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## Educational materials for Machiavelli

In this article, Maurizio Viroli introduces the various ways in which political theorists of the Italian Renaissance began to move away from traditional thinking about natural law. Machiavelli maintains a suggestive silence with respect to natural law, and considers instead the positive or written law of states, without reference to the philosophical and theological sources of its authority. Although Machiavelli dispenses with the language of natural law, he continues to place tremendous importance on laws, and argues that it is good laws that make a government legitimate. Another important thinker of the time, Francesco Guicciardini, was far more explicit in his rejection of natural law. Espousing a kind of radical realism, Guicciardini challenges the idea that there could be any principles of human action that transcend individual historical cases. For Guicciardini, government is established, not on any ideal, but upon sheer force thinly veiled by pretensions of honesty and justice. Giovanni Botero shares Guicciardini's view of the harsh reality of politics, and develops the idea of "[reason of state](#)" to explain why, in his view, a state must often use immoral actions to preserve its existence and further its interests. Language about reason of state ultimately sidesteps engagement with natural law, not so much by refuting it, but by arguing that it is irrelevant to political concerns.



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### MACHIAVELLI

Niccolò Machiavelli was born on May 3, 1469 in Florence. He received a classical Latin education before entering the service of his native city. In 1494, the ruling Medici family was driven out of Florence, and the city was governed by the radical priest Girolamo Savonarola until 1498, when more normal government resumed. In the service of the Florentine Republic, Machiavelli demonstrated skill both in diplomacy and in military action. When the Medici retook Florence in 1512, however, Machiavelli was tortured and sent into exile, where he devoted himself to scholarship and writing until his death on June 21, 1527.

His most famous works are *The Prince*, a manual for rulers, and the *Discourses on Livy*, a commentary on Livy's history of early Rome. The amoral authoritarianism advocated in *The Prince* and the strong republican bias of the *Discourses* have often been seen as contradictory, and there is much debate as to what Machiavelli actually thought. Nevertheless, it is *The Prince* that has contributed the most to his reputation, and his name today is a byword for cynical, [double-dealing politics](#).

### GUICCIARDINI

Francesco Guicciardini, another Florentine, was born on March 6, 1483. He was educated at the universities of Ferrara and Padua before returning to Italy and embarking on a political career, in which he put his impressive diplomatic and political skills at the service of the popes and the Medici. These powerful allies rewarded him with wealth and political offices; they were, however, seen as enemies by Florence, and Guicciardini acquired the reputation of a traitor to his city. When the Medici returned to Florence, Guicciardini worked in their service until he fell out of favor. In retirement, he composed his great historical work, the *History of Italy*. He died on May 23, 1540.

To read more about Machiavelli's life and works, please click [here](#).



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### **Botero, Giovanni:**

(c. 1544 – 1617) an Italian priest, poet, and political thinker. His most famous work, [Of Reason of State](#) (1589), lays out a pragmatist political theory, according to which good statecraft is determined not by ideas of justice or religion but rather by the practical necessities of founding and preserving a state.

### **derogate:**

to deprecate, to regard as inferior or less important

### **Florentine civic humanism:**

the political thought of the Florentine Renaissance. Florentine civic humanists, such as Machiavelli and Guicciardini, generally emphasized classical virtue and favored republican forms of government.

### **hegemony:**

absolute dominance

### **license:**

excessive freedom, a lack of necessary restraints, immoral inhibition

### **positive law:**

laws as they are objectively written down. The concept of positive law excludes from consideration any idea of a philosophical or theological grounding for law. Under this concept, law is viewed as based not in any transcendental reality, but only in the will of the lawmaker.

### **reason of state:**

the idea that the national interest trumps all other concerns in determining state policy. According to this idea, when states are defending their own interests, they may appropriately employ measures that would otherwise be seen as immoral or blameworthy.

### **Salutati, Coluccio:**

(1331 – 1406) a Florentine politician and classical scholar whose thinking on natural law was influenced both by Ciceronian ideas and by the medieval tradition in which he was educated.

### **Savonarola, Girolamo:**

(1452 – 1498) an Italian Dominican friar and Scholastic who greatly influenced the Florentine political world of his time. Known for his preaching against moral corruption, he clashed with both tyrannical rulers and a corrupt clergy. After the French overthrow of the Medici in 1494, Savonarola was the sole leader in Florence, setting up a democratic republic. He was excommunicated by Pope Alexander VI (Rodrigo Borgia) and was subsequently executed by the secular authorities in 1498.



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I. Machiavelli, Guicciardini, and other theorists of the reason of state, initiated a tradition of political thought that departed from natural law thinking.

