

RALEIGH LECTURE ON HISTORY

AMBROGIO LORENZETTI:
THE ARTIST AS POLITICAL PHILOSOPHER

By QUENTIN SKINNER

Fellow of the Academy

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BETWEEN the early thirteenth and mid fourteenth centuries the city-republics of the *Regnum Italicum* engendered a distinctive political literature concerned with the ideals and methods of republican self-government. Several of the most eminent philosophers of the age took part in the argument, including St Thomas Aquinas and Marsilius of Padua. But it was an artist, Ambrogio Lorenzetti of Siena, who made the most memorable contribution to the debate. This took the form of the celebrated cycle of frescoes he painted between 1337 and 1340¹ in the Sala dei Nove of the Palazzo Pubblico in Siena. Although it is obvious that these paintings do not constitute a text of political theory in the conventional sense, it is equally obvious even to the casual observer that they are basically intended to convey a series of political messages. It is with the meaning and interpretation of those messages that I shall principally be concerned.

I wish in particular to re-examine the central section of the frescoes, the section that occupies the middle level of the northern wall (see Pl. I). As the verses inscribed beneath this part of the painting explain, the painting itself is intended to represent that form of government which we are bound to establish if we are induced to act exclusively by the dictates of the holy virtue of justice.² The question I should like to re-open is what exact theory of government, what ideal of social and political life, is being held up for our admiration in this dramatic way.

¹ G. Rowley, *Ambrogio Lorenzetti* (2 vols., Princeton, 1958), i, 130-1.

² The verses on the simulated tablet begin: QUESTA SANTA VIRTU [La iustitia] LADOVE REGGE. INDUCE ADUNITA LIANIMI/MOLTI. EQUESTI ACIO RICCOLTI. UN BEN COMUN PERLOR SIGROR SIFANNO. The frescoes are generally known as the *Buon governo* or 'allegory of good government'. But I have preferred to avoid these descriptions. The suggested title is definitely not original, and strictly speaking the paintings are not allegories.

Among recent students of Lorenzetti's masterpiece one particular answer has come to enjoy the status of an orthodoxy. The work is said to be 'inspired both by Aristotelian and by Thomist ideas',¹ and to have 'its roots in scholasticism'.² More precisely, it is said to be 'largely based on Aristotelian philosophy in contemporary adaptation', particularly the adaptation owed to St Thomas Aquinas.³ The painting is in short a work of 'Thomistic Aristotelianism'.⁴ While it basically confronts us with 'an Aristotelian allegory of Good Government in principle',⁵ this is mediated by 'contemporary scholastic and juristic interpretation', and above all by the doctrines of Aquinas's *Summa Theologiae*.⁶

These arguments, long accepted by art historians and historians of ideas alike,⁷ have recently been applied as a means of identifying the mysterious regal figure who dominates this middle section of the frescoes. To explain his significance, it is claimed, we need to focus on Aquinas's restatement of 'the Aristotelian concept of the common good as the basis and criterion of good government'.⁸ The figure is in fact 'a personification of the *bonum commune* in the Thomistic-Aristotelian sense'.⁹ The final message of the painting is thus that 'the common good must be raised to the position of the ruler' if the blessings of good government are to be enjoyed.¹⁰

¹ A. Smart, *The Dawn of Italian Painting, 1250-1400* (Oxford, 1978), p. 104.

² E. Borsook, *The Mural Painters of Tuscany* (2nd edn., Oxford, 1980), p. 36.

³ N. Rubinstein, 'Political Ideas in Sieneese Art: The Frescoes by Ambrogio Lorenzetti and Taddeo di Bartolo in the Palazzo Pubblico', *Journal of the Warburg and Courtauld Institutes*, xxi (1958), 179-207, at p. 184.

⁴ W. Bowsky, *A Medieval Italian Commune: Siena under the Nine, 1287-1355* (London, 1981), p. 290.

⁵ M. Baxandall, 'Art, Society and the Bouguer Principle', *Representations*, xii (1985), 32-43, at p. 32.

⁶ Rubinstein, 'Political Ideas', p. 182.

⁷ For the former, see for example U. Feldges-Henning, 'The Pictorial Programme of the Sala della Pace: a New Interpretation', *Journal of the Warburg and Courtauld Institutes*, xxxv (1972), 145-62, at p. 146; E. Southard, *The Frescoes in Siena's Palazzo Pubblico, 1289-1539* [Ph.D., Indiana University, 1978; University Microfilms International (Michigan, 1981)], pp. 64, 276. For the latter, see for example L. Zdekauer, 'Iustitia: Immagine e Idea', *Bullettino Senese di Storia Patria*, xx (1913), 384-425, at p. 405; J. Larner, *Culture and Society in Italy, 1290-1420* (London, 1971), p. 85.

⁸ See Rubinstein, 'Political Ideas' (the classic study, to which I am deeply indebted), in which this formulation appears on p. 184. But see also H. Dowdall, 'The Word "State"', *Law Quarterly Review*, xxxix (1923), 98-125, where the same thesis is put forward on p. 113.

⁹ R. Oertel, *Early Italian Painting to 1400* (trans. L. Cooper, London, 1968), p. 363.

¹⁰ Rubinstein, 'Political Ideas', p. 185. For recent endorsements see R. Tuve,

My excuse for returning to these issues is a doubt I have come to feel about whether the context of scholastic political philosophy offers a helpful or even a relevant guide to explicating Lorenzetti's work. I have come to feel that there is almost nothing in this middle section of the frescoes that presupposes any acquaintance with either Aristotle's or Aquinas's thought; that to suppose otherwise has caused its iconography to be largely misconstrued; and that, in particular, it has caused the mysterious regal figure to be misidentified.

I shall argue instead that Lorenzetti's cycle is best interpreted as an expression of the pre-humanist rhetorical culture that first began to flourish in the Italian city-republics in the early years of the thirteenth century.¹ Among the sources we need to consider are in consequence the various *Dictamina* of that period, especially those composed by *Dictatores* like Guido Faba with clearly defined moral and political commitments.² We also need to consider such crucial official documents as the constitutions of the city-republics, the most relevant being the *Breves* of Siena assembled in 1250, the Latin Constitution of the city drawn up in 1262 and the more extended *volgare* version of 1309-10. Perhaps most important of all, we need to examine the specialized treatises on city-government that first began to appear in the same period. Among these the pioneering work seems to have been the anonymous *Oculus pastoralis*, perhaps written as early as the 1220s.³ This was shortly followed by Orfino da Lodi's *De sapientia potestatis*, composed in leonine verse in the early 1240s;⁴ by Giovanni da Viterbo's *Liber de regimine civitatum*, probably completed by 1253;⁵ and by Brunetto Latini's encyclopaedic *Li Livres dou*

'Notes on the Virtues and Vices', *Journal of the Warburg and Courtauld Institutes*, xxvi (1963), 264-303, at p. 290; Feldges-Henning, 'Pictorial Programme', p. 145; Borsook, *Mural Paintings*, p. 35; Bowsky, *Commune*, p. 288; C. Frugoni, *Una lontana città* (Turin, 1983), pp. 136, 150, 157.

¹ For a classic outline see P. O. Kristeller, 'Humanism and Scholasticism in the Italian Renaissance' in M. Mooney (ed.), *Renaissance Thought and its Sources* (New York, 1979), pp. 85-105. For a recent discussion, with full references, see R. Witt, 'Medieval "Ars Dictaminis" and the Beginnings of Humanism: a New Construction of the Problem', *Renaissance Quarterly*, xxxv (1982), 1-35.

² On Faba as spokesman for the communes see H. Wieruszowski, *Politics and Culture in Medieval Spain and Italy* (Rome, 1971), pp. 367-8 and note.

³ Muratori's suggested date of 1222 is endorsed in the Introduction to *Oculus pastoralis*, ed. D. Franceschi, *Memorie dell'accademia delle scienze di Torino*, xi (1966), 3-19, at p. 3. But A. Sorbelli, 'I teorici del reggimento comunale', *Bullettino dell'istituto storico italiano per il medio evo*, lix (1944), 31-136, suggests (p. 74) 1242.

⁴ Sorbelli, 'I teorici', p. 61.

⁵ G. Folena, "'Parlamenti" podestarili di Giovanni da Viterbo', *Lingua*

tesor, compiled in the early 1260s in part on the basis of these earlier accounts.¹

None of these writers had any direct acquaintance with the works of Aristotle. Orfino da Lodi, Giovanni da Viterbo, Guido Faba, and the author of the *Oculus* all completed their treatises before the earliest Latin version of the full *Nicomachean Ethics* started to circulate in the early 1250s,² and considerably before William of Moerbeke issued the first Latin translation of the *Politics* a decade later.³ Even Brunetto Latini, writing in the 1260s, still had access only to the brief and inaccurate paraphrase of the *Ethics* translated from the Arabic by Hermannus Alemannus in 1243-4.⁴ Still more striking is the fact that, among writers of *Dictamina* and similar compilations in the ensuing generations, the doctrines of Aristotle and his modern disciples appear to have had virtually no impact. When Geremia da Montagnone, for example, assembled his *Compendium moralium notabilium* between 1295 and his death in c.1320,⁵ he showed a full awareness of the Aristotelian texts, but made no attempt to integrate them with, or use them to displace, the more traditional authorities he continued to cite. Finally, if we turn to the moral and political assumptions embodied in such products of the *Ars dictaminis* as Matteo de' Libri's *Arringhe* of c.1275,⁶ or Giovanni da Vignano's *Flore de parlare* of c.1290,⁷ or Filippo Ceffi's *Dicerie*

Nostra, xx (1959), 97-105, at p. 97. But F. Hertter, *Die Podestàliteratur Italiens im 12. und 13. Jahrhundert* (Leipzig, 1910), pp. 52-3, suggests 1228, while Sorbelli, 'I teorici', pp. 94-6, suggests 1263.

¹ F. Carmody, 'Introduction' to Brunetto Latini, *Li Livres dou Tresor* (Berkeley, 1948), pp. xiii-xx, xxii-xxxii.

² On this translation (almost certainly the work of Robert Grosseteste) and its dating see M. Grabmann, *Forschungen über die Lateinischen Aristoteles-Übersetzungen des XIII. Jahrhunderts* Münster, 1916), pp. 220-37.

³ M. Grabmann, *Guglielmo di Moerbeke O.P., il traduttore delle opere di Aristotele* in *Miscellanea Historiae Pontificae*, xi (Rome, 1946), pp. 111-13.

⁴ For Latini's use of this translation see C. Marchesi, *L'Etica nicomachea nella tradizione latina medievale* (Messina, 1904), pp. 116-17. On the translation and its dating see Grabmann, *Forschungen*, pp. 204-14, 219-20, who answers doubts about the attribution expressed in Marchesi, *L'etica*, pp. 106-9.

⁵ See B. L. Ullman, *Studies in the Italian Renaissance* (2nd edn., Rome, 1973), p. 81.

⁶ P. O. Kristeller, 'Matteo de' Libri, Bolognese Notary of the Thirteenth Century, and his *Artes Dictaminis*', *Miscellanea Giovanni Galbiati*, ii (*Fontes Ambrosiani* 26, Milan, 1951), 283-320, 285 n.

⁷ See C. Frati, "'Flore de parlare" o "Somma d'arengare" attribuita a Ser Giovanni Fiorentino da Vignano', *Giornale storico della letteratura italiana*, lxi (1913), 1-31 and 228-65, who proposes (p. 265) a date between 1280 and 1310.

of c.1330,¹ we encounter in every case an exclusive reliance on traditional authorities, with no mention or even awareness of the Aristotelian texts at all.

The authorities on whom these writers continued to rely were the moralists not of Greece but of Rome. All the tracts I have cited were overwhelmingly dependent on a small selection of texts from the late republic and early principate that had never ceased to be widely studied and quoted throughout the middle ages. Among these a few works by Sallust, Seneca, and especially Cicero stand out, above all Cicero's youthful *De inventione* and his *De officiis*. It is clear that most of the Italian writers on city government knew these texts at first hand, while some of them seem to have known the *De officiis* almost by heart.² They were even more deeply indebted, however, to a number of medieval *Florilegia* and moral treatises derived from these same Roman sources.³ They knew about Seneca's theory of the virtues from the *Formula vitae honestae*, a tract of remarkably wide circulation that was generally believed to be by Seneca himself,⁴ although Geremia knew that it came from the early Christian era,⁵ and some later fourteenth-century copyists correctly attributed it to Bishop Martin of Braga.⁶ Similarly, they knew about Cicero's *De officiis* both from the anonymous *Moralium Dogma Philosophorum* of the mid twelfth century⁷ and from the massive *Summa virtutum et vitiorum* compiled by Guillaume de Peyraut a century later,⁸ both of whom treat

¹ S. Giannardi, 'Le "Dicerie" di Filippo Ceffi', *Studi di filologia italiana*, vi (1942), 5-63, at pp. 5, 19.

