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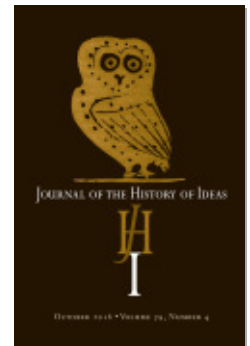
*Subjection without Servitude: The Imperial Protectorate in
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Subjection without Servitude: The Imperial Protectorate in Renaissance Political Thought

Adam Woodhouse

This article examines the redeployment in the early Renaissance of an array of Roman concepts that provided the elements of a distinctive body of humanist thought about empire. These concepts—which have gone largely unexplored in the historiography of Italian Renaissance political thought¹—were tailored to address an intractable, and historically recurring, ideological problem: how to coordinate claims in favor of both republican liberty and imperial subjection.

Part 1 presents the relevant classical materials themselves; parts 2 and

Some of the arguments below were first presented to the History of Political Ideas Early Career Seminar at the Institute of Historical Research in London, and I would like to thank Giorgio Lizzul for the invitation to speak. I need to thank as well Andrea Moudarres, Nick Hardy, and the JHI's reviewers for their comments on earlier drafts of this article. I am also grateful to Ida Stewart, Kathryn Taylor, and Ann Moyer for their work in preparing it for print. Once again, my deepest debts are to Pete Stacey.

¹ On later humanism and empire, see Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999), 16–50; Andrew Fitzmaurice, *Humanism and America: An Intellectual History of English Colonisation, 1500–1625* (Cambridge: Cambridge University Press, 2003); Benedict Kingsbury and Benjamin Straumann, eds., *The Roman Foundations of the Law of Nations: Alberico Gentili and the Justice of Empire* (Oxford: Oxford University Press, 2010). For imperial tutelage in sixteenth-century scholasticism, see Anthony Pagden, *The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology* (Cambridge: Cambridge University Press, 1986), 57–108. For imperial protection viewed from various angles, see Lauren Benton, Adam Clulow, and Bain Attwood, eds., *Protection and Empire: A Global History* (Cambridge: Cambridge University Press, 2018).

3 discuss their Renaissance development. Building on the work of modern classicists from Ernst Badian's groundbreaking *Foreign Clientelae* to Myles Lavan's revisionist *Slaves to Rome*,² part 1 offers a condensed typology of the ways in which the Romans conceptualized their relations with alien peoples and states. While Lavan is more attentive than Badian to the Romans' routine admission to ruling foreign subjects as a master rules his slaves, both scholars identify alternative models for thinking about states of imperial dependency. Relationships between Romans and non-Romans could be compared to those between fathers and children, guardians and wards, benefactors and beneficiaries, patrons and clients. These models, organized around concepts such as *patria potestas*, *tutela*, *beneficium*, *patrocinium*, and *clientela*, share a common source of ideological power: by projecting onto the foreign arena concepts that structured domestic social relations between free citizens in the *res publica*, they allowed the Romans to maintain that not all peoples brought under their *imperium* were reduced to servitude. As Malcolm Schofield shows, this made them particularly useful tools of analysis in Cicero's philosophical discussions of the justice of Roman imperialism.³

Part 2 considers the influence of these classical resources on some prominent works of early Renaissance political thought. Although these concepts have a deeper medieval prehistory, my focus is on their rearticulation and development by Renaissance humanists working under specific ideological pressures. For during the second half of the fourteenth century and the first decades of the fifteenth, the Florentine Republic was incorporating—sometimes through purchase, sometimes by conquest—many of its Tuscan neighbors into a new political unit delineated as its *dominium*.⁴ While Florence's relations with the inhabitants of its subject territory were complex and variegated, Lorenzo Tanzini has identified a unifying feature: from as early as the 1330s, Florence reserved the right to review and, if

² Ernst Badian, *Foreign Clientelae, 264–70 BC* (Oxford: Oxford University Press, 1958); Myles Lavan, *Slaves to Rome: Paradigms of Empire in Roman Culture* (Cambridge: Cambridge University Press, 2013).

³ Malcolm Schofield, "Cosmopolitanism, Imperialism and Justice in Cicero's *Republic* and *Laws*," *The Journal of Intellectual History and Political Thought* 2, no. 1 (2013): 5–34.

⁴ There is a large body of literature on the subject. For a start, see William J. Connell and Andrea Zorzi, eds., *Florentine Tuscany: Structures and Practices of Power* (Cambridge: Cambridge University Press, 2000); Jean Boutier, Sando Landi, and Olivier Rouchon, eds., *Florence et la Toscane, XIVe–XIXe siècles* (Rennes: Presses Universitaires de Rennes, 2004).

necessary, amend each subject community's statutes,⁵ including those of some larger communities—such as Pistoia (1351), Volterra (1361), Arezzo (1384), and Pisa (1406)—that, as *civitates*, had previously ranked as fully independent juridical entities.⁶

Florence's humanist spokesmen faced a seemingly insoluble dilemma. On the one hand, they claimed the Florentine *civitas* was free. Citing Cicero's description of *civitates* as "assemblies and gatherings of men associated in justice,"⁷ they insisted that Florence not only qualified as a *civitas*, but also as a *civitas libera*: no agent inside or outside the *civitas* could override the Florentines' prerogative to determine collectively the laws embodying justice. The Florentine *populus* was therefore not under the *dominium* (dominion) of any person other than itself; it was its own *dominus* (master) and hence not a slave. On the other hand, the humanists refused to acknowledge that Florence's subjects in the *dominium* had lost their free status. But how could subject communities continue to be understood as *civitates*, let alone as *civitates liberae*, when Florence had arrogated the right to approve their laws? It would not be hard to argue that the Florentine people was dissolving free *civitates* and imposing slavery over their former inhabitants. The humanists' theory of liberty risked descending into incoherence: the Florentines could scarcely proclaim themselves the *dominus* of alien peoples without conceding that their new subjects were unfree.

These are the issues underlying the accusation that Antonio Loschi, the Duke of Milan's humanist chancellor, levelled at Florence in 1401: the Florentines were oppressing their imperial subjects "under the yoke of intolerable servitude."⁸ The military and ideological clash between Florence and Milan at the end of the fourteenth century and the opening of the fifteenth remains historiographically crucial, since from it emerged some

⁵ Lorenzo Tanzini, *Alle origini della Toscana moderna: Firenze e gli statuti delle comunità soggette tra XIV e XVI secolo* (Florence: Olschki, 2007).

⁶ These dates of incorporation into the *dominium* are taken from Connell, "Introduction," in *Florentine Tuscany*, ed. Connell and Zorzi, 1–5, at 3. On defining the *civitates*, see Giorgio Chittolini, "Cities, 'City-States,' and Regional States in North-Central Italy," in *Cities and the Rise of States in Europe, AD 1000 to 1800*, ed. Charles Tilly and Wim P. Blockmans (Boulder, CO: Westview Press, 1994), 28–43, at 29–32.

⁷ Cic. *Rep.* 6.13, referenced by Coluccio Salutati, *Contra maledicum et obiurgatorem*, in Salutati, *Political Writings*, ed. Stefano U. Baldassarri and trans. Rolf Bagemihl (Cambridge, MA: Harvard University Press, 2014), 174–395, at 218; and by Leonardo Bruni, *Epistolarum libri VIII*, ed. Lorenzo Mehus, vol. 1 (Florence, 1741), 3.9, p. 78. Unless noted otherwise, translations of classical works adapt the standard Loeb editions.

