just as he who destroys a tyrant in a lawful way is to be loaded with honors, so he who unlawfully slays a ruler deserves the severest penalty.” –Coluccio Salutati, *De Tyranno*¹

As republicanism infused Renaissance political thought in *Quattrocento* Italy, scholars began to study classical authors not only for their persuasive rhetorical style, but also for their intrinsic political theories.² As a result, the intense study of ancient authorities to support contemporary ideals of liberty promoted the emergence of the first true humanists.³ Though scholars in the Middle Ages had relied often on the ancient texts to support their own political theories, the Renaissance humanists differed from their predecessors in that they studied such authorities from a more critical, challenging perspective.⁴ Ronald Witt's reflection regarding pre-Renaissance scholarship accurately explains the limited influence that ancient precedents had on medieval theorists: "...in the very shadow...of the pagan world, Italians of the twelfth and early thirteenth centuries were too busy developing their

¹ Coluccio Salutati, *De Tyranno*, in Emerton, Ephraim. trans. *Humanism and Tyranny* (Cambridge, MA: Harvard University Press, 1925), 92.

² Quentin Skinner, *The Foundations of Modern Political Thought* (Cambridge, England: Cambridge University Press, 1978), 37.

³ *Ibid.*

⁴ Ephraim Emerton *Humanism and Tyranny*, (Cambridge, MA: Harvard University Press, 1925), 28.

own political organization and their economic order to pay much heed to the potential guidance ancient culture could provide, except in the two practical subjects of law and medicine.”⁵

Yet, while other concerns still roused the interests of Italian scholars, one man initiated a flourishing of moral, social, and political philosophy as Florence struggled to defend its civic liberty during and after the War of the Eight Saints (1375-1378)—Coluccio Salutati.⁶ Salutati was one of the first humanists to proclaim to Florentine citizens their own distinct republican lineage running back to the Roman Republic—his effusive praise of republican institutions as well as his ardent defense of civic liberty revealed his allegiance to the classical republican tradition.⁷ Yet with respect to classical literary precedent, Salutati refused to uphold Cicero’s views regarding tyrannicide. Salutati’s reliance on ancient sources to defend civic liberty, coupled with his unabashed critique of existing literary precedent, produced a remarkably different perspective on tyrannicide, one that exemplifies the contrasting theories on tyrannicide that followed the emergence of Italian humanism.

Coluccio Salutati (1331-1406) was an influential scholar and civil servant who furthered pre-existing ideals regarding popular sovereignty and political autonomy through texts that combined ancient scholarship with *Duocento* and *Trecento* legal scholasticism.⁸ Moreover, Ephraim Emerton’s assertion of his liminal role in Florence should not be disregarded: “Coluccio Salutati represents to us that stage of early Italian Humanism in which it passes out of the hands of men of genius and becomes the common property of a

⁵ Ronald G. Witt, *Italian Humanism and Medieval Rhetoric* (Burlington, VT: Ashgate Publishing Company, 2001), 55.

⁶ Skinner, 69.

⁷ David S. Peterson, “The War of the Eight Saints in Florentine Memory and Oblivion,” in *Society and Individual in Renaissance Florence*, ed. William J. Connell (Berkeley, CA: University of California Press, 2002), 174.

⁸ Arthur P. Monahan, *From Personal Duties towards Personal Rights* (London: McGill-Queen’s University Press, 1994), 33.

great variety of less highly endowed but more thoroughly trained and more practically useful types.”⁹ Thus, Salutati’s presence as an early humanist reveals the diffusion of generalized scholarship throughout Renaissance Italy as scholars struggled to define contemporary political theories.

Salutati’s widespread influence on Renaissance scholarship is integral to our discussion of tyrannicide. Salutati, qualified in rhetorical study, held chancellor positions in Todi (1367), Lucca (1370), and Florence (1375), where he served until his death.¹⁰ Salutati wrote many documents while in office, and his public letters utilized the *ars dictaminis*, a classicizing grammatical style, rife with Ciceronian influence.¹¹ The *ars dictaminis* style allowed for a new classical influence to permeate political writings, thus permitting humanist works to become more refined with respect to argument as well as more explicit in a propagandistic sense.¹² One specific text written by Salutati in the *ars dictaminis* style is especially relevant to our discussion: Salutati’s *De Tyranno* (1400) exemplifies the up-and-coming humanist views regarding the social, moral and political repercussions of the theory of tyrannicide.