² For these claims see Wieruszowski, *Politics and Culture*, pp. 602-4, 610-19, and G. Alessio, 'Brunetto Latini e Cicero (e i dettatori)', *Italia medioevale e umanistica*, xxii (1979), 123-69.

³ Tuve, 'Notes on the Virtues' pp. 268-70, 276-88, rightly distinguishes the Ciceronian and Senecan strands, and cautions against overemphasizing the alleged influence of Aristotle.

⁴ Nearly 150 MSS survive from the fourteenth and fifteenth centuries alone. For this point, and the attribution to Seneca, see *Martini Episcopi Bracarenensis Opera Omnia* (ed. C. Barlow, New Haven, 1950), p. 204.

⁵ Geremia da Montagnone, *Compendium moralium notabilium* (Venice, 1505); Sig. A2b places the *Formula* chronologically between the works of Priscian and Ambrose. Martin in fact died in 579. See Barlow 'Introduction' to *Opera*, p. 6.

⁶ e.g. the fourteenth-century copy in British Museum, Add. MSS 22041. Folio 324a reads: 'Incipit libellus . . . [a] Martino episcopo.'

⁷ J. Williams, 'The Quest for the Author of the *Moralium Dogma Philosophorum*, 1931-56', *Speculum*, xxxii (1957), 736-47, argues (pp. 737-8) that the tract must have been composed between 1145 and 1170 and gives convincing reasons (pp. 742-6) for doubting the usual attribution to Guillaume de Conches.

⁸ A. Dondaine, 'Guillaume Peyraut: vie et oeuvres', *Archivum Fratrum*

[Footnote 8 continued on page 6]

Cicero's text—as do all the pre-humanist writers on city government—as their veritable Bible in matters of moral and political philosophy.

I now turn to consider this pre-humanist literature. Although my main purpose in doing so will be to establish the field of meanings within which Lorenzetti's paintings can best be situated, I hope this first part of my paper may also be of some intrinsic interest. For in seeking to show that the ideology of self-governing republicanism originally developed in the early decades of the thirteenth century, and largely predated the recovery of Aristotle's moral and political works, I shall at the same time be sketching a chapter in the history of Renaissance political theory which has so far remained unwritten.

If we examine the full range of these pre-humanist treatises, we are bound to be struck in the first place by their wide measure of agreement about the most precious value in civic life. They all accept that the goal of good government must be the preservation of peace on earth; that everyone must above all seek to live in a state of concord and tranquillity with everyone else.

It is sometimes claimed that this vision of peace was first fully formulated by Aquinas and his disciples at the end of the thirteenth century.¹ But the same value is no less central to earlier thirteenth-century writers on city government. The *Oculus*, for example, opens with a model speech to be delivered by chief magistrates on assuming office. They are instructed to assure the populace that they will bring glory to the city, and will do so 'by bringing peace, tranquillity and perfect love to you all'.² Orfino da Lodi similarly lays it down at the start of his section entitled 'Lessons for a chief magistrate' that they must 'fear God and uphold the laws in order to bind the community to peace'.³ Giovanni da Viterbo organizes his entire treatise around the distinction between war and peace, arguing at the beginning of his section on war that 'the *podestà* or *rector* of a city must seek to avoid conflict by every means in his power', since his duty is 'to ensure in every possible way that the city he is governing remains in peace, quietness and tranquillity'.⁴

Praedicatorum, xviii (1948), 162–236, argues (pp. 186–7) that the treatise was written between 1236 and 1249.

¹ See for example Rubinstein, 'Political Ideas', pp. 186–7.

² *Oculus*, p. 25: 'portantes inter vos pacem tranquilam et amorem perfectum.' Cf. also pp. 27, 60, 69.

³ Orfino da Lodi, *De regimine et sapientia potestatis*, ed. A. Ceruti in *Miscellanea di storia italiana*, vii (1869), 33–94; p. 52, 'Doctrina potestatis': 'Primo Deum timeat, servet mandataque legis . . . Ut patriam paci iungat.'

⁴ Giovanni da Viterbo, *Liber de regimine civitatum*, ed. C. Salvemini in

The same ideal, expressed in more formal language, recurs no less prominently in official documents of this period. The 1309 Constitution of Siena, for example, places the utmost emphasis on the point. The rubrics concerning the duties of the Nove Signori—the merchant oligarchy who ruled the city from 1287 to 1355—repeatedly insist that their principal obligation is ‘to conserve the city in perpetual peace and pure justice’.¹ They themselves must be ‘lovers of peace and justice’,² and a special rubric reminds them that they are granted their ‘licence and unrestrained power and authority’ with the specific aim of ensuring that ‘the city and the commune and the people of Siena are reduced to a condition of true and rightful and trustworthy peace and unity, both individually and as a community’.³

It is of course true that Aquinas and his disciples endorse the same commitment. But there is one point at which their treatment of peace stands in marked contrast with that of the pre-humanist writers on city government. The pre-humanist treatises continue to invoke the essentially Roman belief—one that finds no place in Thomist thought—that peace should be viewed not as a mere absence of discord, as Aquinas was to define it,⁴ but rather as a state of triumph, a victory over the forces of discord and war that constantly threaten to destroy our common life.

Prudentius’s *Psychomachia*, composed in the late fourth century and immensely popular throughout the middle ages, had bequeathed a classic account of peace as a triumphant force ‘who puts her enemies to flight, drives away war’, and thereby serves as ‘the fulfilment of the labour of virtue’.⁵ Geremia da Montagnone

Bibliotheca juridica medii aevi (3 vols., Bologna, 1888–1901), iii. 215–80; p. 270: ‘nam potestas sive rector civitatis, in quantum potest, vitare debet guerram . . . cum ad officium eius pertineat curare modis omnibus, quibus potest ut pacatam, pacificam et tranquillam retineat civitatem, quam regit’. Cf. also pp. 230–1, 245.

¹ *Il costituito del Comune di Siena volgarizzato nel 1309–1310* (ed. A. Lisini, 2 vols., Siena, 1903), ii. 488: ‘che essa città . . . in pace perpetua et pura giustitia si conservi’.

² *Ibid.*, ii. 488: ‘amatori et di pace et di giustitia’.

³ *Ibid.*, ii. 498: ‘Li Nove . . . abiano licentia et libera podestà et balia et pieno officio di ridurre la città . . . a vera et dritta et leale pace et unità, communalmente et singularmente.’

⁴ Aquinas, *Summa theologiae*, II.ii.29.1: ‘idem [dissensio] opponitur concordiae et paci’.

⁵ Prudentius ‘*Psychomachia*’ in *Carmina* (ed. M. Cunningham, Turnhout, 1966), 631, p. 172: ‘Pax inde fugatis/hostibus alma abigit bellum’; 769, p. 176: ‘Pax plenum Virtutis opus.’ Cf. the account, based on Prudentius, in Bono Giamboni, *Il libro de’ vizi e delle virtudi* (c.1274) (ed. C. Segre, Turin, 1968), esp. pp. 91–2.

quotes this passage in his *Compendium*,¹ while Orfino da Lodi similarly speaks of peace as the victorious outcome of 'the battle and flight of discord'.² Giovanni da Viterbo, as so often, provides a more down-to-earth summary of the same arguments. 'It is the duty of every chief magistrate who is good and serious', he declares, 'to ensure that the community he is ruling remains in peace and quiet. This he will be able to achieve without difficulty as long as he acts conscientiously to free the community of evil men and ensure that he conquers them. For it is crucial that the sacrilegious and the thieves, the deceivers and those who exhibit *furor*, should all be conquered.'³

Peace being the central value of civic life, the question that chiefly preoccupies these writers is how to ensure that her numerous enemies are duly conquered. Among her foes the most obvious is of course said to be *Guerra* or war. But the most insidious—to which they usually devote far more attention—is generally described as *Discordia* or civic disunity. They all quote Sallust's judgement in *Jugurtha* to the effect that this is the force that causes even the greatest undertakings to collapse.⁴ And they all reiterate the distinctions drawn by Sallust and other Roman moralists in considering the different forms that civic discord can take.

One of these is pure lawlessness, a failing these writers associate in particular with the mob. The *Oculus* inveighs against the characteristic *furor* of the multitude,⁵ while Orfino da Lodi similarly denounces 'the supreme *furor* of those who ignore the sacred character of the laws'.⁶ Filippo Ceffi's *Dicerie* contains a model speech to be delivered in the face of such *furiosa gente*,⁷ while

¹ Geremia, *Compendium*, fo. 46b.

² See the section 'De pugna et fuga discordiae' in Orfino, *De regimine*, p. 50.

³ Giovanni, *De regimine*, p. 247: 'Congruit bono presidi et gravi curare ut pacata et quieta sit provincia quam regit; quod non difficile optinebit, si sollicite agat, ut malis hominibus provincia careat, eosque conquirat: nam et sacrilegos et latrones, plagiaros et fures, conquirere debet.'

⁴ Sallust, *Bellum Jugurthinum*, 10.6. The *Oculus* alludes to the passage, p. 61; it is quoted in the *Moralium Dogma Philosophorum* (ed. J. Holmberg, Uppsala, 1929) p. 27; in Guillaume Peyraut, *Summa virtutum et vitiorum* (ed. R. Clutius, Mainz, 1618), ii, 282; and in Latini, *Tresor*, p. 292.

⁵ See *Oculus*, p. 65, on the 'furor populi'. The phrase recurs in Albertino Mussato, *Ecerinide* (ed. L. Padrin, Bologna, 1900), p. 33.

⁶ Orfino, *De regimine*, p. 76: 'Supremus furor est sacras contempnere leges.' Cf. also pp. 54, 85.

⁷ See Filippo Ceffi, *Dicerie*, ed. G. Giannardi in *Studi di filologia italiana*, vi (1942), 5-63, at p. 57. Cf. Matteo de' Libri, *Arringhe* (ed. E. Vincenti, Milan, 1974), p. 146.

Guido Faba's invective against the unruly Florentines for starting fires and using stones as projectiles serves as a reminder to city magistrates of the form that such *dissensio* is likely to take.¹ A similar warning appears among the *Breves* of Siena, which charge the city police to exercise particular vigilance 'in the case of *fures*, malefactors and those who throw stones at houses or the civic buildings of Siena'.²

The other and even graver form of *discordia* is said to be faction, whose baleful effects these writers lament in tones of increasing despair. As Giovanni da Viterbo complains, 'there is scarcely a city to be found anywhere nowadays that is not divided against itself'.³ Latini mounts an even more vehement attack on *Divisio* at the beginning of his chapter on city governments. 'Wars and hatreds have so much increased among Italians of the present time that division is found within every city, together with so much enmity between the different parties of townspeople as to make it certain that anyone who acquires the love of one group will be visited with the malevolence of the other.'⁴ By the end of the century such attacks on *Divisio* had simply turned into threnodies. 'Remember and think', as Giovanni da Vignano exclaims, 'how Pisa, how Arezzo, how Florence, how Modena, how Milan' have all been 'broken and destroyed and undone by their *divisiom* and quarrelling'.⁵

How are these enemies of civic tranquillity to be overcome? The pre-humanist writers answer with a single voice. The only way to bring about the triumph of peace is to ensure that no one is able to pursue their own ambitions at the expense of the public good; that everyone is somehow induced to place the *bonum commune*, the

¹ Guido Faba, *Dictamina Rhetorica Epistole*, ed. A. Gaudenzi in *Il Propugnatore* (1892-3), reprinted in *Medium Aevum* (ed. G. Vecchi, Bologna, 1971), p. 115.

² *Breves Officialium Comunis Senensis* (1250), ed. L. Banchi in *Archivio storico italiano*, iii, 2 (1866), 7-104; p. 75: 'a furibus et malefactoribus et proicientibus lapides supra domos vel domum civium senensium.'

³ Giovanni, *De regimine*, pp. 244-5: 'vix enim aliqua reperitur hodie civitas, que inter se non sit divisa.' Cf. also pp. 221, 278.

⁴ Latini, *Tresor*, p. 394: '[La] guerre et haine est si mutepliee entre les ytaliens au tans d'ore . . . k'il a devisiion en trestoutes les viles et enemistié entre les .ii. parties des borgois, certes, kiconques aquiert l'amour des uns il li covient avoir la malevoeillance de l'autre.'

⁵ Giovanni da Vignano, *Flore de parlare* in *Libri, Arringhe* (ed. Vincenti), pp. 229-325; p. 314: 'recordivi e pensati como Pixa, como Areço, como Fiorença, como Modena, como Millam . . . [sono] guaste e destructe e desfate per le divisiom e per le brighe.' See also pp. 251-2, and cf. *Libri, Arringhe*, pp. 147-8, and Ceffi, *Dicerie*, p. 36.

communes utilitates, above all calculations of individual or factional advantage.