⁸ "Sub iugo intolerabilis servitutis," Antonio Loschi, *Invectiva in Florentinos*, in Salutati, *Political Writings*, 144–67, at 148. My translations of Loschi's and Salutati's texts modify those of this edition.

texts that continue to be regarded as among the earliest and most vocal humanist celebrations of republican liberty. But while expounding the benefits of living in a *civitas libera*, leading humanists such as Coluccio Salutati and Leonardo Bruni could not ignore the troubling ideological ramifications of Florence's territorial expansion.

Their reaction was to turn to the classical materials that I want to highlight. Although Florence claimed *de iure* to exercise *dominium* over its Tuscan subjects, Salutati and Bruni employed Roman concepts to assert on an ideological plane the non-dominating character of Florentine rule. Both humanists drew particular strength from a discernibly Roman formulation of the concept of patronage. Roman writers invoked the language of *patrocinium* and *clientela* to describe their empire as a protectorate formed between a beneficent patron state and its dependent, yet free, clients. Whereas in Roman discourse *patrocinium* refers to the asymmetric relationship between a *patronus* and his freeborn *cliens*, Florentine humanists also exploited the distinct but neighboring concept of *patronatus*: the relation between a former master and his freed slave. The imperial relationship the Florentines envisaged was not always one between two groups of free people, but sometimes between a free people and a *freed* people; submission to the imperial protectorate could be construed as liberation from slavery.

The humanists' claims merit close scrutiny for three principal reasons. First, investigating them will reveal more of the classical depths of the intellectual construct that J. G. A. Pocock calls the "imperial republic."⁹ Mikael Hörnqvist has already made the important point that Florentine republicanism in its humanist mode was always highly imperial.¹⁰ In an early essay, he even noted that "Bruni's republicanism is centered around the idea of the *imperium populi Romani* and the asymmetrical relationship of patronage and *clientela* which in the ancient past had characterized the relations between the Roman people and its allies."¹¹ Hörnqvist, however, did not substantiate this insight here and it has disappeared from view entirely in

⁹ J. G. A. Pocock, *Barbarism and Religion*, vol. 3, *The First Decline and Fall* (Cambridge: Cambridge University Press, 2003), 203–35. See also Pocock, "Machiavelli and Rome: The Republic as Ideal and History," in *The Cambridge Companion to Machiavelli*, ed. John M. Najemy (Cambridge: Cambridge University Press, 2010), 144–56.

¹⁰ Mikael Hörnqvist, "The Two Myths of Civic Humanism," in *Renaissance Civic Humanism: Reappraisals and Reflections*, ed. James Hankins (Cambridge: Cambridge University Press, 2000), 105–42; Hörnqvist, *Machiavelli and Empire* (Cambridge: Cambridge University Press, 2004); Hörnqvist, "Machiavelli's Three Desires: Florentine Republicans on Liberty, Empire, and Justice," in *Empire and Modern Political Thought*, ed. Sankar Muthu (Cambridge: Cambridge University Press, 2012), 7–29.

¹¹ Hörnqvist, "Two Myths," 125.

his later work. Yet *patrocinium* and *clientela* are pieces of a larger conceptual apparatus; I want therefore to flesh out not just these concepts but also some of the imperial republic's other classical components. Many of these concepts denote relationships in Roman private law and we need to see that Italian humanists were quite willing to exploit Roman legal terminology in their political thought. Roman philosophers, including Cicero himself, had imbued their political theory with a "legal aspect,"¹² and thus the humanists were following in their classical authorities' footsteps when doing the same.

Second, the existence of this set of humanist arguments shows that the Renaissance revived some enduring ways of thinking about empire. David Armitage has rightly emphasized the importance of the fact that James Harrington, writing under the Cromwellian Protectorate, articulates in *Oceana* (1656) an explicitly Ciceronian vision of empire as patronage.¹³ Yet Harrington was developing a line of thought that Florentine humanists had revived over two and a half centuries earlier. This points to some significant continuity in the treatment of empire in the republican tradition from the early Renaissance to the early modern period.

Third, observing the imperial protectorate's return sheds new light on Machiavelli's theory of republican empire, the subject of part 3. This theory has received some scholarly attention but requires further study.¹⁴ What I want to show here is that while Machiavelli was aware of the key classical resources examined below, his response to them sets him apart from earlier Florentine humanists—and from later republicans like Harrington—who relied on concepts such as *patrocinium* to argue for the compatibility, under the right imperial system, of free and subject status. For Machiavelli, this claim amounts to no more than a deceptive ideological shell, under which lurks the imperial republic's true intention: to become the *principe* of foreign peoples and thereby deprive them of their liberty. Indeed, he declares

¹² Miriam Griffin, "Latin philosophy and Roman law," in *Politeia in Greek and Roman Philosophy*, ed. Verity Harte and Melissa Lane (Cambridge: Cambridge University Press, 2013), 96–115, at 98.

¹³ David Armitage, "The Cromwellian Protectorate and the Languages of Empire," *Historical Journal* 35, no. 3 (1992): 531–55, at 551–52; Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), 137–38.

¹⁴ This is the subject of my current research. In addition to the works of Hörnqvist and Pocock cited above, see Connell, "Machiavelli on Growth as an End," in *Historians and Ideologues: Essays in Honor of Donald R. Kelley*, ed. Anthony T. Grafton and J. H. M. Salmon (New York: University of Rochester Press, 2001), 259–77; Nikola Regent, "Machiavelli: Empire, *Virtù* and the Final Downfall," *History of Political Thought* 32, no. 5 (2011): 751–72; Alissa M. Ardito, *Machiavelli and the Modern State: The Prince, the Discourses on Livy, and the Extended Territorial Republic* (Cambridge: Cambridge University Press, 2015).

unflinchingly that “of all hard slaveries, the hardest is that which subjects you to a republic.”¹⁵

I.

In the *Digest*, under the rubric *On Human Status*, Roman law divides persons into two groups: free persons and slaves. Freedom is defined as “one’s natural power of doing what one pleases, save insofar as it is ruled out either by coercion or by law,” whereas slavery is said to be “an institution of the *ius gentium*, whereby someone is against nature made subject to the ownership of another [*dominio alieno*].”¹⁶ While the law places all slaves in a single group, it splits the free in two: the freeborn and those liberated from slavery.¹⁷ The *Digest’s* next chapter, however, opens up some fertile conceptual space by introducing a second division in the law of persons. It states that there are those within their own jurisdiction (*sui iuris*) and those within the jurisdiction of someone else (*alieni iuris*), which is equivalent to being in that person’s power (*potestas*). Those not *sui iuris* include all slaves, since slaves are held by their masters *in potestate*. But, critically, the group also includes certain free individuals, such as all men and women under the *patria potestas* (paternal power) of a *paterfamilias*, the male head of a household.¹⁸

This point refines Quentin Skinner’s immensely influential work on the conceptual history of liberty.¹⁹ In a landmark article, Skinner notes that in Roman legal thought, “to lack the status of a free citizen must be for that person not to be *sui iuris* but instead to be *sub potestate*, under the power or subject to the will of someone else.”²⁰ However, citizens under *patria*

¹⁵ “Di tutte le servitù dure, quella è durissima che ti sottomette a una republica,” Niccolò Machiavelli, *Discorsi sopra la prima deca di Tito Livio*, ed. Corrado Vivanti (Turin: Einaudi, 2000), 2.2, p. 143. My translations of the *Discorsi* and *Il Principe* are based on Machiavelli, *The Chief Works and Others*, trans. Allan Gilbert, vol. 1 (Durham, NC: Duke University Press, 1958).