Akin to Cicero’s *De Officiis*, the *De Tyranno* (Treatise on the Tyrant) is a letter written by Salutati in response to a Paduan student, a one Antonio of Aquila.¹³ In the letter, Salutati seeks to resolve two main questions that the student has asked him: the question of whether Brutus and Cassius were traitors to Rome, and the question of whether Antenor and Aeneas were traitors to Troy.¹⁴ For all intents and purposes, the text mainly concerns Salutati’s defense of Dante’s reputation, since Dante had placed Brutus and Cassius in hell for their

⁹ Emerton, 26.

¹⁰ Monahan, 33.

¹¹ Witt, 54-55.

¹² Skinner, 39.

¹³ Ronald G. Witt, *Hercules at the Crossroads* (Durham, NC: Duke University Press, 1983), 368.

¹⁴ *Ibid.*

assassination of Caesar.¹⁵ Salutati wished to defend the literary predecessor whom he admired as well as the city of Florence, which was constantly under threat of tyranny.¹⁶ Thus, in answering these two questions regarding treason, Salutati managed to develop an in-depth discussion of tyranny itself.¹⁷ Salutati's elaborate argumentation regarding the tyrant is developed through specific chapters in a coherent sequence, and numerous classical sources are cited so that his opinions are well supported.¹⁸ More importantly, the *De Tyranno* is the ideal final source in our discussion, since Salutati directly cites both Cicero and John of Salisbury. In addition, the influence of Bartolus cannot be denied in this work, as Emerton astutely observes: "There can be no doubt whatever that Salutati knew Bartolus's treatise. As a man of law, if not in the strict sense a jurist, and a man also of the widest reading, it is unthinkable that the greatest legal authority of his own days should have been unknown to him."¹⁹ Salutati's *De Tyranno*, written forty years after the *De Tyrannia*, reveals that the problem of the tyrant still is discussed in political theories. As important as Salutati's knowledge of Cicero, John of Salisbury and Bartolus of Sassoferrato is to this discussion, his vastly different rationale regarding tyrannicide is the main focus of this chapter.

Salutati's introduction bears little relevance to our topic, for he merely prefaces his letter with an overview of the forthcoming answers to the questions Antonio has posed. However, one noticeably modest part of the introduction is worth discussing. Salutati attributes his rationale for writing to Antonio as a sort of repayment for the gifts he has received from God: "If majesty supreme has deigned to bestow some gift upon my insignificance, can I dare think it was given me to keep to myself and not rather through me

¹⁵ *Ibid.* 369-370.

¹⁶ *Ibid.* 369.

¹⁷ *Ibid.*

¹⁸ Emerton, 120.

¹⁹ *Ibid.*

be shared with others?"²⁰ Notice that Salutati attributes all of his talents to God, taking none of the credit himself and acting as a mere beneficiary of a higher power. Salutati's stated benevolence is then qualified by a submissive apology. This statement is significant, for it reveals Salutati's implicit fear that his views may be too radical for his audience: "If I shall find out the truth of the matter about which you inquire, you may rejoice with me; but if I shall disappoint your expectations ascribe it in part to my ignorance, but partly also to yourself for having greater hopes of me than experience shall have shown to be warranted."²¹

Why would Salutati, Chancellor of Florence, make such a humble statement regarding his treatise? Like most early Renaissance literary figures, Salutati feared potentially unpleasant reactions to his rhetoric and sought to appease the public since his position as Chancellor depended upon popular approval.²² That Salutati foresaw prospective criticism and apologized before even addressing the issues is an indication that he felt some ideas expressed in his work might be considered inflammatory to probable readers; by deferring his voice to God, Salutati was able to avoid direct responsibility for any bold statements to come.²³ Salutati's denial of responsibility softens his blatant and somewhat reckless criticism of tyrannicide that ensues. Salutati's rather obsequious stance in his introduction signifies that he understands the possibly negative repercussions of his discussion on the tyrant.

As seen in the first three texts, one cannot possibly begin a work regarding the tyrant or tyranny without a clear definition of the tyrant himself. Thus, Chapter One of the *De Tyranno* explicitly presents Salutati's definition of a tyrant. Berthold L. Ullman asserts that

²⁰ Salutati, 73.