It has often been claimed that this argument only re-enters western political theory with the reworking of Aristotelian categories by Aquinas and his disciples.¹ But in fact the same assumptions, taken not from Greek sources but from Cicero and Seneca, can already be found in virtually all the pre-humanist tracts on city government. 'We are not born simply for ourselves', Cicero had proclaimed at the beginning of the *De officiis*, 'for our country and friends are both able to claim a share in us. People are born for the sake of other people, in order that they can mutually benefit one another. We ought therefore to follow Nature's lead and place the *communes utilitates* at the heart of our concerns.'² More succinctly, and scarcely less influentially, Seneca had underlined the same point, arguing that 'the common good and the wise man's good are the same',³ and that 'man is clearly a social animal born for the common good'.⁴

Later in Book I of the *De officiis* Cicero had applied these considerations specifically to 'those who aim to take charge of public affairs'.⁵ They must 'care for the good of the whole citizen body to such a degree that, in everything they do, they devote themselves solely to that end'.⁶ They must 'look after the entire body-politic, never caring only for one part of it while deserting the rest'.⁷ They must remember that 'anyone who considers only one part of the citizenry, while neglecting another part, will be introducing sedition and *discordia* into the city, the most pernicious danger of all'.⁸

Partly through the intermediary of the *Moralium Dogma Philosophorum*, in which the above passages from Cicero are tran-

¹ For a representative example see W. Ullmann, *Medieval Political Thought* (Harmondsworth, 1975), pp. 176-80.

² Cicero, *De officiis*, 1.7.22: 'non nobis solum nati sumus ortusque nostri partem patria vindicat, partem amici . . . homines autem hominum causa esse generatos, ut ipsi inter se aliis alii prodesse possent, in hoc naturam debemus sequi, communes utilitates in medium afferre.' See also 3.5.22-4 and 3.6.30-1.

³ Seneca, *Epistulae morales*, 85.36: 'Commune bonum est sapientis.'

⁴ Seneca, *De clementia*, 1.3.2: 'hominem sociale animal communi bono genitum videri.' See also 2.6.3.

⁵ Cicero, *De officiis*, 1.25.85, on those 'qui rei publicae praefuturi sunt'.

⁶ Ibid.: 'utilitatem civium sic tueantur, ut, quaecumque agunt, ad eam referant.'

⁷ Ibid.: 'totum corpus rei publicae curent, ne, dum partem aliquam tueantur, reliquas deserant.'

⁸ Ibid.: 'Qui autem parti civium consulunt, partem neglegunt, rem perniciosissimam in civitatem inducunt, seditionem atque discordiam.'

scribed,¹ these doctrines came to pervade the pre-humanist literature on city government. The *Oculus* includes a model speech to be delivered by an incoming *podestà* in which he promises that all his actions will aim 'to promote the welfare of the community as a whole'.² Giovanni da Viterbo concludes his chapter on the benefits a *podestà* should provide by quoting the entire passage from the *De officiis* on the duties of those who take charge of affairs.³ But the most extensive discussion of the common good—largely based on the *Dogma* and Giovanni's use of it—occurs in Latini's *Livres dou tresor*. He too quotes Cicero on the need to take Nature as our guide and 'place the common good above everything else'.⁴ 'Each one of us', he adds, 'must do everything in our power on behalf of the common good of our city and fatherland.'⁵ He also follows Cicero in laying special emphasis on the need for chief magistrates to take this lesson to heart. The elected *sires* of a city must be prepared 'to work night and day for the common good of the city and all its citizens'.⁶ They must 'guard the common good in peace and honesty',⁷ and ensure that all their decisions, especially those taken in their capacity as judges, 'are such as will further the common good'.⁸

Cicero was again the source for the account these writers give of how to prevent the pursuit of selfish or factional advantage from undermining the common good. The key to avoiding such divisiveness, Book II of the *De officiis* had argued, lies in recognizing the need to uphold 'the two *fundamenta* of public life, the first being *concordia*, the second *aequitas*'.⁹

To live in *concordia* is to acknowledge that no man is an island, and thus that we need to act together in a *coniunctio ordinum* if the ideal of the *bonum commune* is to be upheld.¹⁰ Cicero had frequently

¹ *Dogma*, pp. 27, 30, 36.

² *Oculus*, p. 26, on acting 'pro utilitate communitatis istius'. Cf. also pp. 25, 29, 35.

³ Giovanni, *De regimine*, p. 268. Cf. also pp. 260–2, 275.

⁴ Latini, *Tresor*, p. 291: 'por ce devons nous ensivre nature et metre avant tout le commun profit.'

⁵ *Ibid.*, p. 284: 'on doit faire tot son pooir por le commun profit de son pais et de sa vile.'

⁶ *Ibid.*, p. 392: 'Li sires doit . . . veillier de jour et de nuit au commun proufit de la vile et de tous homes.'

⁷ *Ibid.*, p. 253: 'garde le comun bien en pais et en honesteté.'

⁸ *Ibid.*, p. 408 on the duty to act 'por le bien dou commun'. Cf. also pp. 405, 415, 418.

⁹ Cicero, *De officiis*, 2.22.78: 'fundamenta rei publicae, concordiam primum, . . . deinde aequitatem.'

¹⁰ On this ideal see *ibid.*, 3.22.88.

expressed this thought in the form of a metaphor, claiming that the social bonds created by giving and receiving benefits serve to link or tie us together in a voluntary but unified group.¹ The *De finibus* refers lovingly to these twin 'bonds of concord', while warning that they will always be broken 'if people simply follow their own good'.² The *De republica* similarly speaks of *concordia* as 'the best and lightest rope of safety in society', a passage well-known to later generations as a result of its inclusion by St Augustine in Book II of the *De civitate dei*.³ The same image of a double *vinculum concordiae* is also implicit in the much-quoted passage of the *De officiis* where Cicero speaks again of the acts of giving and receiving as 'linking each individual in society together with everyone else'.⁴

According to Cicero, *aequitas* is the second *fundamentum* of civic peace. Among Roman legal and political theorists this term was applied in two distinguishable ways. It was used on the one hand to express the concept of legal equity, the principle that the law sometimes needs to be supplemented or corrected by recourse to natural justice. This was the idea lying behind Ulpian's celebrated discussions in the *Digest*,⁵ and this was how the concept was subsequently understood by scholastic philosophers as well as commentators on the civil law. When Aquinas, for example, speaks of *aequitas* in the *Summa*, he defines it simply as 'that quality which pertains to moderating the letter of the law'.⁶

The term was also used, however, to refer more widely to the idea of fairness between individuals, in contrast with malice, treachery, or the infliction of harm. This broader understanding was due above all to Cicero, and especially to his discussion in the *De officiis*, where this notion of *aequitas* is invoked at numerous points.⁷ As in the case of the *vinculum concordiae*, the concept is obviously a metaphorical one. To describe something in Latin as

¹ The same image recurs in Seneca, *De beneficiis*, e.g. at 6.41.2.

² See Cicero, *De finibus*, 2.35.117 on the 'vincla concordiae'.

³ See St Augustine, *De civitate dei*, Bk. 2, Ch. 21, on *concordia* as 'artissimum atque optimum omni in republica vinculum incolumitatis'. For other references to the *vinculum concordiae* in *De civitate dei* see Bk. 12, Ch. 22, and Bk. 22, Ch. 30.

⁴ See Cicero, *De officiis*, 1.7.22, on how giving and receiving serve 'devincere hominum inter homines societatem'. Cf. also 1.17.56, and 3.31.111.

⁵ See for example *Digest*, 4.4.1.1; 11.7.14.10; 12.4.3.7.

⁶ Aquinas, *Summa*, II.2.120.2; 'pertinet aliquid moderari, scilicet observantiam verborum legis.'

⁷ See Cicero, *De officiis*, where *aequitas* is related to fairness at 3.10.43, contrasted with malice or treachery at 1.19, 62, and with the infliction of harm at 1.9.30 and 3.18.74.

aequus is simply to use a synonym for *planus*, and is thus to describe it as flat or level or smooth.¹ So when Cicero speaks of the need for arrangements between citizens to be *aequus*, his use of the image underlines his demand that—as the *De officiis* puts it—‘private individuals must live on level terms, on a fair and equal footing, with their fellow citizens’.² As a later passage adds, such a willingness to smooth out our differences is the only means to ensure ‘that the interests of all citizens are considered on level terms rather than being handled in a divisive way’.³

The pre-humanist writers adopt exactly the same viewpoint. They fully agree in the first place about the fundamental importance of *concordia*, a concept they connect more closely with peace than is usual in the writings of Aquinas and his followers.⁴ They also make frequent allusion to the image of giving and receiving as the twin bonds of the *vinculum concordiae*. The author of the *Dogma*—who quotes but also adapts Cicero’s analysis—appears to have served as an important intermediary at this as at so many other points. He explains that ‘the obligations of concord’ include ‘that of binding men together in society by a reciprocity of duties, giving and receiving alternately’. He accordingly defines concord as ‘the virtue that spontaneously binds together citizens and compatriots who live together under the same law and in the same place’.⁵ Latini reiterates the same image, speaking of concord as ‘a virtue that ties together under one law and in one place all those who are of one city or one country’.⁶ Finally, a number of later writers of *Dictamina* such as Matteo de’ Libri and Giovanni da Vignano extend the traditional metaphor, using it as a means of proclaiming the value of leagues between cities. An ambassador seeking to form such an alliance, they both suggest, ought always to point out in its favour that ‘a rope is much stronger when it is redoubled’.⁷

¹ For the literal usage in Cicero see for example *Pro A. Caecina*, 17.50.

² Cicero, *De officiis*, 1.34.124: ‘Privatum autem oportet aequo et pari cum civibus iure vivere.’

³ *Ibid.*, 2.23.83: ‘commoda civium non divellere atque omnis aequitate eadem continere.’

⁴ For the linking of peace and concord see for example the *Oculus*, p. 61; Giovanni, *De regimine*, pp. 230–1; Latini, *Tresor*, p. 215; Vignano, *Flore*, p. 256.

⁵ *Dogma*, p. 27: ‘Concordia est virtus concives et compatriotas in eodem iure et cohabitatione spontanee vinciens. Huius haec sunt officia . . . devincire hominum inter homines societatem mutatione officiorum, dando accipiendo.’

⁶ Latini, *Tresor*, p. 291: ‘Concorde est une vertus ki lie en .i. droit et en une habitation ceaus d’une cité et d’un país.’ Cf. also Giamboni, *Libro de’ vizi*, p. 65.

⁷ Libri, *Arringhe*, p. 92: ‘la fune, quando ella è reduplicata, plù forte è.’ See

[Footnote 7 continued on page 14]

These writers also accept that *aequitas* is no less fundamental to the preservation of social life. In their specialized treatises on city government they usually focus on the narrower concept of legal equity, arguing that city magistrates must be prepared, in Giovanni da Viterbo's phrase, 'to be lovers of equity as well as strict justice'.¹ But in their broader works of moral philosophy they discuss the Ciceronian image of *aequitas* as a principle of fair and level dealing between citizens. Guillaume Peyraut, for example, considers the ideal in some detail in analysing the concept of justice. If justice consists in rendering to each his due, he suggests, we ought to ask what is due to whom. To superiors, he goes on, what is due is obedience; to inferiors, what is due is discipline; but 'with respect to those who are our equals, what is due is *aequitas*', a virtue he defines as 'a love of equality in every case where equality of treatment is appropriate'.² 'And this virtue', he concludes, 'is indispensable to all those who live together in any form of social life.'³

There remains the question of what will induce us, prone as we are to follow our own selfish interests, to act together in a spirit of equity and concord to promote the common good. Again these writers answer with a single voice. There can be no prospect of our attaining these goals, and thus of living together in peace, unless we submit to the dictates of justice and allow them to regulate our lives. As Cicero had declared in the *De inventione* (2.53.160), it is only if the requirements of justice are followed that the common good can be conserved. Without justice, as the *De republica* had added in a famous passage cited by St Augustine, there can be no prospect of keeping the bond of concord in place.⁴

There are two *topoi* these writers like to quote to encapsulate this argument. One states that justice represents the ultimate bond of human society. Cicero had laid it down that legal justice 'binds human society together',⁵ but it seems to have been due to the influence of Martin of Braga's *Formula vitae honestae* that the idea of *iustitia* as the ultimate *vinculum societatis humanae* came to be so also Vignano, *Flore*, pp. 280-1, and cf. *Oculus*, p. 39, and Giovanni, *De regimine*, p. 225.

¹ Giovanni, *De regimine*, p. 252: 'sint aequitatis et iustitiae amatores.' Cf. also *Oculus*, p. 36, Orfino, *De regimine*, p. 54, and Libri, *Arringhe*, p. 160.

² Peyraut, *Summa*, I, 295: 'dicendum est de aequitate quae est respectu paris. Et est aequitas amor aequalitatis in his in quibus debet esse aequalitas.'