¹⁶ *The Digest of Justinian*, ed. Theodor Mommsen and Paul Krueger, English trans. ed. Alan Watson, 4 vols. (Philadelphia: University of Pennsylvania Press, 1985), 1.5.4.

¹⁷ *Digest* 1.5.5.

¹⁸ *Digest* 1.6.1–4.

¹⁹ The bibliography is substantial. As an introduction, see Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge University Press, 1998). For more on Skinner’s contribution and further bibliography, see Peter Stacey, “Free and Unfree States in Machiavelli’s Political Philosophy,” in *Freedom and the Construction of Europe*, ed. Skinner and Martin van Gelderen, vol. 1, *Religious Freedom and Civil Liberty* (Cambridge: Cambridge University Press, 2013), 176–94, at 178–80.

²⁰ Skinner, “A Third Concept of Liberty,” *Proceedings of the British Academy* 117 (2002): 237–68, at 249.

potestas are not *sui iuris* yet remain free, and there exist other classes of dependent citizen.²¹ Slaves, then, cannot be differentiated from the free simply by their dependency on another's *ius* and *potestas*, but by their dependency on the *ius* and *potestas* of an alien *dominus*, and hence by their condition as items of property. Florentine humanists would become extremely interested in ways of constructing relationships between groups of people in which there is a symmetry of free status, but an asymmetry of *ius* and *potestas* or of other, fuzzier forms of authority.

At first glance, the relationship between a *paterfamilias* and his children appears to offer an attractive model to those wanting to claim to bring foreigners under their *ius* and *potestas* without canceling their liberty.²² It is perhaps surprising therefore that the father-child relation rarely features in Roman discussions of empire, even when using the language of slavery becomes ideologically problematic.²³ It will, however, play a larger role in Renaissance conceptions.

Of greater importance to Roman imperial thought is the relationship between a *tutor* (guardian) and a *pupillus* (ward)—another in which an agent is held *in potestate* yet remains free. The *Digest* defines *tutela* (guardianship) as “force and power . . . over a free person, for the protection [*ad tuendum*] of one who, on account of his age, is unable to protect himself.”²⁴ A *tutor* was appointed when a *paterfamilias* died; boys under fourteen and women of all ages released from *patria potestas* were placed under *tutela*.²⁵

In Roman writing on empire, *tutela* performs interesting conceptual work regarding Rome's dealings with the Greeks. It is particularly visible in Livy's account of T. Quinctius Flaminius's liberation of Greece in 196 BCE. Although Flaminius's colleagues agree the Greeks should ultimately be free, they propose that to prevent the cities liberated from Philip V of Macedon falling under a new “*dominus*,” the Seleucid Antiochus III, they remain temporarily under Rome's “*tutela*.”²⁶ Here *tutela* is exploited to imagine for foreign peoples a dependent status, occupying a grey area between liberty and servitude. The concept sustains the argument that Rome interferes in its subjects' affairs only to safeguard their freedom.

²¹ For a critique of Skinner on this point, see Clifford Ando, “‘A Dwelling Beyond Violence’: On the Uses and Disadvantages of History for Contemporary Republicans,” *History of Political Thought* 31, no. 2 (2010): 183–200, at 193–94.

²² On *patria potestas*, see W. W. Buckland, *A Text-Book of Roman Law* (Cambridge: Cambridge University Press, 1921), 103ff.

²³ Lavan, *Slaves to Rome*, 205–10.

²⁴ *Digest* 26.1.1.

²⁵ On *tutela*, see Buckland, *A Text-Book*, 143ff.

²⁶ Livy 33.31.8–10.

Beside *patria potestas* and *tutela*, republican thinkers also had access to the concept of *beneficium* (benefit). Relationships of *beneficium* do not involve one agent's submission to another's *potestas*, though they can be asymmetrical in other ways. Instead, the benefactor-beneficiary relation's defining feature is its reciprocity: the receipt of a favor entails a corresponding obligation (*officium*).²⁷ In some relationships, such as friendships between social equals, exchanging *beneficia* could reinforce feelings of interdependency.²⁸ Nevertheless, benefits could also create obviously lopsided dependent relationships.

Livy again provides some of the richest evidence for the mapping of the social relation onto the imperial landscape. He has Capua's ambassadors acknowledge that, should Rome grant the *beneficium* of defending Capua, the Campanians will be "subject and beholden" (*subiecti atque obnoxii*) to Rome, their unequal friendship secured by a "chain" (*vinculum*), but they will nonetheless retain their liberty.²⁹ Furthermore, following the Greeks' liberation, Livy's Roman legates remind the city of Demetrias that "all of Greece was beholden [*obnoxia*] to the Romans for the *beneficium* of liberty."³⁰ Livy's language in these passages—especially the choices of *vinculum* and *obnoxius*—is shaded with connotations of servility, if not outright slavery; the oxymoronic play between liberty and servitude seems to capture the status of those whose freedom depends on Rome's *beneficia*. However, the Romans sometimes contrasted the policies of conferring benefits and imposing slavery.³¹ Livy, for instance, has Scipio Africanus argue that Roman *potestas* "prefers to bind men by *beneficium* rather than by fear, and to keep foreign nations linked by loyalty and alliance, rather than reduced to a harsh slavery."³² Like the other concepts exported from the domestic sphere, the ideological utility of *beneficium* lies in its capacity to offer a palatable alternative to an image of imperial subjection as slavery. And yet slavery is never far from view.

I turn now to the language of *patrocinium* (patronage) and *clientela* (clientage). Badian glossed *clientela* as "a name for a bundle of relationships united by the element of a permanent (or at least long-term) *fides*, to which corresponds the *officium* (&c.) of the client who receives its *beneficia*."³³

²⁷ On "the ideology of exchange," see Lavan, *Slaves to Rome*, 158–60.

²⁸ Cic. *Amic.* 29–31.

²⁹ Livy 7.30.2–3.

³⁰ Livy 35.31.8.

³¹ Lavan, *Slaves to Rome*, 157 and 163–66.

³² Livy 26.49.8.

³³ Badian, *Foreign Clientelae*, 10.

Richard Saller, however, avoids Badian's preoccupation with *fides* (trust or loyalty) to give a boiled-down definition of patronage as "an exchange relationship between men of unequal social status."³⁴ Lavan makes further modifications, expanding the "language of *clientela*" to include expressions such as *in fide esse*, *in fidem venire*, and *in fidem recipere*, and identifying the patron-client relationship's distinguishing features as its "permanence," "clear asymmetry," and the "moral obligations it imposes on *both* parties."³⁵ This debate shows the fluidity of the Roman language of patronage. It was able to unify conceptually a range of different asymmetric social relations, including the relationship between a former master (*patronus*) and his freed slave (*libertus*). This relationship, which was partially regulated by law,³⁶ is central to my argument.

Roman law developed several mechanisms whereby a slave could be freed, but most important to our concerns is the *manumissio vindicta*.³⁷ This form of manumission imitated a *causa liberalis*, a case in which a Roman citizen acting as an *adsertor* (also *assertor*) *libertatis* made a *vindicatio in libertatem*, a claim of freedom on behalf of a person alleged to have been wrongfully enslaved. In the *manumissio vindicta*, the *adsertor libertatis* would declare that the individual to be manumitted was free, thereby creating the legal fiction that the slave was simply being granted his rightful free status. On receiving the "enormous *beneficium*" of liberty,³⁸ the freedman became subject to his former master's *patronatus*, a distinctive legal version of patronage. The freedman's subordination, however, rested largely on the expectation that he would observe certain extra-legal moral norms, covered by the umbrella concept of *fides*.³⁹ On his part, the *patronus* was obliged, again more by *fides* than by law, to support and protect his former slave. Although manumitted slaves of Roman citizens automatically became *cives* themselves, the indelible "stain of slavery" (*macula servitutis*) barred freedmen from magisterial office.