²¹ *Ibid.*

²² Emerton, 73.

²³ *Ibid.*

the letter “is based in part on Bartolo of Sassoferrato.²⁴ Salutati defines a tyrant in a manner almost exactly like that seen in Bartolus’s *De Tyrannia*.²⁵ Witt’s statement that Salutati patterns his first two chapters after Bartolus’s work is a valid one.²⁶ Both rely on the opinions of Gregory the Great’s *Magna Moralia* in their review of tyrannical action and both also explain the differences between a *tyrannus ex defectu tituli* and a *tyrannus ex parte excercitii*. It is important to distinguish however, that while Bartolus’s work relates to the institution of tyranny, Salutati’s specifically grapples with the issue of the human tyrant himself.²⁷ Though Salutati makes the distinction between a tyrant of character and a tyrant of action, he nonetheless determines that a tyrant in thought only is to be disregarded—the main tyrannical behavior that is examined involves a tyrant of action.²⁸ Salutati’s final statement ending Chapter One reiterates his definition of a tyrant: “...a tyrant is either one who usurps a government, having no legal title for his rule, or one who governs *superbe* or rules unjustly or does not observe law or equity...”²⁹ Salutati’s definition of a tyrant and the fact that he derives most of his definition from Gregory the Great indicates not only that his definition of a tyrant is similar to Bartolus’s, but also that the definition of a tyrant was somewhat consistent in form by *Quattrocento* Italy.

Chapter Two of the *De Tyranno* is the work’s most relevant section to our discussion of tyrannicide. Here, Salutati strives to determine whether it is lawful to kill a tyrant: “It is, therefore, lawful to repel by force the assailant of an individual or of a piece of property and if he persist, to kill him, and shall we not have the right to prevent by force, even to the point of death, one who tries to seize the rule of a city, or kingly power or the government

²⁴ Berthold L. Ullmann, *The Humanism of Coluccio Salutati* (Padov, Italy: Editrice Antenore, 1963), 32.

²⁵ Witt, *Hercules at the Crossroads*, 379.

²⁶ *Ibid.*

²⁷ Emerton, 119.

²⁸ Witt, *Hercules at the Crossroads*, 378-379.

²⁹ Salutati, 78.

of a republic?"³⁰ Salutati here reveals his opinion against tyrannicide, thus refuting his rhetorical question at the chapter's beginning. After discussing the importance of this question, Salutati cites a few ancient examples of tyrannicide, especially in his extended discussion of Publius Scipio Nasica, who murdered Tiberius Gracchus.³¹ These examples provided Salutati's audience with stock examples of tyrannicide, derived from antiquity.

The reference to Gracchus's murder was not new to literary illustrations of tyrannicide; Cicero himself cited this murder in the *De Officiis*, though with more emphasis on the tyrant rather than the tyrannicide.³² Emerton asserts this extended citation does not support Salutati's main premise, yet reveals the author's astute methodology of historical criticism, since Salutati is not willing to accept any statement based on the popularity of its author alone: "He uses his own mind with a freedom altogether modern, in marked contrast to the blind receptivity of the mediaeval chronicler, and he does not hesitate to make emendations of his own where he thinks they will serve to bring the statements of a classic author more nearly into harmony with common sense."³³ Salutati's refusal to defer to classical beliefs that contradicted his own ideals underlay his criticism of existing rationales for tyrannicide. This is evident mainly in his rejection of John of Salisbury and Cicero's opinions.

While Salutati demonstrated that he defined a tyrant by the same standards as Bartolus in Chapter One, his explicit references to John of Salisbury in the succeeding chapter indicate that he had analyzed preceding medieval texts on tyrannicide quite seriously. The chapter finally arrives at a main argument when Salutati addresses the question of how

³⁰ *Ibid*, 79.

³¹ *Ibid*, 80-85.

³² See *De Officiis*, Book II, Section Forty-Three.