³ *Ibid.*: 'Virtus aequitatis valde necessaria est his qui sunt in aliqua societate.'

⁴ St Augustine, *De civitate dei*, Bk. 2, Ch. 21. Cf. also Bk. 19, Ch. 21.

⁵ Cicero, *De legibus*, I.15.42: 'ius, quo devincta est hominum societas.'

widely taken up.¹ Peyraut lays great emphasis on Martin's phrase,² as does Giovanni da Viterbo,³ while the section on Justice in Geremia da Montagnone's *Compendium* includes the entire passage from the *Formula* in which it had occurred.⁴

The other *topos* states that, if the common good is to be promoted, it is indispensable that our rulers should be lovers of justice. *Diligite iustitiam qui iudicatis terram*: love justice, you who judge the earth. This injunction, the opening of the apocryphal Book of Wisdom in the Old Testament, resounds throughout the pre-humanist literature on city government. Guillaume Peyraut quotes it at the start of his section on justice,⁵ and it is quoted twice more in the *Oculus*,⁶ twice more by Giovanni da Viterbo,⁷ twice more in Latini's *Tresor*.⁸ Perhaps most significantly, it also appears on the scroll held by the infant Jesus in Simone Martini's *Maestà*, the great fresco he painted in 1315 in the Council chamber next to the Sala dei Nove in Siena.⁹

For all the importance these writers attach to the idea of justice, however, most of them remain content to analyse the concept in relatively simple terms. Some confine themselves merely to citing the familiar adage to the effect that justice consists in rendering to each his due. A few of them, however, feel prompted to ask what is involved in the application of that principle. One influential answer had been given by the author of the *Moralium Dogma Philosophorum*. He had divided the general idea of justice into severity and liberality, claiming that severity is what is due to the pestiferous, while those who act beneficially are owed a liberal tribute or reward.¹⁰ Both Guillaume Peyraut and Giovanni da Viterbo take up the same argument. Peyraut opens his discussion of penal justice by explaining that it is simply a matter of rendering to malefactors what they deserve.¹¹ Similarly, Giovanni

¹ Martin of Braga, 'Formula', ed. Barlow, pp. 236-50; p. 246: 'iustitia . . . [est] vinculum societatis humanae.'

² Peyraut, *Summa*, i, 154.

³ Giovanni, *De regimine*, p. 254.

⁴ Geremia, *Compendium*, fo. 24b.

⁵ Peyraut, *Summa*, i, 244.

⁶ *Oculus*, pp. 36, 66.

⁷ Giovanni, *De regimine*, pp. 246, 257.

⁸ Latini, *Tresor*, pp. 273, 414.

⁹ The inscription reads '[D]iligi/te iusti/tiam q/iudica/tis ter/ram.' The same inscription appears on the scroll held by the infant Jesus in Lippo Memmi's *Maestà* of 1317 in the Council Room of the Palazzo del Comune, San Gimignano.

¹⁰ *Dogma*, pp. 12-13. See also Mussato, *Ecerinide*, p. 48.

¹¹ Peyraut, *Summa*, i, 242.

devotes one of his model speeches designed for the use of chief magistrates to insisting that the sword of justice 'is for returning evil with evil, not evil with good in the manner of the New Testament'.¹ It is in Latini's *Tresor*, however, that we find the most ambitious attempt to spell out the implications of the idea that justice consists essentially in desert. The authority on which he mainly relies at this juncture is Averroes's somewhat idiosyncratic paraphrase of the *Nicomachean Ethics*, a source he in turn adapts and paraphrases to suit his own purposes.

Like Aristotle, Latini begins (Bk. II, Ch. 28) by considering the general idea of legal justice. But whereas Aristotle's next theme had been the nature of just distribution, neither Averroes nor Latini makes any mention of that conception; instead they switch directly to Aristotle's next topic, the question of rectification. Here Latini argues that the just man is essentially an *ygaillieur*, a rectifier of unequal states of affairs.² A *sire* who imposes justice in this sense will thus 'find himself obliged to equalize states of affairs that are not equal'. This means, Latini explains, that 'it will fall to him to kill some, to wound others, to send others into exile'.³ For his basic duty is 'to offer satisfaction in the case of harms that have been received, in such a way that his subjects are able to live in a rightful state of equality'.⁴ Latini later takes up the same point in Chapter 38, clarifying his earlier analysis by further explaining the sense in which the just man may be said to equalize things. 'He does so in two ways: one is by handing out money and dignities; the other is by saving and paying back those who have received harm.'⁵ By these means, he concludes, 'those who rectify acts and things between men serve as upholders of the law, guarding and doing justice both to those who do harm and to those who suffer it'.⁶

After his initial discussion in Chapter 28, Latini turns to consider another question about *ygaillance*. This arises from the fact

¹ Giovanni, *De regimine*, p. 235: 'non reddendo eisdem secundum novum testamentum bonum pro malo sed malum pro malo.' See also pp. 249, 267, 277.

² Latini, *Tresor*, p. 198: 'L'ome juste est ygaillieur.'

³ Ibid.: 'li sires de la justice s'efforce d'ygaillier les choses ki ne sont ygaus, donc il li covient l'un ocire, l'autre navrer, l'autre chacier en exil.'

⁴ Ibid. pp. 198-9: 'fere satisfaction des torsfés quant il avienent, issi que ses subtés vivent en bone fermeté d'ygaillance.'

⁵ Ibid. p. 204: 'c'est en .ii. manieres, l'une est departir pecune et dignité, l'autre est sauver et apoier ceus ki ont recheu tort.'

⁶ Ibid.: 'Et cil ki saine et sauve les fais et les choses ki entre les homes sont est cil ki fist la loi, et esgarde et fet justice entre ciaux ki font les torsfés et ciaux ki les reçoivent.'

that 'citizens and people who live together in cities engage in mutual exchanges with each other'.¹ So we need a further principle of equalization to cover these *entreservices*. For we need to ensure that (to cite his own examples) metal-workers can hope to exchange their wares with cordwainers or with carpenters in accordance with the precepts of justice.² Again, this further point is taken up in Chapter 38, where Latini repeats that there are principles of justice involved not merely in rewarding and punishing, but also 'in giving and receiving and exchanging'. 'For drapers give cloth for other things', while 'metal-workers give what they make in metal for other things', and all such *entreservices* ought to be regulated according to the requirements of justice.³

These discussions, however, still leave unanswered the most important practical question about justice: what will induce us, self-interested as we are, to accept the intrusion of so many legal regulations into our daily lives? According to scholastic and contractarian theories of government, the answer is relatively straightforward: we are not held to stand in need of any very strong external inducement. We are capable of intuiting the principles of justice, and of recognizing that we shall ultimately be following our own best interests if we establish a regulated form of social life based on imposing those principles in the form of positive laws. It follows that, as long as we are rational, we are bound to consent to the setting up of a form of magistracy that will have the effect of imposing the rule of law equally upon everyone. This is essentially the doctrine that Aquinas and his disciples derive from the Aristotelian thesis of natural sociability, a thesis they supplement with the contention that our ability to intuit the rules of justice derives from their being at the same time the laws of God.

According to another and strongly contrasting tradition of thought, however, we are not innately social or political animals at all. This doctrine, stoic and anti-Aristotelian in origin, stems in its most influential version from the moral and rhetorical writings of Cicero and Seneca. Cicero's *De inventione* opens with a classic statement of the case. 'There was once a time when men wandered about in the fields in the manner of wild beasts.'⁴ 'They conducted

¹ Ibid., p. 199: 'Li citein, et cil ki habitent ensamble en une vile, s'entreservent li uns as autres.'

² Ibid.

³ Ibid., p. 205: 'Justice . . . ne puet estre sans doner et prendre et changier; car li drapiers done drap pour autre chose dont il a mestier, et li fevres done son fier por autre chose.'

⁴ Cicero, *De inventione*, 1.2.2.: 'Nam fuit quoddam tempus cum in agris homines passim bestiarum modo vagabantur.'

their affairs without the least guidance of reason',¹ and 'no one recognized the value inherent in an equitable code of law'.² Nor should we think of them as willingly abandoning this way of life; rather 'they cried out at first against any innovations'.³ From this Cicero infers that, since we now live under the rule of law, 'a great and wise man' must at some point have succeeded in persuading us to abandon our natural and brutish ways.⁴ The shift to our present social and political life is seen, in short, not as the fruit of our own decision, rationally and voluntarily made; it is seen as the achievement of an heroic figure who is held up for our admiration throughout this tradition of thought: the wise lawgiver. It must have been due to such a *vir sapiens*, Cicero insists, that men were first persuaded 'to keep faith, follow the rules of justice and work for the common good'.⁵ And it must have been due to his combination of eloquence with *sapientia* that he managed to impose these rules upon reluctant and brutish men, 'inducing them to submit without violence to the dictates of justice'.⁶

The quality of *sapientia* is thus hailed by Cicero as 'the mother of all good things',⁷ and 'the leader of all the virtues',⁸ since it furnishes 'a knowledge of things at once human and divine, including a knowledge of the relations between men and the gods, and of human society itself'.⁹ Seneca later adopts essentially the same viewpoint, adding that *sapientia* ought above all to act 'as our mistress and ruler',¹⁰ since 'it is wisdom which disposes us to peace and calls mankind to concord'.¹¹

If we turn to the pre-humanist writers on city government, we find exactly the same arguments taken up. Orfino da Lodi and Giovanni da Viterbo both lay particular stress on the importance

¹ Cicero, *De inventione*, 1.2.2: 'nec ratione animi quicquam . . . administrabant.'

² Ibid.: 'non, ius aequabile quid utilitatis haberet, acceperat.'

³ Ibid.: 'primo propter insolentiam reclamantes.'

⁴ Ibid.: 'quidam magnus videlicet vir et sapiens.'

⁵ Ibid.: 'ut fidem colere et iustitiam retinere . . . [et laborare] communis commodi causa.'

⁶ Ibid.: 'commotus oratione . . . ad ius voluisset sine vi descendere.'

⁷ Cicero, *De legibus*, 1.22.58: 'mater omnium bonarum rerum sit sapientia.'

⁸ Cicero, *De officiis*, 1.43.153: 'Princepsque omnium virtutum illa sapientia.'

⁹ Ibid.: 'rerum est divinarum et humanarum scientia, in qua continetur deorum et hominum communitas et societas inter ipsos.'

¹⁰ Seneca, *Epistulae morales*, 85.32: 'Sapientia domina rectrixque est.'

¹¹ Ibid., 90.26-7: 'Sapientia . . . paci favet et genus humanum ad concordiam vocat.'

of *sapientia*,¹ but it is Brunetto Latini who quotes and follows the Ciceronian analysis with the greatest fidelity. The idea of wisdom as the quality which ought above all to preside over our common life is central to his section on 'The precepts of the vices and virtues'. His chapter on 'What Cicero says about the virtues' claims that 'the hearts of wise men resemble celestial paradise',² while a later chapter adds that 'without sense and wisdom we are unable to live aright, either in relation to God or to the world'.³ The discussion ends by quoting the injunction from the Book of Proverbs to the effect that we must 'purchase wisdom at the expense of all other possessions' for 'it is more precious than any treasure' and 'nothing can be compared with it'.⁴

Latini also stresses, however, that most men lack the wisdom which alone enables them to accept the dictates of justice. Left to themselves, 'men would willingly hold on to the freedom given to them by nature, and would have no wish to bow their necks to the judgment of *signories*'.⁵ Going beyond these references to the *De inventione*, Latini adds that this can actually be proved historically. 'For at the beginning of this century, when there was neither king nor emperor on earth, justice was unknown, and the people of that time lived in the manner of beasts', subsisting 'without law and without any form of communal life'.⁶

It follows, for Latini no less than for Cicero, that those who live under the rule of law must at some stage have been induced to accept the dictates of justice by the wisdom of a great lawgiver. Originally, Latini suggests, 'evil actions multiplied and malefactors remained unpunished'.⁷ But 'later there arose an outstanding leader who, by means of his wisdom, assembled men together and ordained that they should live together, maintaining

¹ See Orfino *De regimine*, esp. pp. 74, 75, 90, and Giovanni, *De regimine*, esp. pp. 217, 220, 245-6, 276, 278.

² Latini, *Tresor*, p. 228 on 'li cuers des sages': 'tele ame estre resamblable au paradis celestiel.'

³ Ibid., p. 231: 'sans sens et sans sapience ne poroit nus bien vivre, ne a Dieu ne au monde.'

⁴ Ibid., p. 232: 'por toutes tes possessions achate sapience, ki est plus precieuse ke nul trezors . . . et nule chose amee ne puet estre comparee a lui.'

⁵ Ibid., p. 272: 'Li home gardaissent volentiers la franchise que nature lor avoit donnee: et n'eussent mie mis lor cos au joug des signories.'