The concept of patronage features prominently in Ciceronian and Livian visions of foreign relations.⁴⁰ In the *Verrines*, Cicero repeatedly portrays

³⁴ Richard Saller, *Personal Patronage under the Early Empire* (Cambridge: Cambridge University Press, 1982), 8.

³⁵ Lavan, *Slaves to Rome*, 179–86.

³⁶ See Buckland, *A Text-Book*, 88–91.

³⁷ On the *manumissio vindicta*, see Buckland, 74.

³⁸ *Digest* 38.2.1.

³⁹ On the freedman, see Susan Treggiari, *Roman Freedmen during the Late Republic* (Oxford: Oxford University Press, 1969); Henrik Mouritsen, *The Freedman in the Roman World* (Cambridge: Cambridge University Press, 2011).

⁴⁰ Lavan, *Slaves to Rome*, 179.

the Sicilians as Rome's *clientes*, highlighting how far the corrupt governor Verres had neglected his patronal duty of care.⁴¹ Moreover, Livy's Flaminius explains that the Roman people has "undertaken the patronage of the freedom of the Greeks" (*susceptum patrociniū libertatis Graecorum*),⁴² insisting that the Romans will now "claim" (*vindicaturum*) the Greeks' liberty from Antiochus III with the same virtue and *fides* with which they had previously "claimed" (*vindicaverit*) it from Philip V.⁴³ In this context of a dispute over a foreign people's free or servile status, Livy may be evoking the imagery of the *causa liberalis* or *manumissio vindicta*.⁴⁴ Livy is certainly tackling an awkward conceptual issue: he does not want to identify the Romans as ex-masters, but he does want to view the Greeks as liberated slaves and thus seemingly in need of a *patronus*. However, it is the Greeks' liberator, not their former *dominus*, who now appears to hold patronal rights over them.⁴⁵

By far the most distinguished classical appearance of *patrociniū* as an instrument of empire is in Cicero's *De officiis*. As Schofield underlines, issues of imperial justice had arisen in Cicero's earlier philosophical work,⁴⁶ and they resurface in *De officiis* when Cicero considers how humans can be made to "submit themselves to the *imperium* or *potestas* of another."⁴⁷ Cicero aims to prove that one is far more likely to secure power through love than fear. To demonstrate that regimes built on fear cannot last, he turns to Rome's empire:

As long as the empire [*imperium*] of the Roman people was maintained through acts of kind service [*beneficia*] and not through injustices [*iniuriae*], wars were waged either on behalf of allies or about imperial rule; . . . the senate was a haven and refuge for kings, for peoples and for nations; moreover, our magistrates and generals yearned to acquire the greatest praise from one thing alone, the fair [*aequitas*] and faithful [*fides*] defence of our provinces and of our allies. In this way we could more truly have been

⁴¹ Lavan, 190–93.

⁴² Livy 34.58.10–11.

⁴³ Livy 34.59.4–5.

⁴⁴ Lavan sees the *causa liberalis* elsewhere, but not here. Lavan, *Slaves to Rome*, 80–81.

⁴⁵ Lavan notes that Hellenistic monarchs are sometimes depicted as former masters and the Greeks as freedmen but does not detect any claim that Rome exercises a form of rule resembling *patronatus*. Lavan, 119–21.

⁴⁶ Especially Cic. *Rep.* 3.33–41. Schofield, "Cosmopolitanism, Imperialism and Justice."

⁴⁷ Cic. *Off.* 2.22. Translation from Cicero, *On Duties*, ed. Griffin and E. M. Atkins (Cambridge: Cambridge University Press, 1991).

titled a protectorate [*patrocinium*] than an empire [*imperium*] of the world.⁴⁸

Although Cicero later testifies to the undeniable asymmetry of the patron-client relationship,⁴⁹ here it furnishes the ideal model of empire. Florentine humanists will apply and adapt Ciceronian solutions when facing a similar challenge of harmonizing liberty, empire, and justice.

II.

These classical concepts found new life during the early Renaissance in some humanist texts that remain at the center of a well-known and well-worn historiographic debate.⁵⁰ Hans Baron stressed the importance of the wars of the 1390s between Florence and the Milanese Duke Giangaleazzo Visconti for the genesis of “civic humanism,”⁵¹ but Hörnqvist is correct that we must go back to at least the middle of the century to unearth this conflict’s ideological roots.⁵² In the previous century, Florence’s modest territorial gains came buttressed with some grandiose arguments about the city’s supposed relationship to Rome.⁵³ However, the crucial explanatory context for the development of Florentine imperial discourse in a humanist idiom began to form around 1350, from which point Florence started methodically absorbing into its *dominium* formerly independent Tuscan communities, including some *civitates*.

This phase of sustained Florentine expansionism coincided with a deepening intellectual engagement with sources of Roman imperial thinking. Cicero’s speeches, for instance, had an important place in humanist debates about Florence’s growth. At the time of the Florentine-Milanese wars, the Visconti chancellor Antonio Loschi was a leading expert on Ciceronian oratory, producing an influential commentary-cum-manual on the

⁴⁸ Cic. *Off.* 2.26–27.

⁴⁹ Cic. *Off.* 2.69.

⁵⁰ For an introduction, see Hankins, ed., *Renaissance Civic Humanism*.

⁵¹ Hans Baron, *The Crisis of the Early Italian Renaissance: Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny* (Princeton, NJ: Princeton University Press, 1955).

⁵² Hörnqvist, “Two Myths,” 113–14.

⁵³ Nicolai Rubinstein, “The Beginnings of Political Thought in Florence: A Study in Mediæval Historiography,” *Journal of the Warburg and Courtauld Institutes* 5 (1942): 198–227, at 212–13.

topic.⁵⁴ Unsurprisingly, then, Loschi's *Invectiva in Florentinos* (1401) is littered with allusions to Cicero's speeches.⁵⁵ Loschi begins with a cascade of rhetorical questions, recalling Cicero's scathing opening to the first *Catilinarian*.⁵⁶ In associating the Florentine people with Catiline, Loschi was launching a particularly damaging assault. Coluccio Salutati had previously claimed that Florence was founded by Roman citizens under the Republic, but Loschi knew that these colonists had supported Catiline's failed coup d'état. By echoing Cicero's vitriolic rhetoric, Loschi thus ridicules the Florentine claim to a Roman pedigree, intimating that, as "destroyers of the fatherland and disturbers of Italy's peace,"⁵⁷ the Florentines do indeed resemble their notional ancestors: the enemies of liberty and the instigators of civil war.