II. Machiavelli

A. Unlike many political thinkers of his time, and unlike the classical thinkers that influenced him, Machiavelli never mentions natural law, and purposefully avoids the concept of natural law in his political thought.

B. His thinking emphasizes the rule of law as a bulwark against tyranny, but the law he concerns himself with is not universal natural law, but rather the positive laws enacted by states:

1. The rule of law means that the law must apply equally to all, making exceptions for no one.
2. It is important that the law account for every possible contingency, so that there is no possible situation to which the law does not apply.
3. The positive law does not depend on any higher law or natural law; it is based on the personal virtue of those who promulgate or reform the laws, and is sustained by political power.

### III. Guicciardini

A. According to Guicciardini, real-life situations differ so widely that no generally applicable rules can exist. Therefore, natural law -- or any other abstract theory of law or politics -- is useless.

B. Government has nothing to do with morality. States are founded by force, and language about morality or justice is just an excuse to justify power. Those who would rule a state effectively must be prepared to act in ways that would generally be considered immoral.

### IV. Botero: [Of Reason of State](#)

A. According to Botero, "reason of state" is knowledge of how to found, maintain, and enlarge a state.

B. Botero describes reason of state without reference to any moral concerns. For him, reason of state has nothing to do with moral norms, but only with practical political necessities.

### V. Conclusion

A. In the 17th century, "reason of state" came to refer to the overriding of ordinary laws and moral norms to meet political necessities in the name of the common good.

B. Reason of state was distinguished from tyranny. Most theorists of reason of state acknowledged the authority of natural law and of religion, and expected that princes would use their powers for good. Nevertheless, the absolute power that reason of state grants to rulers is very similar to the absolute power possessed by the monarch in the political thought of Enlightenment thinker [Thomas Hobbes](#).



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## Part I. Basic Interpretation

If you are interested, after reading Maurizio Viroli's essay, in the theory of reason of state, please go to the [Primary Source Documents](#) to read some relevant passages from the authors mentioned in the essay. Please also refer to the biographies of Machiavelli and Guicciardini. As you go back to the primary sources, keep in mind the following questions:

1. Why does Machiavelli believe that rulers can break their word?
2. What makes political laws and institutions legitimate or illegitimate, according to

Machiavelli?

3. Why is Guicciardini's thought incompatible with the concept of natural law?
4. What is meant by "reason of state"? What is the justification for reason of state that allows it to override other types of moral and political reasons?
5. Are there any common elements among these critics of natural law thinking in politics? If so, what are they?
6. The thinkers discussed in this section believe that reason of state allows governments to adopt any means necessary to defend themselves and expand their power. In their opinion, is there any difference between the means justified by reason of state and the untrammelled power of tyranny?

## Part II. Connections to Other Thinkers

In order to understand these thinkers more completely, it is important to place them in their proper context. As men of the Renaissance, they were familiar with the classical and medieval traditions that preceded them; as early critics of natural law theory, they elaborated ideas that have continued to spark debate across the generations. As you look more closely at their writings, consider these questions to see how their work fits into the broader history of ideas.

1. Giovanni Botero was a controversial thinker in his time, but he was also a Catholic priest, and much of this thought was influenced by [Thomas Aquinas](#). Yet, Aquinas is very clear that earthly laws have authority only inasmuch as they are in accordance with a higher law (natural or eternal law). Is there any way to reconcile Aquinas' political outlook with Botero's later ideas about [reason of state](#)?
2. At the end of his essay, Viroli argues that the thinkers that originated the notion of reason of state "powerfully steered [political thinking] towards Hobbes." In their insistence that the state is bound by no law except for its own interests, these thinkers do seem to resemble Hobbes. But in the *Leviathan*, [Hobbes](#) makes his arguments for the absolute power of the sovereign only after he has discussed individual rights, and he purports to establish the sovereign's power on the basis of those rights. Does this make Hobbes' thought significantly different from that of the reason of state thinkers? Does the thought of these Renaissance thinkers even consider the individual citizen? Why or why not?
3. Advocates of the reason of state argue that the preservation of a state is justification enough for governments to take action without regard to moral norms. Yet the [Declaration of Independence](#) and other texts justifying the American Revolution seem to make exactly the opposite argument: that the injustice of the British colonial administration had reached the point where the preservation of British control could no longer be justified. What do you think Machiavelli, Guicciardini, and Botero would think about the American Revolution? Would their conclusions about it be the same?
4. In chapter 18 of *The Prince*, Machiavelli distinguishes between politics based on laws, which he calls proper to humans, and politics based on force, which he calls proper to beasts. But though the politics of laws is proper to humans, Machiavelli says that it is inadequate to govern them, and must be supplemented by force. In arguing that the ability to be governed by laws is something essentially human, Machiavelli seems to be echoing earlier representatives of the natural law tradition. (See, for example, [Thomas Aquinas, Summa Theologica, I-II, Q91.A2.](#)) But Machiavelli is much less optimistic than these thinkers about law's actual ability to establish order. Why does he reach such a different conclusion? What does this difference tell you about what Machiavelli and proponents of the natural law think it means to be human?
5. Machiavelli believes that it is only prudent to frame laws as if all people were completely wicked, and will always behave badly, if given the opportunity. This idea is echoed by Hobbes' language about the state of nature: what he calls a "war of all against all," from