⁶ Ibid., pp. 271-2: 'car au comencement dou siecle, quant il n'avoit en tiere ne roi ne empereor, ne justice n'estoit conneue, les gens de lors vivoient en guise de bestes . . . sans loi et sans communauté.'

⁷ Ibid., p. 272: 'les males oevres mouteplioient perilleusement et li maufetour n'estoient chastoiet.'

human company and establishing the rules of justice and rightfulness'.¹

With this vision of the relations between wisdom and justice, we arrive at the heart of the moral assumptions embodied in the pre-humanist literature on city government. The hope by which these writers are animated is that, if our rulers are inspired by wisdom, and therefore love justice, their enactments will succeed in binding us together in concord and equity in such a way as will bring about the common good and, in consequence, the triumph of peace.

It was not the main concern of these writers, however, to analyse the very abstract concepts on which I have so far concentrated, and they commonly discussed them in a less systematic manner than my paraphrase has probably implied. The question that principally concerned them was a more practical though a closely related one. If we wish to see the rule of law imposed, the common good upheld, the blessings of peace attained, under what specific form of government should we ideally seek to live our lives?

Among scholastic writers of this period there was no agreed answer to such questions about the best form of government. Aristotle had distinguished in the *Politics* between four different types of lawful regime: monarchy, aristocracy, democracy, and that form of mixed government which seeks to combine the values of each pure type while avoiding their weaknesses.² Confronted with this classification, the scholastic writers of the *Regnum Italicum* responded in a variety of ways. Some, like Giles of Rome, insisted on the superiority of monarchical regimes.³ Others, like Henry of Rimini and Ptolemy of Lucca, defended the virtues of mixed government.⁴ Still others, like Aquinas and Marsilius of Padua, suggested that the true spirit of Aristotle's typology will only be captured if we recognize that the best form of government may vary with varying circumstances.⁵

¹ Latini, *Tresor*, p. 272: 'Lors furent aucun preudome ki par lor sens assamblèrent et ordenerent les gens a abiter ensamble et a garder humaine compaignie et establirent justice et droiture.'

² Aristotle, *Politics*, 1279a-b, and 1293b-1295a.

³ Giles of Rome, *De regimine principum*, ed. H. Samaritani (Rome, 1607, p. 456).

⁴ Henry of Rimini, *Tractatus de quattuor virtutibus cardinalibus* (Strasbourg, 1472), II. 14, fos. 37a-b; Ptolemy of Lucca, *De regimine principum* in St Thomas Aquinas, *Opuscula philosophica* (ed. R. Spiazzi, Turin, 1973), pp. 323, 336.

⁵ St Thomas Aquinas, *ibid.*, defends monarchy (p. 260), but praises civic regimes (p. 262). Marsilius of Padua, *Defensor pacis* (ed. C. Previtè-Orton, Cambridge, 1928), refuses (p. 29) to take sides.

By contrast, the pre-humanist writers are all convinced that, at least in the case of free cities, there is one type of regime which is indisputably to be preferred.¹ Latini summarizes the common viewpoint at the start of his chapter on *Signories*. 'There are three forms of government', he declares, 'the first being rule by kings, the second rule by the nobles, the third rule by the *commune* itself.' 'And among these', he adds, 'the third is better than the others.'² Later he explains in more detail what he means by speaking of communes as the possessors of *signorie*. The form of government he has in mind is 'that which is peculiar to Italy', where the citizens elect their own magistrates, permit them to hold power 'only for a single year' and bind them to act 'in whatever way seems most beneficial to the common good of the city and all their subjects'.³

Discussing this type of regime, the earliest treatises on city government usually address themselves specifically to the figure of the chief magistrate, an official whose position they designate in a variety of ways. The *Oculus* sometimes speaks of the *rector* of a city, sometimes of the *potestas*,⁴ while the vernacular writers of *Dictamina* sometimes speak of the *signore* and sometimes the *podestà*, two terms they generally use interchangeably.⁵ Later writers, however, normally assume that power will be vested not with an individual *podestà* but rather with a *signoria*—with a body of *priores* or *signori* acting together as a ruling group. Giovanni da Viterbo, for example, while offering his advice 'to the *potestas* or *rector* or *preses*', makes it clear that he thinks of such magistrates principally as chairmen of the various executive councils a citizen-body may be expected to set up. Supreme authority he accordingly takes to be lodged mainly with those councils themselves, in line with the civil-law axiom—beloved of all these writers—to the effect that 'what touches all must be approved by all'.⁶

¹ There is one interesting exception. Pseudo-Apuleius, *De monarchia*, ed. B. Kohl and N. Siraisi in *Mediaevalia*, vii (1981), 1–39, insists (p. 20) on the necessity of a monarchical regime.

² Latini, *Tresor*, p. 211: 'Seignouries sont de .iii. manieres, l'une est des rois, la seconde est des bons, la tierce est des communes, laquele est la très millour entre ces autres.'

³ *Ibid.*, p. 392: '[en Ytaile] il sont par annees . . . tel comme il quident qu'il soit plus prouftables au commun preu de la vile et de tous lor subtés.'

⁴ *Oculus*, pp. 23, 25, *et passim*.

⁵ See, for example, Guido Faba, *Parlamenti ed epistole*, ed. A. Gaudenzi in *I suoni, le forme e le parole dell'odierno dialetto della città di Bologna* (Turin, 1889), pp. 127–60, at pp. 159–60, and Ceffi, *Dicerie*, pp. 47–8.

⁶ Giovanni, *De regimine*, pp. 218, 221, and cf. p. 260.

These assumptions echo the actual constitutions of the city-republics, which normally assigned supreme political authority to a *signoria* or group of *priores*. In the case of Siena, for example, the Constitution of 1262 gives untrammelled power 'to propose anything that seems to promote the good and pacific state of the people and commune of Siena' to the secret council of the Viginti Quattor, the Twenty-four Priors.¹ Similarly, the vernacular version of the Constitution issued in 1309-10 addresses itself mainly to the Nove, who are invariably described as the *signori* of the city and are said to be invested 'with a plenitude of *podestà* and complete authority'.²

This plenitude of *podestà* was generally conceived in all-embracing terms. The Nove, for example, were given effective control of Siena's main council, as well as constituting an inner council of their own for most executive purposes.³ They were invested with the highest legal authority, including the *ius gladii* or right of judicial execution over citizens.⁴ Their writ was assumed to run, moreover, not merely within the city but also throughout the *contado*, a point on which the Constitution of 1309 lays particular emphasis. This requires the Nove to appoint governors to all fortified places within Sienese territory, to ensure that such *signori* remain faithful to the city and to remove any suspected of being rebels or traitors to the commune.⁵ Finally, the Nove were able to call on a considerable measure of armed support: they maintained one body of police under their own command; they revived the post of *Capitano del popolo* and placed him in charge of another; and by an ordinance of 1302 they recruited a further force of two thousand *contadini* to keep the peace in the surrounding countryside.⁶

Reflecting on the nature of these powers, the writers on city government frequently describe them in elaborately symbolic terms. City magistrates are instructed to deliver their judgements 'from a throne of glory';⁷ to carry a sceptre 'in their strong right

¹ *Il costituito del comune di Siena dell'anno 1262* (ed. L. Zdekauer, Milan, 1897), p. 72 on the consilium secretum of the Priores XXIII or, 'in quo . . . proponant id, quod videbitur . . . pro bono et pacifico statu populi et comunis Senarum'.

² See *Il costituito* (ed. Lisini), ii. 488, on the 'plenitudine di podestà et balia' of the Nove Signori.

³ Bowsky, *Commune*, pp. 85-103.

⁴ See the oath sworn by the Nove in Bowsky, *Commune*, pp. 55-6, and similar discussions in *Oculus*, pp. 26, 35, and Latini, *Tresor*, pp. 413, 417, 420.

⁵ See *Il costituito* (ed. Lisini), esp. i. 99, ii. 502-3, 506-7, and cf. *Breves* (ed. Banchi), pp. 31, 102-4.

⁶ Bowsky, *Commune*, pp. 36-42, 120, 129.

⁷ On the 'solum gloriae' see Giovanni, *De regimine* p. 233, and cf. Latini, *Tresor*, p. 406.

hand, with extended arm;¹ and to ensure that the sceptre itself 'is not like a reed, but strong and made of wood, like a shepherd's staff'.² Drawing on a familiar set of classical images, Giovanni da Viterbo adds that our leading magistrates constitute the 'heads' of the body-politic, while we as citizens form the limbs or 'members' of such bodies, living 'under' our heads and in obedience to their commands.³ Latini adds a more Biblical set of metaphors to convey a similar thought. He speaks of our *sires* as 'shields and guards of our community',⁴ and warns that 'their shoulders must never be feeble', because 'anyone who accepts a *signorie*' must recognize 'that he is submitting his shoulders to a great charge'.⁵

For all the plenitude of power assigned to such *signori*, however, these writers remain insistent that their authority can never be lawfully exercised except in the manner characterized by the *Oculus* as *rethorialis*.⁶ City magistrates are always addressed as mere officials, never as *domini* or lords, and great emphasis is always placed on the limited character of their rule. They can only hold office for brief and statutory periods of time. They can only be elected with the consent of the citizen-body as a whole. While in office, moreover, they can only exercise authority in accordance with the existing laws and customs of the community.⁷ The effect of this system, as Giovanni da Viterbo summarizes it, is that the laws themselves rule, in accordance with the precept that 'those who preside over the affairs of republics must themselves be analogous to the laws'.⁸

This contrasting perspective is likewise expressed in elaborately metaphorical terms. One favourite image pictures our rulers as tied or bound by their obligation to execute justice and procure the common good. Orfino da Lodi speaks of *rectores* as 'held by the law';⁹ Guido Fabia advises in one of his model speeches that an

¹ Giovanni, *De regimine*, p. 247: 'manu forti et brachio extenso.'

² *Oculus*, p. 63: 'non arundineum, sed ligneum et fortem, similem baculo pastorali.'

³ Giovanni, *De regimine*, pp. 222, 231, 234, 249, 260-1. Cf. also Vignano, *Flore*, pp. 285, 296.

⁴ Latini, *Tresor*, p. 408: 'soit il chiés et gardeour dou commun.' Cf. also pp. 401, 418.

⁵ *Ibid.*, pp. 398-9: a good sire 'n'a pas les espauls fiebles', since 'il sousmet ses espauls a si grant charge'.

⁶ *Oculus*, pp. 23-4.

⁷ See for example the discussion of the powers of the Nove in Bowsky, *Commune*, pp. 54-84.

⁸ Giovanni, *De regimine*, p. 238: 'hii, qui praesunt rei publicae, legum similes sint.'

⁹ Orfino, *De regimine*, p. 55: 'Rector . . . lege tenetur.'

incoming *podestà* should confess that 'I am bound to serve you at all times';¹ and Giovanni da Viterbo, thinking more of ruling *signorie* than of individual *rectores*, similarly claims that 'a *podestà* is bound or tied to accept whatever the city council has decreed'.² The same image recurs even more frequently in official documents. The *Breves* of Siena begins by describing each official as 'held' to the performance of his duties and 'tied by his own special brief'.³ Similarly, the Sienese Constitution of 1309-10 states in virtually every rubric concerning the Nove that 'they ought and they are bound' to act as the constitution prescribes.⁴ As a result, the final guise in which these writers portray their rulers is as bondsmen or public servants. Orfino da Lodi says of city *rectores* that they 'serve the public';⁵ Giovanni da Viterbo speaks of every elected official as a public servant;⁶ and Latini concludes his chapter on city government by advising *sires* at the end of their *signorie* that 'you should offer yourselves and all your power in the service of the city for the whole of your life'.⁷

This apparently paradoxical vision of our rulers as at once masters and servants is further clarified by means of an especially revealing image drawn from the *De officiis*. Cicero had declared in a famous passage of Book I that 'it is the particular duty of our magistrates to recognize that *se gerere personam civitatis*'—that they enact or represent or 'bear in their own person' the *persona* of the city itself. To this he had added that 'they must also remember that all their powers are committed to them in trust'.⁸ The importance of this passage can hardly be overestimated. The author of the *Dogma* quotes it in its entirety at the start of his section on 'the duties of those engaged in public affairs';⁹ Giovanni da Viterbo quotes it again at the end of one of his principal chapters on the duties of magistrates.¹⁰ Both writers are able in consequence to articulate one of the most central but elusive

¹ Faba, *Parlamenti*, p. 157: 'omne tempo sone obligato a li vostro servisii.'

² Giovanni, *De regimine*, p. 261: 'quod consilium decrevit, potestas observare tenetur.' See also p. 235, and cf. Libri, *Arringhe*, p. 72.

³ *Breves* (ed. Banchi), p. 7: 'alligatur Statuto . . . suo Breve speciali ligetur.'

⁴ *Il costituito* (ed. Lisini), ii. 498: the Nove 'sieno tenuti et debiano', a formula that recurs at pp. 499, 500, 501, *et passim*.