Loschi also draws on Ciceronian oratory to fortify his principal argument: Florence's foreign policy does not amount to a defense of liberty. Rather, it constitutes "the cruelest tyranny."⁵⁸ Recycling Cicero's language of *libido* and *petulantia* from the first *Verrine*, Loschi accuses the Florentines of abusing their subject population: "What is sweeter than a bride and children? But how can they make for happiness when someone sees that he has prepared his nuptials to minister to another man's wantonness, and given birth to children to satisfy a stranger's lust?"⁵⁹ Again by way of analogy, Loschi suggests that, like a second Verres, the Florentine people perversely oppresses its imperial dependents. Consequently, those over whom the Florentines hold a "cruel and greedy *imperium*" are waiting to "shake off that yoke of servitude."⁶⁰ Loschi points to San Miniato, subjected by Florence in 1370. According to Florentine documents, a coup of 1377 had aimed at removing the town from the "jurisdiction, dominion, power, will, and obedience of the people and commune of Florence."⁶¹ Moreover, a conspirator is on record equating Florence to "a most cruel tyrant."⁶² And

⁵⁴ Peter Mack, *A History of Renaissance Rhetoric, 1360–1620* (Oxford: Oxford-Warburg Studies, 2011), 33–34.

⁵⁵ Baldassarri, *La vipera e il giglio* (Rome: Aracne, 2012), 144–49.

⁵⁶ Cf. Loschi, *Invectiva*, 144 with Cic. *Cat.* 1.1.

⁵⁷ "Vastatores patriae et quietis Italiae turbatores," Loschi, *Invectiva*, 144.

⁵⁸ Loschi, *Invectiva*, 144.

⁵⁹ "Quam tamen ex his sentire dulcedinem potest is qui se videt nuptias ad alterius petulantiam comparasse, liberos ad alienam libidinem procreasse?" Loschi, *Invectiva*, 148. Cf. Cic. *1 Verr.* 14.

⁶⁰ "Crudele et avarum habeatis imperium . . . excutiant iugum illud servitutis," Loschi, *Invectiva*, 146.

⁶¹ Cited in Giuliano Pinto, "All periferia dello stato fiorentino: organizzazione dei primi vicariati e resistente local (1345–1378)," in Pinto, *Toscana medievale* (Florence: Le Lettere, 1993), 51–65, at 61. (My translation.)

⁶² Pinto, 61–62.

San Miniato had attempted further revolt as recently as 1397. To save these kinds of subject peoples, Loschi declares that a Milanese army will act as their *assertor libertatis*: “They hope that, thanks to this army asserting their liberty, and by your fall into servitude, they will finally recover their former dignity, which they mourn you snatched from them.”⁶³ Loschi’s line of ideological attack is to transform the geopolitical contest in north-central Italy into a *causa liberalis*; Milan is to liberate those whom Florence has unjustly enslaved.

When Salutati came to reply to Loschi, Giangaleazzo Visconti’s unexpected death in 1402 had already ended the war. But the Florentine chancellor still responded accusation by accusation to the *Invectiva*, revealing that Loschi had shone a worrying spotlight on the problem of the Florentine *dominium*. In his *Contra maledicum et obiurgatorem* (1403), Salutati accepts Loschi’s challenge to consider the status of Florence’s subject population within a conceptual framework supplied by Roman legal and moral thought. Salutati maintains that Florence is both a “*civitas libera*” and a “*vindex libertatis*.”⁶⁴ Loschi is quite right to view the Florentine-Milanese conflict as a *causa liberalis*, but it is the Florentines who have vindicated Italian liberty against the Milanese *dominus*. Salutati explains why it is so absurd to suggest that Florence’s subjects are slaves:

The subjects of the Florentines . . . are suffocated by tyranny and deprived of their former dignity? They, who were either born free with us or were adopted into sweet liberty from the difficulties of a wretched servitude? They long to shake off a yoke they do not have and, as you falsely declare, exchange the sweet bridle of liberty—which is to live justly and to obey laws to which all are subject—for the tyrannical yoke of your lord?⁶⁵

As Hörnqvist has observed, the liberty Salutati envisages here for Florence’s subjects is not the “participatory form of freedom” normally associated

⁶³ “Sperant equidem hoc uno assertore suae libertatis exercitu, vobis prolapsis in servitute, dignitatem pristinam, quam sibi per vos ereptam lugent, tandem esse recuperaturos,” Loschi, *Invectiva*, 146.

⁶⁴ Salutati, *Contra maledicum*, 180.

⁶⁵ “Tyrannidene suffocantur aut dignitate pristina spoliati sunt Florentinorum subditi . . . Qui sunt vel nobiscum in libertate nati vel de miserimae servitutis angustiis in dulcedinem libertatis asciti? Num iugum excutere cupiunt, quod non habent, vel dulce libertatis frenum—quod est iure vivere legibusque, quibus omnes subiacent, oboedire—desiderant in tyrannicum domini tui iugum, ut arbitrari te simulas, commutare?” Salutati, *Contra maledicum*, 230.

with Florentine republicanism.⁶⁶ For these peoples liberty consists in being part of a political community whose laws bind *all* of its members; such a situation cannot be realized under a *dominus*, like Giangaleazzo Visconti, who refuses to subject himself to the laws.⁶⁷ It does not, however, consist in their ability to shape or reform those laws.

Salutati entrenches his position by noting that Florence's subjects may either by birth, law, or gift call themselves Florentines, and to be a Florentine is, "by nature and by law, to be a Roman citizen and hence free and not a slave."⁶⁸ Citing classical authorities, Salutati demonstrates Florence's Roman Republican origins, although he fails to resolve convincingly the issue of the ancient Florentines' role in the Catilinarian conspiracy,⁶⁹ a problem to which Bruni would later attend.⁷⁰ For Salutati, Florence's historic connection to the Roman Republic is enough to guarantee that Florentine subjects are automatically inducted into liberty. As he does not make legislative participation a necessary component of his conception of freedom here, Salutati can, like the Romans, combine citizenship, liberty, and subject status. The notion that Florence's subjects await the arrival of Milanese forces to regain their freedom is laughable: a tyrant's army can hardly be an *assertor libertatis*.⁷¹ Salutati's rhetorical and ideological strategy is to pick up the classical concepts introduced by Loschi, but then turn them back on his opponent. To say that a tyrant aims to liberate the enslaved is meaningless; this liberation is the Florentine Republic's special mission.

Salutati elaborates on this theme when addressing Loschi's comments about San Miniato. He summarizes the town's recent history as a transition "from slavery to liberty, from the madness of civil war . . . to the sweetness of security and peace."⁷² San Miniato's *populus*, Salutati reports, had separated into factions and with growing internal disorder came a spike in acts of injustice; a situation that Bernabò Visconti, Giangaleazzo's predecessor, had exploited.⁷³ Salutati's point is that Florentine intervention was required to restore order in San Miniato and free it from Visconti domination. He compares Florence's expulsion of Milanese supporters from San Miniato

⁶⁶ Hörnqvist, "Two Myths," 116–17; Hörnqvist, *Machiavelli and Empire*, 53.

⁶⁷ Salutati, *Contra maledicum*, 232.

⁶⁸ "Tam natura quam lege civem esse Romanum et per consequens liberum et non servum," Salutati, *Contra maledicum*, 232.

⁶⁹ Salutati, *Contra maledicum*, 200–214.

⁷⁰ Bruni, *History of the Florentine People*, ed. and trans. Hankins, vol. 1 (Cambridge, MA: Harvard University Press, 2001), 1.1–9, pp. 8–16.

⁷¹ Salutati, *Contra maledicum*, 232.

⁷² "De servitute in libertatem, de rabie civilis belli . . . in dulcedinem securitatis et pacis," Salutati, *Contra maledicum*, 240.