which we are rescued only by law and political society. Do you think Machiavelli would agree with Hobbes that the point of law is to preserve peace among the citizens? To what end does Machiavelli think rulers ought to law down laws?

6. Machiavelli and Guicciardini advocate legal positivism: the law is whatever the lawmaker says it is, and to ask further questions about its justification is a waste of time. In this, they are reflected by later positivist critics of natural law thinking, such as [Oliver Wendell Holmes, Jr.](#) Writing in the context of American democracy, Holmes argued that the majority was entitled to make any laws it wished, and that “truth” meant nothing more than the ideas that happened to be prevalent at any given time. Influenced by Darwinism, Holmes considered truth a matter of the survival of the fittest ideas. Is Holmes fundamentally in agreement with Machiavelli and Guicciardini’s belief that the power of the sovereign is the only justification for law? How do the democratic and Darwinist themes in Holmes’s thought make it different from theirs?

### Part III. Thinking Critically about the Text

With a basic understanding of these thinkers’ critiques of natural law, let us examine their arguments more critically. Are they persuasive? Can we expand on their thought and determine what they might say about issues they did not directly address? Use the questions below as a guide:

1. Machiavelli, without employing natural law language, does not shy away from normative judgments about political arrangements, arguing, for example, that clear and comprehensive laws are necessary for any well-ordered city. It seems that Machiavelli considers this merely a matter of practical politics: inasmuch as well-ordered cities are more prosperous and powerful than corrupt or licentious ones, a ruler ought to prefer a well-ordered city, to increase his prosperity and power. But this seems similar to what many scholars of natural law argue: that some states of affairs are more conducive of flourishing than others, and that understanding natural law means nothing more than recognizing and encouraging these states of affairs. Is it fair to say that Machiavelli has stumbled onto part of the natural law governing politics? Why or why not?
2. Whereas Machiavelli tries to avoid making moral claims about politics, preferring merely to describe successful and unsuccessful political techniques, thinkers like Botero, on the other hand, take reason of state as a sort of moral argument. Reason of state means not only that it is advantageous for states to ignore moral considerations that might hinder their interests, but that it is appropriate and correct for them to do so. Does this really represent a suspension of the natural law, or is it rather another principle added to the natural law? Does it matter that reason of state is concerned mainly with questions not of right and wrong, but of national interest?
3. In [chapter 18 of \*The Prince\*](#), Machiavelli argues that a ruler ought “not to diverge from the good if he can avoid doing so, but, if compelled, then to know how to set about it.” He expects, at least, that a ruler will make efforts to keep up the appearance of a “merciful, faithful, humane, upright, and religious” prince. In part, at least, this is not a moral but a practical concern—by keeping up appearances a ruler can maintain the love and loyalty of his people. But Machiavelli argues, in the same chapter, that rulers are only justified in breaking their word because men “are bad, and will not keep faith with you,” apparently implying that it would be wrong to break faith with a virtuous and honest ally. What does Machiavelli ultimately think about morality and statecraft? Should princes act morally merely to keep up appearances, or does Machiavelli think that morality is worthwhile in itself, even if it cannot always be followed? Does Machiavelli distinguish between wicked actions that rulers may and may not do?
4. Machiavelli’s political career took place in the aftermath of Savonarola’s rise and fall in Florence. Savonarola, a Dominican friar, held conventional Christian views about natural law, and tried, until he lost power and was executed, to remake Florence into his ideal

Christian polity. In your reading of Machiavelli's works, do you see any evidence of ways in which his experience of Savonarola's rule may have shaped his opinion about natural law? Machiavelli suggests that a ruler with strict ethical standards will easily be defeated by less scrupulous parties. In your opinion, can a regime that puts moral limits on its own behavior survive in a competitive and unfriendly world?