⁵ Orfino, *De regimine*, p. 55: 'Rector . . . rem publicam servet.'

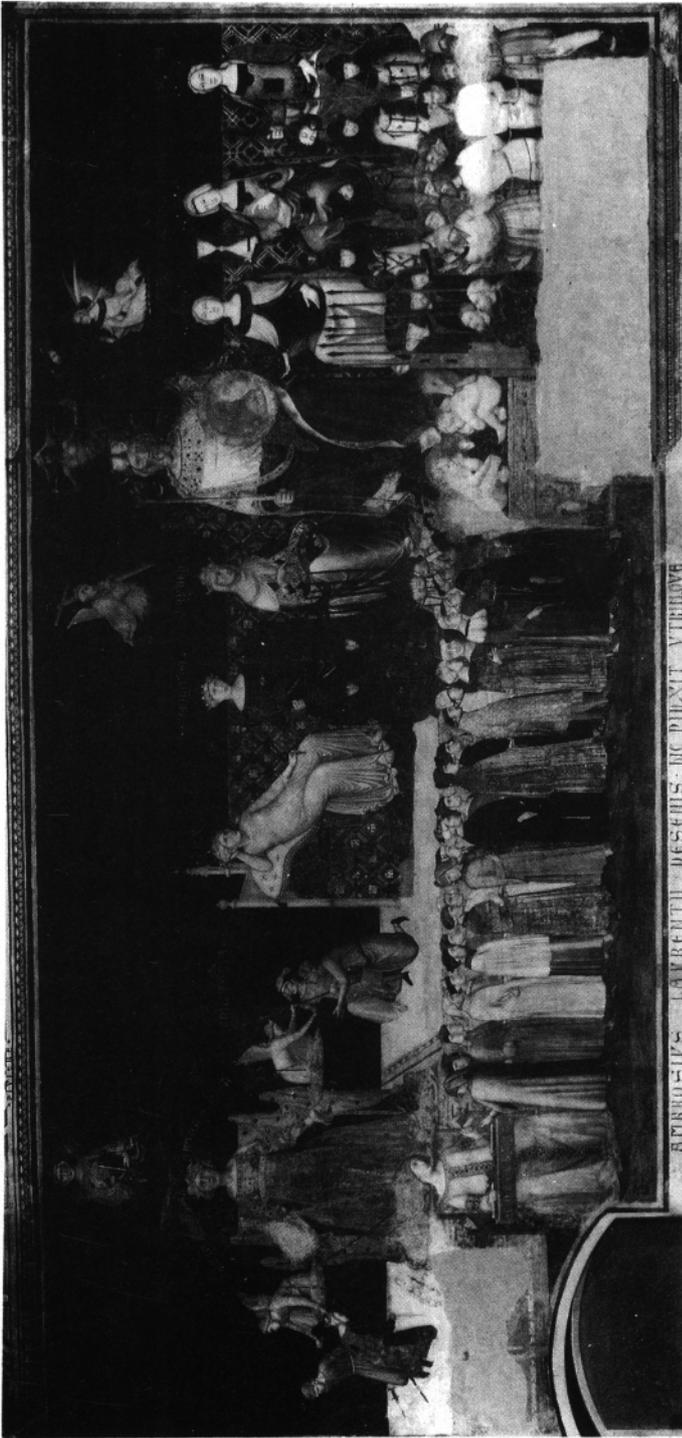
⁶ Giovanni, *De regimine*, p. 259; cf. also pp. 222, 234, 272.

⁷ Latini, *Tresor*, p. 422: 'offrir toi et tout ton pooir en lor service en tote ta vie.'

⁸ Cicero, *De officiis*, 1.34.124: 'Est igitur proprium munus magistratus intellegere se gerere personam civitatis debereque . . . ea fidei suae commissa meminisse.'

⁹ *Dogma*, p. 47.

¹⁰ Giovanni, *De regimine*, p. 268.



Palazzo Pubblico, Siena

AMBROGIO LORENZETTI: DESCHIS - NIC. PIGNATI A. THERLIERE

Ph.: Grassi, Siena

Ambrogio Lorenzetti: fresco in Sala dei Nove, Palazzo Pubblico, Siena, with portrait of peace, together with justice and other virtues.



Palazzo Pubblico, Siena

Ph.: Grassi, Siena

Ambrogio Lorenzetti: fresco in Sala dei Nove, Palazzo Pubblico, Siena, with portrait of the tyrant and accompanying vices.

concepts in this tradition of thought: the concept of representation, the idea that the powers of our rulers are in truth nothing more than an expression of, a way of representing, the powers of the community over which they preside.

As well as discussing the best form of government, there is one further and closely related question these writers usually address at some length. What range of virtues and other qualities are required on the part of our chief magistrates if they are to succeed in promoting the common good and in consequence the cause of peace?

The ideal magistrate is said to be distinguished by his possession of all the virtues 'that go to make a perfect man'.¹ These attributes are in turn agreed to fall into two categories. First come the so-called 'contemplative' or 'theological' virtues, a group of qualities these writers seldom examine in much detail, although they always mention them with deep reverence. Generally they are content to follow St Paul's teaching in 1 Corinthians 13, where he had laid it down that there are three theological virtues, Faith, Hope, and Charity, and that the greatest of these is Charity. Latini, for example, simply summarizes the conventional wisdom when he states that the gift of charity accompanies faith and hope, and is in itself 'the bond of perfection and queen of all the other virtues'.²

The other group of virtues—the object of their main and sometimes their sole attention—they describe in a variety of ways. Some follow their Roman authorities in calling them the qualities of the active as opposed to the contemplative life.³ Some prefer the coinage originally owed to St Ambrose, who had first characterized them simply as the 'cardinal' virtues.⁴ But others make clearer the connection between these attributes and the arts of government by adopting Macrobius's suggestion⁵ that we should think of them as the 'political' virtues,⁶ 'the qualities most of all needed by those involved in government'.⁷

¹ The claim that the virtues 'perfectum te facient virum' occurs in Martin, *Formula*, p. 247.

² Latini, *Tresor*, p. 310: 'ele est dame et roine de toutes vertus et liens de la perfection.'

³ e.g., *ibid.*, p. 308. Cf. also p. 230.

⁴ But this usage was mainly confined to scholastic philosophers. See, for example, Aquinas, *Summa*, I.ii.61.1, quoting St Ambrose, and Giles, *De regimine*, p. 58.

⁵ Macrobius, *Commentarii in Somnium Scipionis* (ed. F. Eyssenhardt, Leipzig, 1893), I.8.5., pp. 517–18.

⁶ e.g. Guido Faba, *Summa de viciis et virtutibus*, ed. V. Pini in *Quadrivium*, I (1956), 41–152, at p. 128.

⁷ *Dogma*, p. 79: 'Primae [virtutes] sunt politicae . . . conveniunt illis qui regunt rempublicam.'

Among these qualities, the greatest in order of importance is invariably said to be prudence. One influential source for this judgement was Martin of Braga, who had argued in his *Formula* that 'there are four species of virtue' and that 'among these the first is prudence'.¹ Giovanni da Viterbo, for example, simply transcribes Martin's account at the start of his own section on the virtues of magistrates.² A second source of the same judgement was Cicero's *De officiis*, especially as expounded and elaborated by such later moralists as the author of the *Dogma* and Guillaume Peyraut. If we turn, for example, to Latini's section on the virtues and vices, we find him drawing heavily on both these authorities. He opens his general chapter on moral virtue with Peyraut's assertion that 'anyone who well considers the truth will find that prudence is the foundation of all the other virtues'.³ He begins his own analysis of prudence by quoting the *Dogma* to the effect that this is the virtue 'which goes before all the others'.⁴ And he brings his discussion to a close with Peyraut's further claim that 'prudence, which is the first of the virtues, is also the queen and ruler of all the rest'.⁵

Beyond this point, however, there is no complete agreement; rather we need to distinguish two contrasting lines of thought. According to the dominant tradition, largely inherited from Cicero, there are three further cardinal virtues. They are justice, fortitude, and temperance, with justice being by far the most important. Cicero had put forward these contentions in the *De inventione* (2.53.159) as well as in Book I of the *De officiis*. The latter analysis focuses first on *iustitia*, then on the virtue of those who act *magno animo et fortiter* and finally on *temperantia*. The discussion is prefaced by the claim that these are the qualities needed to preserve the community of mankind, and that among these social virtues 'the greatest glory lies in justice, on the basis of which alone men are called good'.⁶

This classification, which appears again in the *Disputationes Tusculanae* (3.17.36-7), was in turn adopted by Macrobius in his

¹ Martin, *Formula*, p. 237: 'Quattuor virtutum species [sunt] . . . harum prima est prudentia.'

² Giovanni, *De regimine*, p. 252.

³ Latini, *Tresor*, p. 230: 'ki bien consire la verité, il trovera que prudence est le fondement des unes et des autres [vertus].' Cf. Peyraut, *Summa*, i, 157, 176.

⁴ Latini, *Tresor*, p. 231: '[Prudence] vait par devant les autres vertus.' Cf. *Dogma*, p. 8.

⁵ Latini, *Tresor*, p. 248: 'prudence, ki est li premiere des autres, et ki est dame et ordeneresse.' Cf. Peyraut, *Summa*, i, 155.

⁶ Cicero, *De officiis*, 1.7.20: 'iustitia, in qua virtutis est splendor maximus, ex qua viri boni nominantur.'

immensely influential commentary on Cicero's *Somnium Scipionis*.¹ From there it seems to have passed into general currency.² It recurs, for example, in most of the moral treatises of Ciceronian inspiration that were later quarried by the pre-humanist writers on city government. The author of the *Dogma* lists the three principal virtues of social life—with evident attention to their order of priority—as justice, fortitude, and temperance.³ So does Guillaume Peyraut in his *Summa*;⁴ so does Guido Faba in his *Summa de viciis et virtutibus*.⁵ Finally, the same classification recurs yet again in the writings of Aquinas and his immediate followers. Aquinas himself maintains in the *Summa* that the three cardinal virtues of social life are justice, fortitude, and temperance, quoting the *De officiis* as his authority for the further claim that 'among these moral virtues, justice is more outstanding than all the rest'.⁶ Giles of Rome repeats the classification in his *De regimine principum*;⁷ so does Henry of Rimini in his *De quattuor virtutibus cardinalibus*.⁸

By contrast with this orthodoxy, a rival way of thinking about the virtues developed out of Senecan roots. One striking difference between this tradition and the Ciceronian one is that justice, instead of taking precedence over the other social virtues, is actually placed last on the list. This was the ordering Seneca himself had adopted in his discussion of 'perfect virtue', in the course of which he had enumerated the four leading virtues as temperance, fortitude, prudence, and, finally, justice.⁹ Martin of Braga—who may have had access to a lost Senecan tract¹⁰—later suggested the same ordering in his *Formula*, adding the explicit claim that justice ought to be considered after the other virtues.¹¹ With the *Formula* as an intermediary, the same analysis

¹ Macrobius (ed. Eyssenhardt), I.8.7., p. 518.

² See O. Lottin, *Psychologie et morale aux XIIe et XIIIe siècles* (6 vols., Louvain, 1942–60), iii. 154, 156, and R. Tuve, *Allegorical Imagery* (Princeton, 1966), pp. 59–60. It is thus misleading to suppose (as for example Wieruszowski does in *Politics and Culture*, p. 488 n.) that the conception of justice as highest among the political virtues is a specifically Aristotelian one.

³ *Dogma*, p. 7.

⁴ Peyraut, *Summa*, i, 152 cites Macrobius. But cf. i, 176.

⁵ Faba, *Summa*, p. 129.

⁶ Aquinas, *Summa*, II.ii.58.12: [iustitia] praecellit inter alias virtutes morales.

⁷ Giles, *De regimine*, pp. 58, 71–82.

⁸ Henry, *Virtutibus*, II. 1, fo. 25a; III. 1, fo. 60b; IV. 1, fo. 97a.

⁹ Seneca, *Epistulae Morales*, 120.11.

¹⁰ See Tuve, *Allegorical Imagery*, p. 206.

¹¹ Martin, *Formula*, pp. 237, 246.

later surfaces in several of the pre-humanist treatises on city government. Giovanni da Viterbo, for example, simply transcribes his whole chapter on justice out of Martin's account.¹ Latini also adopts the Senecan classification, while making it even clearer that his relegation of justice to last place is no mere accident. After prudence, he declares, we should speak 'first of temperance and fortitude rather than of justice, because these two qualities serve to address the heart of man to works of justice'.² It follows, he later repeats, that 'justice comes after all the other virtues'.³

The other distinctive feature of the Senecan tradition lies in the prominence it assigns to the virtue of magnanimity. The term *magnanimitas* had of course been coined by Cicero, who had used it to render the Greek ideal of the 'high souled man'.⁴ But the concept cannot be said to figure very prominently in his moral thought. In the *De officiis* he mentions it only once, in a passage of some obscurity, where he appears to connect or perhaps equate it with fortitude (1.43.152). In the *De inventione* he never mentions it at all, in spite of the fact that his analysis of fortitude in that work includes a highly influential attempt to itemize its various 'parts' (2.54.163).