⁷³ Salutati, *Contra maledicum*, 242–44.

with Flamininus's liberation of the Greeks from Philip V,⁷⁴ before concluding that the Florentines have taken up the Samminiatense's protection: "Once we had received that town into our protection and *fides* . . . no episodes of revolt by the inhabitants ever took place afterward . . . and they always stayed faithful."⁷⁵ The construction "*in fidem protectionemque recepimus*," coupled with the reference to Flamininus, indicates that Salutati is redeploying here the classical intellectual resources centered on the concept of patronage. Although it is striking that Salutati does not once say in his oration that Florence holds *imperium* over its Tuscan subjects, it is perhaps more significant that he does not attempt to refute Loschi's claim to the contrary. The case of San Miniato would seem instructive: after being received into Florentine *fides*, subject communities are best understood in Roman Republican terms as formerly unfree states whose liberty now depends on Florence's patronal protection.

The defense of Florentine imperialism within the classical conceptual parameters I have outlined emerges as a primary goal of Leonardo Bruni in his *Laudatio Florentinae urbis* (1403/04), the touchstone for modern interpretations of pre-Machiavellian "civic humanism." Others have noted that Bruni makes a radical move in the *Laudatio* by suggesting that the Florentine people had inherited from the *populus Romanus* the right to global *dominium*. Moreover, accompanying the Florentine people's *de iure* claim to *dominium* came a supporting moral claim, which, as James Hankins now points out, has received only limited scholarly attention.⁷⁶ Although Bruni's overarching argument for the legitimacy of Florentine *dominium* may have a hybrid character, the specifically Roman aspects of its intellectual lineage require further examination.

When informing the Florentines about their origins, Bruni declares that "the Roman people, the conqueror and *dominus* of the globe, is your *auktor*."⁷⁷ This last term, translated in the *Laudatio*'s modern English edition as "founder,"⁷⁸ has several technical meanings in Roman law. The *Digest*

⁷⁴ Salutati, *Contra maledicum*, 246.

⁷⁵ "Semel . . . castrum illud in fidem protectionemque recepimus . . . nulla . . . umquam oppidanorum rebellio fuit secuta, sed semper in fide manserunt," Salutati, *Contra maledicum*, 251.

⁷⁶ Hankins, "Leonardo Bruni's *Laudatio Florentinae urbis*, Dante, and 'Virtue Politics,'" *Bullettino dell'Istituto Storico Italiano per il Medio Evo* 119 (2017): 333–57.

⁷⁷ "Vobis autem populus Romanus, orbis terrarum victor dominusque, est auctor," Bruni, *Laudatio Florentinae urbis*, ed. Baldassarri (Florence: Sismel, 2000), 15. My translations of the *Laudatio* revise Benjamin G. Kohl and Ronald G. Witt, eds., *The Earthly Republic: Italian Humanists on Government and Society* (Philadelphia: University of Pennsylvania Press, 1978), 135–75.

⁷⁸ Kohl and Witt, *The Earthly Republic*, 149.

glosses *auctor* as the person from whom a right (*ius*) is derived, for instance, the vendor in a property transaction or the testator named in a will.⁷⁹ And Bruni proceeds to amplify these legal resonances of *ius* and ownership. Because the *populus Romanus* is the *auctor* of the Florentines, to them “belongs by a certain kind of hereditary right dominion of the globe, as if a possession forming part of your paternal property.”⁸⁰ Alison Brown has argued that Bruni avoids claiming for Florence a hereditary right to *imperium* for fear of trespassing on the Holy Roman Emperor’s prerogatives.⁸¹ Although in this period the Florentines labeled their territorial state a *dominium* and not an *imperium*, this was still a juridical space, as Brown herself makes clear, in which Florence looked to wield *imperium* over subject communities.⁸² This being so, even if he prudently moderates his language here,⁸³ Bruni is nevertheless contending that the Florentine people’s supposedly direct descent from the *populus Romanus* constitutes a compelling legal argument in favor of its right to exercise *dominium* and *imperium* over others; a right which need not be mediated through the jurisdiction of the emperors and their medieval successors.

Bruni also makes a remarkable statement about the different types of relationship that other peoples had historically had with the *populus Romanus*: “Who is there among men who would not acknowledge themselves protected by the Roman people? Indeed, what slave or freedman would compete for dignity with the freeborn children of his master or patron, or think he is to be preferred? It is therefore no trifling ornament to this city to have had such outstanding founders and *auctores* for itself and its people.”⁸⁴ Bruni divides here the peoples of the post-classical world into two groups: the Florentines, whom he identifies as the freeborn sons of the *populus Romanus*; and other peoples, whom the Romans had either conquered and

⁷⁹ *Digest* 50.17.175.

⁸⁰ “Viri Florentini, dominium orbis terrarum iure quodam hereditario ceu paternarum rerum possessio pertinet,” Bruni, *Laudatio*, 15.

⁸¹ Alison Brown, “The Language of Empire,” in *Florentine Tuscany*, ed. Connell and Zorzi, 32–47, at 32–33.

⁸² Brown, 33 with n5. For Bruni’s claims of Florentine sovereignty, see Riccardo Fubini, “La rivendicazione di Firenze della sovranità statale e il contributo delle *Historiae* di Leonardo Bruni,” in *Leonardo Bruni Cancelliere della Repubblica di Firenze*, ed. Paolo Viti (Florence: Olschki, 1990), 29–62.

⁸³ The terms “quodam” and “ceum” have a qualifying force absent from Kohl and Witt, *The Earthly Republic*, 150.

⁸⁴ “Quis enim est hominum qui se a populo Romano non fateatur servatum? Quis autem servus vel libertus cum domini vel patroni liberis de dignitate contendat aut se preferendum censeat? Non parum igitur ornamenti est huic urbi tam claros ipsius ac sue gentis conditores auctoresque habuisse,” Bruni, *Laudatio*, 15.

made their slaves, or liberated and brought into their patronage. Rich ideological claims follow on from this notional division of persons.

In the *Laudatio*'s next section, Bruni softens the domineering language he had used to describe Roman imperialism as he turns to Florentine foreign policy. Like Salutati, Bruni chooses not to speak of Florence holding *imperium* over its subjects. Although the Florentine *civitas*, as Rome's free-born son and legal heir, appears well within its rights to rule others as an imperial *dominus*, Bruni implies that it has also inherited from its parent a series of moral virtues, which when practiced render Florentine expansion an ethical enterprise:

Florence imitated its *auctores* in every kind of virtue, so that in everyone's judgment it was by no means undeserving of such a name and inheritance. . . . It gained growth and glory . . . not by surrounding itself with crimes and fraud, but by wise policies, by confronting dangers, by maintaining *fides*, integrity, moderation, and above all by taking up the cause and *patrocinium* of weaker parties.⁸⁵

Here we have the unmistakable reemergence of Cicero's description in *De officiis* of Roman *imperium* as *patrocinium*.⁸⁶ And explicitly patronal language appears twice more in this section: Florence has "guarded others in times of danger, who necessarily acknowledge it as their *patrona*,"⁸⁷ and has "undertaken dangers for the safety and liberty of others and guarded many with its *patrocinium*."⁸⁸ It should be plain that in these passages Bruni is combining the concepts of *tutela* and *patrocinium* to advance claims about Florence's relations with foreign peoples that are firmly anchored in Roman thought.

Furthermore, these arguments are lodged within an extended and markedly Ciceronian discussion of Florence's virtues, said to include *humanitas*, *beneficentia*, *liberalitas*, and *fides*. As evidence that the Florentine *civitas* is "*beneficentissima*," Bruni notes that it provides for displaced

⁸⁵ "Auctores suos omni genere virtutis imitata est ut omnium iudicio haud indignam se prestiterit tanto nomine tantaque successione. . . . Eamque amplitudinem atque gloriam adepta est non . . . sceleribus accincta et fraudibus, sed magnitudine consilii, susceptione periculorum, fide, integritate, continentia maximeque tenuiorum causa patrocinioque suscepto," Bruni, *Laudatio*, 19.