³³ Emerton, 82.

to control or destroy a tyrannical ruler who leads the state *non jure*.³⁴ Though Salutati briefly cites Thomas Aquinas, his main precedent for negation is John of Salisbury. Salutati's extensive criticism of John of Salisbury is integral to his argument against tyrannicide. He undermines John's legitimization of tyrannicide by including an important distinction: though a tyrant may be legitimately resisted and removed, one cannot employ tyrannical means (i.e. murder) to remove a tyrant.³⁵ Salutati prefaces his discussion of John's *Policraticus* with a succinct statement that virtually begs the question at hand: "But the frequency of these murders does not imply that they are or ought to be considered lawful. It is one thing to kill a man and quite another thing to kill him lawfully."³⁶ In criticizing John of Salisbury's many examples of tyrannicide, Salutati attempts to refute the rationale for tyrannicide, thus endorsing only legal methods for removing tyrants.

Salutati's criticism of John of Salisbury is unabashed and without apology. This reflects Salutati's belief that though medieval scholars certainly had some literary merit, they were essentially inferior to classical scholars as well as scholars of Salutati's own era.³⁷ Salutati directly reveals this sentiment when he expresses doubt that the *Policraticus* even makes sense: "So that the learned John of Salisbury in his book called—I know not why—"Policratus" [*Policraticus*], in which he declares that it is right to kill a tyrant and tries to prove this by a multitude of illustrations, seems to me to reach no result".³⁸ Not only does Salutati insinuate that the text serves no purpose, he also includes a damning aside that questions John of Salisbury's rationale for the title of the work. Salutati recognizes that the *Policraticus* provides many examples of tyrannicide, yet these examples are not legitimized by their

³⁴ *Ibid.*, 90.

³⁵ *Ibid.*

³⁶ Salutati, 90.

³⁷ Witt, *Hercules at the Crossroads*, 255.

³⁸ Salutati, 90.

abundance alone.³⁹ Salutati's premise that the frequency of an act does not prove its legality allows him to contradict John of Salisbury's defense of tyrannicide. The mere enumeration of historically accurate examples is not sufficient to promote a rational justification of murder. Salutati continues in his analysis of the *Policraticus*, paying careful attention to various qualifications that John of Salisbury makes regarding tyrannicide.

After mentioning certain limitations on the justification of tyrannicide described in the *Policraticus*, including ecclesiastical tyrants and fealty and oath limitations, Salutati approaches his main conclusion: "You see, then...how far even this writer, great as his authority is, would go in restricting the license of tyrannicide? He would not sanction laying hands upon a tyrant without due deliberation, nor would he think everyone authorized to decide whether a man be really a tyrant or not."⁴⁰ Salutati examines John's reservations regarding tyrannicide to conclude that though a tyrant may infect the state, no one man or men possesses the authorization to remove him without the consent of an overlord: "For, though every man is under such obligation to the Fatherland that he ought to devote even his life to the welfare of the state, nevertheless no bond or obligation requires that even a thing useful to the community shall be accomplished by a crime."⁴¹ Here, Salutati is saying that the ends never justify the means in regards to tyrannicide. Though a tyrant may pose a great threat to the well-being of a state, one should never transgress the law to preserve the state.

Critiquing John of Salisbury, Salutati enables himself to enunciate his own idea—that a political leader's title contains the implied consent of the community and only an overlord, if applicable, or those granted constitutional authority, have the legitimate right to depose

³⁹ *Ibid.*

⁴⁰ *Ibid.* 91-92.

⁴¹ *Ibid.* 92.

said tyrant.⁴² It is important to note that Salutati states that in the case of a *tyrannus ex defectu tituli*, he can legitimize his power if he obtains the explicit or implicit consent of the people, and an overlord's consent, if one exists; but if such a tyrant's title is never legitimized, he is a mere criminal and can be murdered by anyone.⁴³ However, since a *tyrannus ex parte excercitii* has the title, yet acts tyrannically on his own accord, unless an overlord or the community as whole decides to depose or punish the tyrant, the tyrant cannot be legitimately eliminated. Salutati's critique of the *Policraticus* exemplifies his disregard for tyrannicide, and places the authority to depose or punish a tyrant in the hands of the proper governing authorities only, leaving private citizens to suffer the consequences of a tyrannical ruler.