Seeking to reconcile Cicero's various pronouncements, Macrobius originated the suggestion that the right way to think about magnanimity must be to regard it simply as one of the subordinate parts of fortitude.⁵ Thereafter this classification came to be very widely accepted. The author of the *Dogma*, for example, treats magnanimity together with constancy as the two eyes of fortitude,⁶ an image Guido Faba later reiterates in his *Summa de viciis et virtutibus*.⁷ Guillaume Peyraut, following Macrobius even more closely, maintains that the general idea of fortitude can be divided into six elements, and that these can be itemized as magnanimity, faith, security, patience, constancy, and magnificence.⁸ Finally, Aquinas and his immediate disciples—for all their basically Aristotelian allegiances—treat the concept of magnanimity in precisely the same way. When Aquinas discusses the cardinal virtues in the *Summa*, he explicitly asks 'whether magnanimity is a part of fortitude'. Citing Macrobius as his leading authority, he

¹ Giovanni, *De regimine*, pp. 252, 253-4.

² Latini, *Tresor*, p. 248: 'premierement d'atemprance et de force que de justice, por çou ke l'un et l'autre est por adrecier le corage de l'home as oevres de justice.'

³ *Ibid.*, p. 271: 'Justice vient après toutes les autres vertus.'

⁴ See R.-A. Gauthier, *Magnanimité* (Paris, 1951), pp. 168-9.

⁵ Macrobius (ed. Eyssenhardt), 1.8.7., p. 518.

⁶ *Dogma*, p. 79.

⁷ Faba, *Summa*, p. 129.

⁸ Peyraut, *Summa*, i, 210-42.

answers that 'magnanimity is indeed to be understood as a part of fortitude', and adds that the right way to conceive of it is 'as a secondary element joined to fortitude as the principal quality'.¹

Within the Senecan tradition, by contrast, the virtue of magnanimity occupies an absolutely central place.² It was Seneca who originally fixed the familiar application of the term to describe those who hold themselves aloof from small-minded resentments and jealousies. 'The quality of magnanimity', as he puts it, 'cannot stand out unless we learn to view with disdain the petty concerns that preoccupy the ordinary run of men.'³ He accordingly thinks of it as a virtue particularly suited to those who have charge of public affairs. 'Although magnanimity graces all who possess it, good fortune gives it greater opportunities, and it shows to better advantage in the judgement-seat than in lower places.'⁴ He is thus prepared to argue that magnanimity is not merely one of the principal virtues of social life, but is arguably the most important of all. 'If we could look into the soul of a good man, we should find it shining with justice, fortitude, temperance, and prudence. But in addition, and arising out of all these virtues, we should find the virtue of magnanimity, the very greatest of these qualities.'⁵

If we turn to the moral theories of Aquinas and his disciples we find these arguments considered and deliberately set aside.⁶ But if we turn to the pre-humanist writers on city government we find the same arguments strongly endorsed. As before, Martin of Braga's *Formula* seems to have served as a crucial intermediary in the transmission of these values.⁷ The *Formula* had spoken consistently of magnanimity not as one of the subordinate elements of fortitude, but rather as a synonym for fortitude

¹ Aquinas, *Summa*, II.ii.129.5: 'Utrum magnanimitas sit pars fortitudinis.' 'Magnanimitas ponitur pars fortitudinis, quia adiungitur ei sicut secundaria principali.' So too Henry, *Virtutibus*, III. 4, fo. 69a.

² Gauthier, *Magnanimité*, p. 157, arguably makes insufficient distinction between these strands of thought. For a valuable corrective see the article by Tuve cited on p. 91, n. 3.

³ Seneca, *Epistulae Morales*, 74.13: 'magnanimitas . . . non potest eminere, nisi omnia velut minuta contempsit, quae pro maximis vulgus optat.'

⁴ Seneca, *De clementia*, 1.5.3: 'Decet magnanimitas quemlibet mortalem . . . tamen magnanimitas in bona fortuna laxiorem locum habet meliusque in tribunali quam in plano conspicitur.'

⁵ Seneca, *Epistulae Morales*, 115.3: 'Si nobis animum boni viri liceret inspicere . . . videremus, hinc iustitia, illinc fortitudine, hinc temperantia prudentiaque lucentibus. . . et ex istis magnanimitas eminentissima.'

⁶ See, for example, Aquinas, *Summa*, II.ii.129.5.

⁷ See Gauthier, *Magnanimité*, p. 240.

itself.¹ Giovanni da Viterbo and Latini both adopt the same viewpoint, and both initiate their discussions of magnanimity by quoting Martin's observation to the effect that 'this virtue is also known as fortitude'.²

Turning to analyse the concept, they continue to make clear their essentially Senecan allegiances. In particular, they agree that magnanimity is a quality mainly to be associated with men of great fortune and public importance. Giovanni da Viterbo starts by arguing that an ideal magistrate should be endowed with discretion and magnanimity above all else, and later cites the entire passage in which Seneca had argued that magnanimity is an attribute peculiarly suited to those who sit in judgement on others.³ Speaking even more fulsomely, Latini adds that magnanimity 'is the virtue that gives a man boldness and a sure heart, and grants him the courage he needs in order to undertake great things'.⁴

Latini ends by committing himself to the view that magnanimity is perhaps the most splendid of all the virtues. His special emphasis on the point derives from the fact that he takes his argument at this juncture not only from Martin's *Formula*, but also from Averroes's paraphrase of the *Nicomachean Ethics*. Drawing on this novel source, he is able to include a further chapter celebrating the virtue in even more ringing terms. He opens with the familiar claim that 'the magnanimous are those who devote themselves to great affairs'.⁵ But he goes on to add a number of distinctive details, arguing that the magnanimous man is distinguished not merely by his unwillingness to concern himself with petty things, but also by his sense 'that it is a nobler thing to give than to receive'.⁶ This generosity of spirit means that 'when such a man receives, he sets himself to make a return', and that 'he is negligent about small expenses'.⁷ 'To speak the truth', Latini concludes, 'he who is magnanimous is the greatest and most honourable of men.' 'So we may say', he adds, 'that magnanimity

¹ Martin, *Formula*, pp. 237, 241, 248.

² Giovanni, *De regimine*, p. 253: 'Magnanimitas vero, quae et fortitudo dicitur.' Cf. Latini, *Tresor*, pp. 260-1. See also Pseudo-Apuleius, *De monarchia*, p. 22.

³ Giovanni, *De regimine*, pp. 220, 274.

⁴ Latini, *Tresor*, p. 261: 'ceste vertu done a home seur cuer et hardement et li fait avoir grant corage entour les hautes choses.'

⁵ Ibid., p. 193: 'Magnanimes est celui ki est atornés a grandismes afferes.'

⁶ Ibid., p. 194: 'que plus noble chose est doner ke recevoir.'

⁷ Ibid.: 'Et quant il reçoit, il se porchace dou rendre et dou contrechangier. Et est negligens en petit despens.'

is the crown and the brightest of all the virtues, for there is no virtue to equal it.¹

Summarizing the constitutional theory I have been describing, we may say that it embodies two simple if strenuous demands. The first is that, if we wish to live in peace, we must institute a form of government based on the rule of elected *signori* who are made to conduct themselves entirely according to the laws and customs of their community. The other is that these *signori* must in turn be capable, all passion spent,² of discharging the duties of their office in a perfectly virtuous way. As Giovanni da Vignano puts it, it is only by having such magistrates that a city can hope to remain 'in tranquillity and a good state'. It follows that our ambition must always be to find a chief magistrate 'through whom' (*per lo quale*) we can hope to attain these ends;³ a magistrate, as Matteo de' Libri repeats, 'through whom (*per cui*) we can and ought to remain in a state of great tranquillity and repose'.⁴

According to the Sieneſe Constitution of 1309-10, these ideal requirements have actually been realized in practice. The opening rubric on the duties of the Nove begins by declaring that the goal of good government must of course be to ensure 'that this city and all its people, its *contado* and all its jurisdictions, are conserved in perpetual peace and pure justice'.⁵ If these goals are to be achieved, the rubric continues, it is essential 'that the city should be governed by (*per*) men who are lovers of peace and of justice'.⁶ And this is why, it goes on to proclaim, 'it is hereby enacted and ordained that the office of the Nove signori, defenders and governors of the commune and people of the city and jurisdictions of Siena, both are and ought to be established in perpetuity within the city of Siena, for the preservation of its good and peaceable state'.⁷

¹ Ibid.: 'Et a la verité dire, celui ki est magnanimes est li plus grans hom et li plus honorables ki soit . . . Donques est magnanimités courone et clartés de toutes vertus, car ele n'est se par vertu non.'

² This is stressed in the *Breves*, p. 7, and the *Constituto* (ed. Zdekauer), p. 25. Cf. also Giovanni, *De regimine*, p. 260.

³ Vignano, *Flore*, p. 270: 'per lo quale lo nostro comune posa e dibia durare e ponsare in tranquillità e bom stato.' Cf. also p. 269.

⁴ Libri, *Arringhe*, p. 79: 'per cui possa et dibia permanere in gran tranquillitate e riposo.' Cf. also pp. 66, 162.

⁵ *Il costituito* (ed. Lisini), ii. 488: 'Che essa città et popolo tutto, et lo contado et giurisdizione d'essa in pace perpetua et pura giustitia si conservi.'

⁶ Ibid., p. 488: 'che essa città sia governata per huomini amatori et di pace et di giustitia.'

⁷ Ibid.: 'statuto et ordinato è, che l'officio de' signori Nove difenditori et governatori del comune et del popolo de la città et giurisdizione di Siena sia et

[Footnote 7 continued on page 32]

I turn now to Lorenzetti, and to my suggestion that the central section of his frescoes in the Sala dei Nove (Pl. I) can best be interpreted as a further statement of the pre-humanist ideology I have tried to delineate.

As we have seen, the most precious value in civic life according to the writers I have been considering is held to be the preservation of peace. Moreover, they inherited from their Roman authorities a distinctive idiom for expressing the idea that certain values ought particularly to be cherished. Such values, it was said, ought to be *in medio*, in our midst; they ought indeed to be actively brought forth *in medium*, into the centre of things. Cicero, for example, had declared in the *De officiis* (1.7.22) that our highest duty must be *communes utilitates in medium afferre*—to act in such a way as to place the ideal of the common good at the heart of our common life. Similarly, Seneca had spoken in the *Epistulae Morales* (90.36) of ‘that fortunate time when the benefits of nature lay open *in medio*’—in such a way as to be possessed by all. One way of expressing the central principle of the ideology I have been examining would thus be to say that it asks us to place the ideal of peace *in medio*—to ensure that this is the value cherished and enjoyed above all.

Lorenzetti illustrates this exact conception of peace. The figure inscribed with the titulus PAX is literally placed *in medio*, in the midst of his entire composition. Lorenzetti’s cycle is distributed over three walls of the Sala dei Nove, with the figure of Peace appearing on the central wall. This wall is in turn divided into three levels, with the symbolic depiction of just government in the middle, a set of medallion paintings above, and a large Giottesque dado below. This middle painting is in turn organized into three sections, with cherubim figures at the top, various groups of citizens at the bottom, and the figure of Peace, together with the virtues, in the middle.¹ Finally, the figure of Peace is seated at the centre of this middle section of the cycle as a whole. Far more eloquently than any of the literary sources, Lorenzetti proclaims that peace is indeed the value that deserves to be placed *in medio*, at the heart of our common life.

So far this could of course be described as a Thomist representation of peace. As we have seen, however, there was one point at which Aquinas’s analysis contrasted sharply with that of the pre-humanist writers on city government. And at this point

essere debia imperpetuo ne la città di Siena, per governatione del buono et pacifico stato de la città.’

¹ Cf. Feldges-Henning, ‘Programme’, p. 146.