⁸⁶ Hankins also notes Bruni's debts to *De officiis*. Hankins, "Leonardo Bruni's *Laudatio*," 12–13.

⁸⁷ "Civitas in periculis alios tutatur, eam fateantur patronam necesse est," Bruni, *Laudatio*, 24.

⁸⁸ "Pro aliorum salute ac libertate pericula adiret multosque suo patrocinio tutaretur," Bruni, *Laudatio*, 27.

peoples “a unique sort of refuge and means of protection,” and thus serves as a surrogate “*patria*” for all Italian peoples.⁸⁹ The refugees that Florence accepts look very much like orphaned children, who, estranged from their *paterfamilias*, are fortunate enough to have the Florentine people step in as their *tutor*. It is true that Bruni tracks here a passage from Aelius Aristides’s *Panathenaicus* and the Greek text supplied him with a formal model.⁹⁰ But Aristides’s praise of Athens belonged to the second century CE, by which time the Athenians had been under Roman *imperium* for centuries. It is Florence’s legal and moral relationship to the free Roman Republic, and not to a subject Athens, that Bruni is at pains to demonstrate.⁹¹ Indeed, Bruni’s discussion of the humanitarian dimensions of Florentine foreign policy, based on granting *beneficia*, maintaining *fides*, repelling *iniuriae*, and generally behaving as a “*iustissima civitas*,”⁹² is essentially an elaboration of the Ciceronian moral theory of empire from book 2 of *De officiis*.

Bruni goes on to fuse these ethical claims with the juridical arguments he had laid out earlier. While other Italian peoples, when considered in a *longue-durée* perspective reaching back into Roman antiquity, have shown a propensity to succumb to servitude, the Florentines, due to their genealogical connection to the *populus Romanus*, have a duty to protect the liberty of others: “Florence knew that to be of Roman descent was to fight against enemies for the liberty of Italy.”⁹³ The Florentine *populus* may have inherited from the Roman people the legal title to rule Italy, and perhaps even the entire world, as a *dominus*, but it has chosen instead to play the roles of benefactor, guardian, patron, and liberator while presiding over what Bruni invites us to see as its imperial protectorate.

III.

This mode of conceptualizing foreign relations can be found all over Florentine humanist political thought. Although he would reconsider the implications that Florence’s Roman Republican foundation had for the city’s

⁸⁹ “Unicum refugium tutamenque,” Bruni, *Laudatio*, 23.

⁹⁰ Antonio Santosuosso, “Leonardo Bruni Revisited: A Reassessment of Hans Baron’s Thesis on the Influence of the Classics in the *Laudatio Florentinae Urbis*,” in *Aspects of Late Medieval Government and Society: Essays Presented to J. R. Lander*, ed. J. G. Rowe (Toronto: University of Toronto Press, 1986), 25–51.

⁹¹ I thank Peter Stacey for this point.

⁹² Bruni, *Laudatio*, 24.

⁹³ “Sciebat enim generis esse Romani pro libertate Italie contra hostes pugnare,” Bruni, *Laudatio*, 28.

imperial future, Bruni continued to deploy concepts such as *patrocinium* in his *Historiae Florentini populi* (ca. 1415–42). To cite just one example, he records that in 1309 the Florentine people “took up the patronal cause” (*patrocinio suscepto*) of exiles from Prato.⁹⁴ Moreover, in his highly Ciceronian *Vita civile* (ca. 1435), Matteo Palmieri rehearses a similar account of just imperial rule to that of the *Laudatio*, claiming the Romans “always sought to grow and retain empire with benefits rather than through fear,” and that “it was not subjects held by force, but friends who obeyed through love and faithfulness that were the defense of the realm.”⁹⁵ Finally, another humanist chancellor, Bartolomeo Scala, asks in his *Apologia contra vituperatores civitatis Florentiae* (1496) why some of Florence’s subjects would “abandon *fides*” and “forget all the *beneficia*” bestowed on them. Scala insists that the Florentines had “guarded” (*tuebamur*) their subjects and “received them into *fides*” (*in fidem reciperemus*).⁹⁶

By domesticating the ideological representation of their republic’s imperial project, Florentine humanists could continue to deny that Florence ruled its subjects in the *dominium* as slaves. Machiavelli makes no such denial; indeed, he is dedicated to stripping away the layers of existing humanist ideology to reveal what he thinks constitutes the reality of imperial politics. I conclude with two points about the nature of his intervention and one about its wider significance.

A basic fact to recognize is that Machiavelli was preoccupied in his political thinking with questions of imperial mastery and subjection, not simply because it was his brief as second chancellor to administer the *dominium*,⁹⁷ but because such questions had been ever-present in Florentine humanist political thought. This much Hörnqvist has made clear. The point I want to underline, however, is that Machiavelli is concerned from the beginning with reappraising the specific set of classical concepts and arguments that Florentine humanists had been using for over a century. For

⁹⁴ Bruni, *History* 4.110, p. 454. For some further instances of patronal language in the opening books, see 3.30, p. 266; 3.76, p. 316; 4.40, p. 380. On Bruni’s imperialism, see Hankins, “Teaching Civil Prudence in Leonardo Bruni’s *History of the Florentine People*,” in *Ethik – Wissenschaft oder Lebenskunst? Modelle de Normenbegründung von der Antike bis zur Frühen Neuzeit*, Pluralisierung und Autorität 8, ed. Sabrina Ebbersmeyer and Eckhard Kessler (Berlin: Lit Verlag, 2007), 143–57.

⁹⁵ “Sempre cercorono più tosto con beneficii che per paura et acrescere et ritenere lo imperio . . . non i subditi che per forza si teneano, ma gli amici che per amore et per fede ubbidivano, erano la difesa del regno,” Matteo Palmieri, *Vita civile*, ed. Gino Belloni (Florence: Sansoni, 1982), 3.119, p. 129. (My translation.)

⁹⁶ Bartolomeo Scala, *Humanistic and Political Writings*, ed. Brown (Tempe, AZ: Medieval and Renaissance Texts and Studies, 1997), 397. Translation from Scala, *Essays and Dialogues*, trans. Renée Neu Watkins (Cambridge, MA: Harvard University Press, 2008).

⁹⁷ Robert Black, *Machiavelli* (London: Routledge, 2013), 30–70.

instance, in the early *Discorso sopra Pisa* (1499), Machiavelli considers the likelihood of the city, which had rebelled in 1494/95, willingly resubmitting to Florence's "*patrocinio*." But he rejects the notion that the Pisans would ever "come voluntarily under the yoke."⁹⁸ Machiavelli thus equates Florentine patronage with a stock image of chattel slavery. He has turned on its head the patronal model of empire; in the case of Pisa, Florence does not liberate the enslaved, but rather enslaves the free.