Though in his second chapter Salutati refutes John of Salisbury, Part Three examines a purely theoretical issue and criticizes an ancient scholar on tyrannicide—our own Marcus Tullius Cicero. Emerton believes this third chapter, entitled “Concerning the Principate of Caesar and whether he ought properly to be regarded as Tyrant,” offers Salutati's most sympathetic argument in support of benevolent despotism.⁴⁴ Indeed, Salutati makes the bold assertion that Julius Caesar was never really a tyrant, thus completely contradicting both Cicero and John of Salisbury. However, Salutati directs his attention to Cicero, as mentioned by Witt: “Salutati's procedure is to focus on Cicero and to disprove his criticism of Caesar by the remarks of Cicero himself.”⁴⁵ But Salutati attempts to condemn tyrannicide by undermining Cicero, and his probing essentially damages his own credibility.

Salutati first sets out to disprove Cicero's invective against Caesar in the *De Officiis* by revealing that Cicero had not always condemned Caesar: “Without further reference to ‘Policraticus,’ this Cicero of ours, according to the teaching of the Academy which he

⁴² Witt, *Hercules at the Crossroads*, 380.

⁴³ *Ibid.*, 380-381.

⁴⁴ Emerton, 93.

⁴⁵ Witt, *Hercules at the Crossroads*, 380-381.

followed, took it upon himself to speak too freely *ex tempore*, saying now this and now that and contradicting himself with the change of circumstances."⁴⁶ Salutati's analysis of Cicero's opinion of Caesar is even lengthier than his textual critique of John of Salisbury. Basically, Salutati attempts to establish that Cicero's premise that Caesar was a tyrant is wrong on the grounds that Cicero had described Caesar in positive terms in other circumstances. This reasoning is somewhat fallacious, especially in light of Salutati's arguments in the previous chapter. While Salutati states that the frequency of instances of tyrannicide does not render the act a legitimate one, is he not trying to determine that Cicero is wrong based on frequent statements indicating otherwise? Just because Cicero frequently praised Caesar in his writings did not necessarily mean that Cicero regarded Caesar highly. Salutati's premise that frequency does not legitimize something effectively negates his own idea that Cicero favored Caesar.

What is more ironic about Salutati's attempt to discredit Cicero's late opinion regarding Caesar is Salutati's own lack of consistency regarding Caesar. Though there is no direct evidence of Salutati criticizing Caesar as an individual, Salutati's earlier works reveal an ambivalent attitude towards the dictator, one that combines approbation with dissatisfaction, as stated by Witt: "Salutati seems to feel no inconsistency involved in ascribing a love of country to Caesar at the same time as he describes his destruction of the Roman state."⁴⁷ However, Salutati's initially hesitant view of Caesar mirrored most humanist views of Caesar at the time; though most *Trecento* and *Quattrocento* scholars praised his military endeavors, as

⁴⁶ Salutati, 95.

⁴⁷ Witt, *Hercules at the Crossroads*, 373. Witt cites numerous textual sources to support his premise, including a letter written to Francesco Guinigi of Lucca (1374) and another letter, penned nine years later.

well as his acumen, most held reservations owing to Caesar's role as dictator and purveyor of civil strife.⁴⁸

Yet around the year 1396, Salutati began to alter his outlook on Caesar, when he wrote the *De Fato et Fortuna* (On Fate and Fortune), in which he maintained that though God had willed that Brutus would kill Julius Caesar, Brutus utilized his own free will to slay the ruler.⁴⁹ This discussion raised a complex, theoretical question: In willing Brutus to kill Caesar, was God ordaining tyrannicide or was he attempting to produce a legitimate monarchy?⁵⁰ In his discussion of Brutus, Salutati relied heavily on Dante's perspective on the matter, and though he left this problem somewhat unresolved, Dante's influence on his later works would result in his inconsistent opinion on Caesar.⁵¹ Indeed, by 1398, in a letter written to Astorgio Manfredi, Salutati's reference to Caesar's murder as 'the sacrilege of Brutus' indicates his shift towards defending Caesar.⁵² Witt observes this new trend and attributes it to Salutati's vastly different approach in the *De Tyranno*: "Apparently by this time Salutati is moving towards a position that would allow him to justify Caesar's rule as legitimately established and which, consequently, would rob Brutus' act of its dignity."⁵³ Clearly, the *De Tyranno*, written in defense of Dante, altered Salutati's pre-existing neutrality towards Caesar so that he could undermine Cicero's own excoriations against Caesar, thus allowing him to support Dante's vastly different position.

To end the third section, Salutati poses a strategic rhetorical question, designed to lead to the conclusion that Caesar was not a tyrant: "Who then can think the rule of a man

⁴⁸ *Ibid.*, 369.