5. A theme from the thinkers discussed in this section is a lack of concern for the theoretical justification of a state's legitimacy. Unlike most natural law thinkers, they are not concerned to justify the existence of governments with theories about social contracts or about the necessity of government for human flourishing. Rather than worry about what rulers ought morally to do, they try to determine what courses of action are politically most advantageous. What advantages are there to viewing politics in this way? Most proponents of natural law would argue that such a view of politics is essentially defective, ignoring an essential dimension of political thought by refusing to ask questions of right and wrong. What response do you think these critics of natural law would make to such an argument? Would their response be convincing?
6. Machiavelli argues that lawmakers and reformers of laws do not refer to any natural law or higher law, but rely only on their own "simple virtù." Now "virtù," for Machiavelli, is not the same thing as "virtue" in English: it means not only excellence of character, but also practical competence and personal authority. But why is it that, for Machiavelli, there are some personal qualities that qualify a person to lay down or to reform laws? Is it enough that persons with "virtue" are able to persuade or compel others to accept their laws? What virtues do you think are necessary in a lawgiver?

#### **Part IV. Connections to Contemporary Concerns**

The thinkers treated in this section engage some of the core ideas of the natural law tradition, and have been enormously influential in their own right, even down to our own time. Let us now turn to some contemporary issues and see how their thought might be applied to them.

1. In the American political tradition, "liberty" is an immensely powerful word; from the Revolution, to the Civil War, to the Civil Rights movement, to our contemporary Tea Party protests, "liberty" has been part of the vocabulary of almost every American political movement. Yet in his *Dialogue on the Government in Florence*, Guicciardini argues that language about liberty is generally used "as a disguise and an excuse by those who want to conceal their cupidity and ambition. [...] When the name of liberty is repeatedly invoked in civil conflicts, most people are blinded by it and do not realize that the objective is different." At the same time, however, Guicciardini agrees in principle that free republics are superior to most other forms of government. How might Guicciardini view American political language? Is most political talk of liberty sincere, or ought we to be as cynical as Guicciardini?
2. One of the most contested legal questions of the present day concerns how suspected terrorists are to be detained and tried. A major cause of the controversy is that current law makes little provision for malefactors who fall somewhere between civilian criminals and enemy soldiers. May they be detained in camps like that at Guantánamo Bay, as if they were prisoners of war? Is it prudent to try them in civilian courts, granting them all the rights usually possessed by defendants? In his *Discourses on Livy*, Machiavelli argues that the law must account for all cases, so that leaders never need to make use of extralegal methods to handle emergencies. But he also praises those rulers who are flexible enough to understand when rules and agreements need to be broken. What might Machiavelli think about this controversy? Is it a failure of American law that legislators never imagined such cases? Is it praiseworthy initiative on the part of our leaders, who have found ways around the constraints of the law? Or, as Machiavelli sometimes suggests, is it a mistake not to exterminate anyone suspected of being a

- threat?
3. A major area of political and philosophical inquiry is the theory of just war, which lays down conditions under which war can be justified, and sets rules for military conduct during war. These rules are often ignored in practice, but occasionally governments make conscientious efforts to demonstrate how their war-making is in complete accordance with the guidelines for just war. In regard to the war in Iraq, for example, the American government took pains to demonstrate that it had both just cause and legitimate authority to launch an invasion. Should their arguments have been taken in good faith, or were they merely a smokescreen for ulterior political and military motives? Most of the thinkers discussed in this section believe that reason of state, or national interest, is enough to justify any political action. Is it then a waste of time to distinguish between just and unjust wars? Is a nation always justified in going to war to protect or expand its interests?
  4. Much of modern international relations is based on the idea that nations can enter into treaties and make agreements that are subsequently binding on them. Consider, for example, the treaties that were made between the United States and the Soviet Union regulating nuclear arms, or treaties guaranteeing economic cooperation among the nations of the European Union. Unless the nations entering into these treaties trusted that their counterparts would stand by the agreements, such treaties could never be made. Machiavelli argues, however, that governments break their word whenever it is in their interest to do so. Is his view of relations between governments realistic? Does it still apply to contemporary world politics?
  5. Guicciardini considers it “crass ignorance” to believe that any kind of natural law or ethical principle is a guide to political action. In the American political tradition, however, constant reference is made to inalienable individual rights and unbreakable moral rules. The style of our debates over issues like torture or homosexual marriage indicates that Americans of all political persuasions believe there are principles that rule out or demand certain policies. Does our political system—probably unimaginable to a man of Renaissance Florence—prove Guicciardini wrong? If so, how can we answer his argument that moral language is merely a pretext for power struggles?

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