Second, in Machiavelli's more developed imperial thinking, he continues to deconstruct the softer concepts drawn from Roman legal, social, and moral thought to clear the ground for a new theory of empire. Machiavelli reminds us in the *Discorsi* (ca. 1518) that he had examined the Roman people's imperial practices in his "treatise on principalities."⁹⁹ This appearance of *il popolo Romano* in *Il Principe* (ca. 1513) will only jar if we have not absorbed Machiavelli's insight in the *Discorsi* that a republic with imperial designs must initially conduct its foreign affairs like a new prince. In *Il Principe*, Machiavelli notes the failure of Rome's policy of Greek liberation, before observing that "he who becomes patron [*patrone*] of a city used to living in freedom and does not destroy it can expect to be destroyed by it, because it will always have as a refuge in rebellion the name of liberty and its ancient institutions, which never through either length of time or benefits are forgotten."¹⁰⁰ Unpicking the patronal model of empire's logic, Machiavelli highlights the contradiction between a state's liberty and its subjection to a foreign power by describing Pisa's experience under Florentine rule as a hundred years of servitude.¹⁰¹

However, it is in book 2 of the *Discorsi* that Machiavelli constructs a theory of republican empire which rests on a recognition that exercising *imperio* over peoples who are not fully incorporated into the republic's citizen body involves their domination and enslavement. Machiavelli exposes what he takes to be the underlying mechanics of the Roman Republic's imperialism:

⁹⁸ "Venghino voluntarii sotto el iugo," Machiavelli, *L'arte della guerra: Scritti politici minori*, ed. Jean-Jacques Marchand, Denis Fachard, and Giorgio Masi (Rome: Salerno Editrice, 2001), 422–23. (My translation.)

⁹⁹ Machiavelli, *Discorsi* 2.1, p. 138.

¹⁰⁰ "Chi diviene patrone di una città consueta a vivere libera, e non la disfaccia, aspetti di essere disfatto da quella: perché sempre ha per refugio nella rebellione el nome della libertà e gli ordini antiqui sua, e' quali né per lunghezza di tempo né per benefizi mai si dimenticano," Machiavelli, *Il Principe*, ed. Giorgio Inglese (Turin: Einaudi, 1995), 5, pp. 30–31.

¹⁰¹ Machiavelli, *Il Principe* 5, p. 31.

What princes are obliged to do when they begin to grow great, republics are also obliged to do, until they have become powerful and force alone is enough. And because Rome used in every way . . . all the methods necessary to achieve greatness, it did not overlook this one either [i.e. fraud]. It could not have used in the beginning a greater deception than choosing the method . . . of making allies for itself, because under this name it made them slaves.¹⁰²

It should now be obvious that Machiavelli is eviscerating here the Ciceronian ethical defense of imperialism rearticulated by his humanist predecessors. The language of *fides* and *iustitia* is conspicuous by its absence; imperial growth is attained only by *fraude* or *forza*. Machiavelli's arresting claim is that republics rule their foreign subjects as princes rule *all* of their subjects, that is as slaves.¹⁰³ While making this argument, Machiavelli draws inspiration from a classical critique of Roman imperialism. He quotes the words Livy gives to one of Rome's Latin allies: "We are able even now to endure slavery under the semblance of a treaty among equals."¹⁰⁴ Livy himself does not leave this representation of Rome's *imperium* unchallenged; he has a Roman consul refute the allegation of enslavement, invoking "law and right" (*ius fasque*), and reminding the Latins of their treaty terms, as well as the "*beneficia*" they had received.¹⁰⁵ Machiavelli thus appropriates anti-Roman rhetoric embedded in his chief source to demonstrate the fraud that, in his view, was indispensable to the Roman Republic's success as an imperial state.

Now, when the imperial republic subjugates peoples living in monarchical states, its new subjects remain in an unfree condition: one *principe* simply replaces another. But when a republic subjects another republic's inhabitants, Machiavelli perceives a transition from liberty to servitude occurring, since a formerly self-mastering group of people acquires an alien master. It is here that the imperial republic must tread particularly carefully.

¹⁰² "Quel che sono necessitati fare i principi ne' principii degli augmenti loro, sono ancora necessitate a fare le repubbliche, infino che le siano diventate potenti e che basti la forza sola. E perché Roma tenne in ogni parte . . . tutti i modi necessari a venire a grandezza, non mancò ancora di questo. Nè poté usare, nel principio, il maggiore inganno, che pigliare il modo . . . di farsi compagni: perché sotto questo nome se gli fece servi," Machiavelli, *Discorsi* 2.13, pp. 166–67.

¹⁰³ For Machiavelli's description of princely states as unfree, see Stacey, "Free and Unfree States," 185.

¹⁰⁴ Livy 8.4.2, quoted by Machiavelli, *Discorsi* 2.13, p. 167.

¹⁰⁵ Livy 8.5.8–10.

Machiavelli praises the Romans for allowing many of their subjects to continue living under their own laws, noting that Capua only came under Roman jurisdiction when the Campanians themselves requested that Rome reorder their city following civil discord. And Machiavelli also approves of how Florence acquired Pistoia: the Pistoians voluntarily placed themselves under Florentine *imperio*, not because they did not “value their liberty,” but because the Florentines had always treated them like “brothers” (*fratelli*).¹⁰⁶ Machiavelli’s lesson is that with “friendliness” (*dimestichezza*) and “liberality” (*liberalità*) one can domesticate potentially unruly foreign peoples.¹⁰⁷ Yet these tamed subjects undoubtedly forfeit their liberty: “Those cities in particular that are used to living in freedom . . . remain more calmly content under a dominion they do not see . . . than under one which, seeing every day, seems to them to reproach them daily for their servitude.”¹⁰⁸ Machiavelli may want to save the concepts discussed above for deployment in the ideological realm, but now their role is to camouflage the fact that, on his account, imperial rule is predicated on the master-slave relationship.

This brings me to a final observation about the place of Machiavelli’s theory of republican empire in the history of republican thought. We can now see the very considerable distance between a Ciceronian and a Machiavellian philosophical approach to empire. It is important to note, then, that by the seventeenth century the lines between them had grown blurred. As Armitage has reported, Harrington invokes Cicero and Machiavelli in the same breath when discussing the ideal model that the Roman Republic offers a commonwealth with expansionist ambitions.¹⁰⁹ In an interesting textual slippage, Harrington misquotes Cicero as having said in *De officiis* that the Romans undertook, not the “*patrocinium*,” but the “*patronatus*” of the world, suggesting that Rome had unshackled the globe from slavery.¹¹⁰ Harrington then explains—while explicitly reproducing parts of Machiavelli’s analysis of Rome’s imperial growth—that the Romans created an empire of freedom: “In confirming of liberty, she propagated her empire.”¹¹¹ Was Harrington, in

¹⁰⁶ Machiavelli, *Discorsi* 2.21, p. 192.

¹⁰⁷ Machiavelli.

¹⁰⁸ “Quelle città, massime, che sono use a vivere libere . . . con altra quiete stanno contente sotto uno dominio che non veggono . . . che sotto quello che, veggendo ogni giorno, pare loro che ogni giorno sia rimproverata loro la servitù,” Machiavelli, *Discorsi* 2.21, p. 191.

¹⁰⁹ Armitage, “The Cromwellian Protectorate,” 551–52; Armitage, *Ideological Origins*, 137–38.

¹¹⁰ James Harrington, *The Commonwealth of Oceana*, ed. Pocock (Cambridge: Cambridge University Press, 1992), 221.

¹¹¹ Harrington, *Oceana*, 223.

amalgamating the Ciceronian and Machiavellian materials, simply misunderstanding, casually ignoring, or deliberately suppressing the fundamental differences between his sources? Whatever Harrington was doing, it is clear that Machiavelli does not point us back to a Roman theory of republican imperialism underpinned by Ciceronian moral philosophy. Instead, he challenges us to look with him down a road leading to empire and liberty for some, but for others, it would seem inescapably, to servitude.

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