⁴⁹ *Ibid.*, 376.

⁵⁰ *Ibid.*, 377.

⁵¹ *Ibid.*

⁵² *Ibid.*, 378.

⁵³ *Ibid.*

of such a character, such sentiments and such deeds as these, ought to be called a tyranny?"⁵⁴ From this statement, and many preceding it, it is clear that Salutati has not classified Caesar as a *tyrannus ex parte exercitii*. Instead, Salutati maintains that Caesar was not a tyrant at all, since the will of the people eliminated his being a *tyrannus ex defectu tituli* as well: "We may, therefore, conclude with this proposition: that Caesar was not a tyrant, seeing that he held his principate in a commonwealth, lawfully and not by abuse of law."⁵⁵ Caesar was not a tyrant. Instead, he was a political leader who received legitimate authority by the approval of the people.⁵⁶ Though he determines Caesar was not a tyrant in Part III, Salutati applies the illegitimate nature of tyrannicide to the situation in the following part.

Part IV discusses whether or not Caesar's murder was justified.⁵⁷ This section explicitly discusses the behavior of Brutus and Cassius, yet Salutati also speaks directly to the deceased Cicero, thus producing criticism even more intense than that seen in the previous section. First, Salutati asserts that Caesar was by no means an illegitimate ruler, since even those who assassinated him had been the beneficiaries of his leadership, thus implying tacit consent: "Who, then, can bear with patience to hear Cicero and others speaking against Caesar, when they and some whom the law of conquest had deprived of their honors as well as their citizenship, received from Caesar restitution or new positions or conformation of former ones as legitimately acquired."⁵⁸ Salutati appeals to Caesar's character, stating that the baseness of the Roman *populus* would not permit men to follow a dead tyrant, unless that

⁵⁴ Salutati, 99.

⁵⁵ *Ibid.*, 100.

⁵⁶ *Ibid.*

⁵⁷ Witt, *Hercules at the Crossroads*, 382.

⁵⁸ Salutati, 101.

man had been inherently good.⁵⁹ Salutati's aggressive stance towards Cicero reaches its apogee when he accuses him of spreading lies:

"But why bandy words with me, my dear Cicero? Why make conjectures as to the secrets of men's hearts, when the facts of the case proclaim the contrary? You will have to be a greater master of oratory than you are, Cicero, if you expect to make guess-work and mere words overcome the evidence of facts."⁶⁰

From his frank treatment of this classical scholar, Salutati reveals not only his lack of concurrence with Cicero, but also his disregard for Cicero as a credible source.⁶¹ Salutati's later reference to the 'snarlings of Cicero' belittles the *De Officiis*.⁶² Boldly challenging Cicero's belief that Caesar was detrimental to the Roman republic, Salutati supports his premise that a monarchical government is the best possible political system.

The latter half of the fourth section affirms that monarchy is the best form of government, since Salutati maintains that the death of Caesar was the cause of civil strife, and not the result of men attempting to prevent it. Salutati asks Cicero whom he expected to run the government, especially in light of praise he had given Caesar previously: "These are your own words, and they were far more than mere flattery. For who but Caesar could have cured those evils? The Senate, divided as it was into factions? The Equites? Or the populace or the *plebs* struggling in the same factional conflict...?"⁶³ Salutati then argues that the republic could have been saved, had it not been for the 'tyrannicide' committed by Brutus and Cassius:

"There might, perhaps been a chance for harmony if Caesar had not fallen victim to the unjust violence of men. But the opportunity for this was lost through the fury of those friends of yours whom you laud to the skies as liberators of the city and the world, when they not merely opposed the only

⁵⁹ *Ibid.*, 102-103,

⁶⁰ *Ibid.*, 103.

⁶¹ Witt, *Hercules at the Crossroads*, 380-381.

⁶² Salutati, 103,

⁶³ Salutati, 107.

man who, according to your evidence, could apply the remedy, but by means of ingratitude, treachery and crime actually removed him.”⁶⁴

Again, Salutati does not believe Caesar’s murder was an act of tyrannicide; instead, he feels that Caesar was the innocent victim of jealous, overzealous murderers.⁶⁵ Moreover, Salutati expresses the belief that the best form of government is under the rule of single, good man, much akin to Julius Caesar.⁶⁶

Salutati also states that a monarchical government is most analogous to the divine leadership of God to the universe at large, thus indicating that any proper Christian should strive to emulate a government similar to that of God.⁶⁷ Salutati even refers to Aristotle’s opinion on proper government, citing Aristotle as a prime authority for the endorsement of monarchy: “Why, Cicero, should you condemn what you have learned from Aristotle?...It is a law of nature that since some are born to serve and others to rule, in order that equality may be preserved among all in due proportion, government should be in the hands of a better man.”⁶⁸ Here, Salutati appeals to the pagan *jus naturale*, as well as the basic dogma of Christianity to support his monarchical endorsement. Thus combining classical sources of the past, with Christian beliefs, Salutati offers a comprehensive rationale against tyrannicide: “We may, therefore, conclude that the murderers of Caesar slew, not a tyrant but the father of his country, the lawful and benignant ruler of the world, and that they sinned against the state in the most serious and damnable way possible by kindling the rage and fury of civil war in a peaceful community.”⁶⁹ Salutati’s next chapter contains his explicit defense of Dante, yet his preceding chapters make such a defense a mere formality, for Salutati has

⁶⁴ *Ibid.*

⁶⁵ Ullman, 33.

⁶⁶ Salutati., 108.

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*, 110.

enunciated Dante's views, now his own, against tyrannicide and in favor of monarchy, through his critique of Cicero.

Salutati's distinctly different argument against tyrannicide as well as his defense of monarchy seems to contradict the spirit of Italian republicanism. However, Salutati's criticism of literary precedent regarding tyrannicide, be it classical or medieval, pagan or Christian, exemplifies the humanist thought processes in *Quattrocento* and *Cinquecento* Italy.⁷⁰ Seeking to find a scholarly justification for Christianity and classical antiquity, the *De Tyranno* is a textual representation of Salutati's abrupt, stilted and somewhat contradictory attempts to merge ancient and modern culture.⁷¹ As Renaissance Italy was ravaged and war-torn by factional strife, Salutati's desire for a benevolent ruler to regulate the government exemplified the growing sentiment at the turn of the century which favored a stable monarchical system over the chaotic *status quo* that republicanism seemed to produce.

⁷⁰ Witt, *Hercules at the Crossroads*, 421.

⁷¹ *Ibid.*, 428-429.

CONCLUSION:

“Everyone sees what you appear to be, few experience what you really are.”
—Niccolo Machiavelli, *the Prince*¹

Marcus Tullius Cicero's *De Officiis* provided medieval and Renaissance scholars with explicit classical rhetoric defending a specific, public act of tyrannicide. Although Cicero was not a firm proponent of political violence, he made it the duty of the *optimates* to prevent *populares* or tyrants from below, such as Julius Caesar, from becoming head of the Roman republic.² Through his arguments in the *De Officiis*, it is clear that Cicero believed it was legitimate to prevent certain tyrants from destroying the state. However, Cicero's extreme disdain for Julius Caesar was not revealed fully until after his death. Instead, Cicero praised Caesar in many of his texts while Caesar was living. Following Caesar's assassination in 44 B.C., Cicero's blatant literary invective towards Caesar revealed a distinctly different attitude towards the deceased dictator as well as a rationale for tyrannicide.

This attitude survived and was revived during the Middle Ages. John of Salisbury's *Policraticus* relied on Ciceronian thought to articulate his views regarding tyrannicide. John was an enthusiastic follower of Cicero and the *Policraticus* itself stands out among medieval

¹ Niccolo Machiavelli. *The Prince*. Trans. George Bull (London: Penguin Books, 1999), 58.

² Neal Wood, 193.

literature as the first extended political treatise of its time.³ The *Policraticus* reveals the endurance of Ciceronian thought regarding tyrannicide in the Middle Ages.

Though John of Salisbury was from England, his text transcended geographical boundaries as he sought to reconcile the universal problem of the tyrant and tyrannicide. Like Cicero, John cited the founding myth of Rome, using the example of Romulus's act of fratricide as a ruthless, tyrannical act that would set a standard of baseness for future Roman rulers. John also echoed Cicero's conception of Julius Caesar, characterizing the dictator as one who had taken the free will of the Roman people and replaced that will with his own self-serving agenda. However, John's text attempted to distinguish between secular tyrants and ecclesiastical tyrants, a distinction innovative to medieval treatises and unnecessary in pagan antiquity. Although John permitted acts of tyrannicide against secular tyrants, his limitations prohibited both the assassination of ecclesiastical tyrants and the ability for ecclesiastical members to commit acts of tyrannicide. Moreover, John's restrictions against tyrannicide with respect to fealty or oath indicated his sentiments that superior members of society, those in the ecclesiastical sector or those dominant by contractual agreement, were essentially above the act of tyrannicide. As John combined Christian values with classical authority, the rationale for tyrannicide took on even more qualifications.

Some arguments defending tyrannicide relied on classical legal precedents as well as pagan literary authority by *Quattrocento* Italy. Indeed, Bartolus of Sassoferrato's *De Tyrannia*, attempted to solve a widespread political problem that plagued early Renaissance Italy—namely, the conflict between tyrannical governments and the growing, disgruntled middle-class.⁴ Bartolus wrote a tract tackling the concept of tyranny as an institution. Yet, his

³ *Policraticus*, Trans. Cary J. Nederman (Cambridge, England: Cambridge University Press, 1990), xv.

⁴ Lauro Martines, *Power and Imagination: City-States in Renaissance Italy* (Baltimore, MD: The Johns Hopkins University Press, 1988), 64.

exploration of that topic inevitably led him into the subject of tyrannicide. While Bartolus allowed for acts of legitimate tyrannicide under limited circumstances, his main contribution to political thought regarding tyrannicide lay in his distinction between a *tyrannus ex defectu tituli* and a *tyrannus ex parte excercitii*. Though Bartolus's legalistic examination of tyranny itself does not emulate the Ciceronian method of yielding historical examples to legitimize tyrannicide, nor does it implicate Caesar as a tyrant, both Cicero and Bartolus revealed a commitment protecting peace if a tyrant should threaten the state. Bartolus's *De Tyrannia* indicates that as scholars sought legal means for removing a tyrant, one's rationale for defending tyrannicide became even more limited.

On the threshold of *Quattrocento* and *Cinquecento* Renaissance Italy, Coluccio Salutati's *De Tyranno* was a vastly different treatise on the subject of the tyrant. This text signified a drastic change in the evolution of political thought regarding tyrannicide—through his strong argument made against tyrannicide, Salutati contradicted all three preceding texts analyzed in this study, explicitly and implicitly. Specifically, Salutati's harsh criticism of Cicero essentially undermined Cicero's authority as a valid, classical proponent of tyrannicide, since Salutati claimed that Julius Caesar was not a tyrant.

Salutati's denigration of Cicero's ideas regarding Caesar demonstrated the changing spirit of Renaissance. Though many scholars relied on classical texts, and used them to defend their contemporary political views, men like Salutati were afraid that classical rhetoric might be misrepresented if not rooted in a Christian foundation.⁵ Thus, humanists were more apt to criticize ancient authorities when they felt morality was at stake. This would accurately explain Salutati's need to criticize Cicero's stance on tyrannicide.

⁵ Martines, 199.

Though Salutati strived to contradict Cicero's approval of tyrannicide by noting Cicero's original literary praise of Caesar, he implicitly likened himself to Cicero. Throughout their careers, both men made drastic changes in their publicly displayed beliefs. Coluccio Salutati's initial rhetoric regarding government endorsed republicanism in Italy in the latter half of *Quattrocento* Italy. Yet by 1400, he supported a monarchical government in his *De Tyranno*. Regardless of his motives, Salutati's change in opinion reflected a shift from a pro-republican ideology to an endorsement of one-man rule. This shift is seen through Salutati's disapproval of Cicero's argument for tyrannicide.

Though a distinct Ciceronian influence had permeated political thought regarding tyrannicide for centuries, the emergence of Renaissance humanism in *Quattrocento* Italy allowed for a rejection of tyrannicide. As humanists began to criticize classical texts to achieve their own agendas, scholars could analyze pagan texts as they wished to support their contemporary arguments. In this case, Salutati undermined Cicero's stance to support monarchical government. Thus, as Italian politics became relatively more stable by *Cinquecento* Italy, Salutati's rationale for a stable monarchical government undermined the classical, Ciceronian argument for tyrannicide, suggesting that late Renaissance scholars would not be as dependent on classical sources as had been their predecessors.

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