Lorenzetti's portrayal strongly recalls the pre-humanist as opposed to the Thomist account. The figure of Peace is shown leaning back on her right elbow, pressing against a large cushion which in turn presses down upon a full suit of armour and holds it in place. Her right foot rests in triumph on a large black helmet, while the hem of her garment partly covers a shield lying underneath it. Peace is depicted, in short, not simply as 'an absence of discord', in Thomist phrase; she is represented as a victorious force, her repose the outcome of a battle won against her darkest enemies.¹

Describing these enemies, the pre-humanist writers isolated two in particular: external *Guerra* and internal *Discordia*, the latter being a product partly of factious *Divisio* and partly of the *Furor* of the masses. If we turn to the left or 'sinister' side of Lorenzetti's frescoes, we encounter just these companions of tyranny and enemies of peace (Pl. II). They are seated upon the left hand—again the 'sinister' side—of the demonic central figure, behind whose head a titulus in silver lettering reads TYRAMMIDES.² To his extreme left,³ dressed in dark blue robes, we see the helmeted figure of War, a gold-hilted sword upraised in his right hand and the word GUERRA inscribed on his shield.⁴ Next to him sits a female figure marked [D]IVISIO, dressed in black and white, with golden hair falling loose and dishevelled in contrast with the carefully plaited hair on the figure of Peace. She is holding a carpenter's saw, using it to cut an object held in her left hand, an evident allusion to Sallust's dire warning that *Divisio* will always serve to tear a body-politic to pieces.⁵ Finally, standing closest to the enthroned central figure, we see a black hybrid beast marked FUROR. This we are surely intended to recognize as a representation of the brutish multitude, especially as we see it armed with a stone in just the manner that the *Breves* of Siena had warned the city police to expect from the mob.

How can we hope to overcome these enemies of Peace? We can

¹ Cf. Frugoni, *Città*, p. 164.

² This titulus, only legible since the cleaning undertaken in the early 1980s, remains puzzling. Even if we assume it to be a misspelling of 'tyrannides' it is not clear why the plural of 'tyrannis' has been used.

³ Note that, when I speak of 'his' or 'her' left and right, I am speaking from the point of view of the figures in the painting; when I speak of 'our' or 'the' right or left, I am referring to the spectator's point of view.

⁴ This medieval barbarism was used (in preference to *bellum*) by all the pre-humanist writers on city government. So it is misleading to claim (as for example Frugoni does, *Città*, p. 146) that this titulus is in the vernacular.

⁵ Sallust, *Bellum Iugurthinum*, 41.5.

only hope to do so, the pre-humanist writers maintained, if we live together in *concordia* and *aequitas* in such a way as to promote the common good. If we now focus our attention on the central section of Lorenzetti's frescoes, we find ourselves confronting a complete visualization of these further arguments, together with an attempt to render the whole range of metaphors in which they were habitually expressed.

We see, most prominently, a representation of the Ciceronian claim that *concordia* constitutes one of the two *fundamenta* of public life. Beneath the mysterious regal figure, and upon his 'good' side, we see a group of twenty-four citizens holding a double rope—one strand red, the other grey—which is handed to them by a seated female figure marked *CONCORDIA*. The allusion is clearly to the *vinculum concordiae*, the double bond of concord mentioned in several of the pre-humanist treatises on city government. Moreover, the citizens are shown holding the rope rather than being held by it, an evident reference to the further claim that any such agreement to act together as a political unity must always be voluntary in character.

We also see a representation of *aequitas*, the quality Cicero had described as the other *fundamentum* of civic peace. The figure of Concord holds in her lap a large *runcina* or carpenter's plane. Now a plane is of course an implement specifically designed to level out roughnesses and produce a smooth surface.¹ So the appearance of a *runcina*, especially in such close association with *concordia*, must surely be intended to symbolize the Ciceronian view of *aequitas*²—the view that we must smooth out our differences as citizens rather than accentuate any divisions between us if we are to enjoy the blessings of peace. Lorenzetti underlines the allusion by means of two further visual effects. The contrasting figure of *Divisio* is also shown holding a carpenter's tool, the saw with which she divides the object in her left hand. And the citizens processing together in concord are all exactly uniform in height, each 'on level terms' with everyone else in just the manner that the Ciceronian analysis of *aequitas* prescribed.

This still leaves the question of how we can hope to act together

¹ For *runcinae* as instruments used to level rough surfaces (*levigare*) see, for example, Arnobius, *Adversus Nationes* (ed. C. Marchesi, 2nd edn., Milan, 1953), pp. 324–5.

² Such commentators as have mentioned the plane have generally assumed that it forms part of the symbolism of *concordia*. See, for example, Oertel, *Italian Painting*, p. 235; Feldges-Henning, 'Programme', p. 145; and Frugoni, *Città*, p. 146. But cf. Rubinstein, 'Political Ideas', p. 186 n.

in concord and equity to promote the common good. According to the pre-humanist writers on city government, we can never hope to do so unless we are persuaded by the wisdom of a great lawgiver to submit ourselves to the dictates of justice. And this further argument, the heart of the ideology I have been examining, we again find closely reflected in Lorenzetti's frescoes.

At the top of the picture Lorenzetti shows Wisdom in the guise of a winged cherubim figure. The titulus above her head identifies her as SAP[I]ENTIA; the scales of justice hang down from her right hand. This depiction of Wisdom giving rise to justice has usually been treated as a straightforward allusion to Aquinas's *Summa theologiae*.¹ But in fact the provenance of Lorenzetti's imagery is far from straightforward. One problem is that he seems to contradict rather than illustrate Aquinas's beliefs about the place of divine wisdom in human affairs. Aquinas maintains that the only way to participate in divine wisdom is by speculative reason. But he thinks of human law as an outcome not of speculative but of practical reasoning. So he never thinks of legal justice as a direct product of wisdom; he always claims that just laws arise 'as an outcome of man's natural capacity to participate by way of practical reasoning in the eternal law'.² A further problem, however, is that Lorenzetti's portrayal of Wisdom hardly seems to accord with the assumptions of the neo-Ciceronian ideology he usually follows with such fidelity. As we have seen, Cicero conceives of our ability to live under the rules of justice as a legacy we owe to the wisdom of great lawgivers. But Lorenzetti displays Wisdom not as a human attribute but rather as a heavenly power. Although his depiction of the relationship between wisdom and justice is obviously closer to the Ciceronian than the Thomist account, he undoubtedly treats his authorities at this juncture with an unusual degree of licence. Perhaps the most obvious explanation is that he found himself constrained to do so by pictorial requirements, and specifically by his commitment to the three-tier organization of his painting as a whole.

Beneath the figure of Wisdom Lorenzetti illustrates the idea of justice. To speak more accurately, what he illustrates is the idea of justice or fairness as the essence of law, not justice or righteousness as a personal attribute. (He treats the latter as a separate concept—as do his sources—and illustrates it separately on the

¹ e.g. *ibid.*, p. 183.

² Aquinas, *Summa*, I.II.91.3: 'ex parte rationis practicae naturaliter homo participat legem aeternam.'

extreme right of the picture.)¹ Justice is represented in the guise of an enthroned female figure who surmounts both Concord and the procession of citizens, making the point that they must all live 'under' her sway if the common good is to be served. The figure is recognizable as Justice not merely by her pair of scales,² but also by the titulus in gold lettering around her head, which quotes the opening of the Book of Wisdom: DILIGITE [IUSTITIA]M Q[UI] IUDICATIS TE[RR]AM. Finally, the centrality of this ideal is underlined not merely by the size and placing of the figure herself, but also by the explanatory verses inscribed beneath the frescoes. At the foot of the tyrant's throne a figure marked IUSTI[TIA] lies prone, while the accompanying verses explain that 'where justice lies bound, no one ever joins together to promote the common good'.³ By contrast, the verses beneath the central fresco assure us that, where the holy virtue of justice rules, 'she induces many souls to act in unity'.⁴

The provenance and meaning of Lorenzetti's image of justice have recently occasioned much debate. There is of course an obvious though not an exact visual precedent in Giotto's portrayal of justice in the Scrovegni chapel.⁵ But this still leaves the problem of identifying the source of the visual tradition itself. The solution which has usually been proposed is that the whole tradition, including Lorenzetti's invocation of it, stems essentially from Aristotle's *Nicomachean Ethics*, perhaps mediated by various Thomist commentaries.⁶ Recently, however, Frugoni has argued that this offers too simplified an account of Lorenzetti's sources, and has proposed that the Book of Wisdom needs in particular to be invoked if this central section of the frescoes is to be 'globally' explicated.⁷

There is I think nothing to be said in favour of the latter argument. One difficulty is that the Book of Wisdom seems powerless to explain so many of Lorenzetti's most prominent symbolic effects.

¹ This makes it misleading to claim that justice 'appears twice' in Lorenzetti's scheme. Cf. Rowley, *Lorenzetti*, i. 101; Oertel, *Early Italian Painting*, p. 235; and Frugoni, *Città*, p. 161.

² On the scales of justice see *Oculus*, p. 64; Faba, *Parlamenti*, p. 154; and Giovanni, *De regimine*, pp. 226, 259, etc.

³ LADOVE STA LEGATA LA IUSTITIA. NESSUNO ALBE[N] COMUNE GIAMAY/SACORDA.

⁴ Cf. p. 87, n. 2.

⁵ See S. Pfeiffenberger, *The Iconology of Giotto's Virtues and Vices at Padua* (Ph.D., Bryn Mawr College, 1966; University Microfilms International [Michigan, 1983]).

⁶ e.g. Rubinstein, 'Political Ideas', pp. 182-4, 186-7.

⁷ Frugoni, *Città*, pp. 140, 160-1.

It contains, for example, no celebration of the need for peace to be situated *in medio*, no mention of the *vinculum concordiae*, no reference to *concordia* and *aequitas* as the twin *fundamenta* of civic life. But the main objection is that there is no reason to single out this particular text as a direct inspiration for any feature of Lorenzetti's work. This applies even to the titulus surrounding the head of Justice: as we have seen, the injunction to love justice was a *topos* that could equally well have been taken from almost any of the pre-humanist treatises on city government.¹

There would seem to be a much stronger case, however, for concluding that Lorenzetti's portrayal must either be taken directly from Aristotle or else from various Thomist commentaries. The decisive evidence appears to be furnished by the tituli above the heads of the two angels who appear to right and left of the figure of Justice herself. The titulus on the left reads [DIS]TRIBUTIVA, the one on the right COMMUTATIVA. These terms make no appearance in any of the pre-humanist treatises on city government. But the problem of how to formulate rules of justice in relation to distribution and exchange is of course central to Book V of the *Nicomachean Ethics*. If we turn, moreover, to Grosseteste's original translation of the *Ethics*, we find him introducing the terms *iustum distributivum* and *iustum commutativum* to describe these precise aspects of justice.² And if we turn to Aquinas's *Summa theologiae*, we find him adopting the same terminology in his own analysis of just distribution and exchange.³ So it seems, as students of Lorenzetti have generally concluded, that at this point we come upon 'perhaps the most obvious representation' of 'Thomistic-Aristotelian themes' in the whole cycle of frescoes.⁴

For all its plausibility, however, this thesis creates more puzzles than it resolves. The most obvious is that, although the terms *distributiva* and *commutativa* are unquestionably Aristotelian in origin, the theory of justice depicted by Lorenzetti is hardly Aristotelian at all. It is true that the activity represented under the heading COMMUTATIVA, though far from unambiguous, might perhaps be interpreted as an exchange. The angel confronts two figures, and is usually said to be giving them various articles. Since

¹ If any part of the Old Testament helped to provide Lorenzetti with his inspiration, a stronger case could surely be made for the Book of Proverbs, Ch. 8, vv. 12–16, on wisdom as the source of the other virtues.

² Aristotle, *Ethica Nicomachea* (trans. R. Grosseteste, ed. R. Gauthier, Leiden, 1972), pp. 233, 236.

³ Aquinas, *Summa*, II.ii.61.1.

⁴ See Rubinstein, 'Political Ideas', p. 182, and Bowsky, *Commune*, p. 289. Cf. also Smart, *Dawn*, p. 105.

they are both kneeling in the conventional posture of donors, however, it may well be they who are making the gifts. The figure on the left definitely appears to be handing over two metal-tipped lances; the one on the right is holding out (and perhaps offering up) an object which, while it looks cylindrical, cannot in the present condition of the painting be further identified.

Further puzzles arise in the case of the actions illustrated under the heading [DIS]TRIBUTIVA. Again we see an angel with two kneeling figures. The one on the right, who holds a palm of glory, is being crowned; the one on the left, whose weapon lies beside him, is being decapitated by the angel with a sword. The main difficulty here is that neither in the *Nicomachean Ethics*, nor in Aristotle's later analysis in the *Politics*, nor in any of Aquinas's comments on either of these texts is it ever suggested that Aristotle's concept of *iustum distributivum* is in any way connected with the infliction of punishment. As Aristotle (in Grosseteste's version) emphasizes in Book V of the *Ethics*, the problem with which he is alone concerned in asking what constitutes *iustitia* in relation to *distributionibus* is that of discovering a rule of fairness for the allocation of scarce and valued resources. The examples he offers of such *partibilia* are money and honours, and the celebrated thesis he defends is that the appropriate rule to follow must be to distribute them *secundum dignitatem* or according to worth.¹ At no point is the issue of punitive justice ever raised.

Frugoni has recently proposed a drastic solution to these difficulties. She suggests that the titulus [DIS]TRIBUTIVA really belongs with the episode on the right, COMUTATIVA with the one on the left.² One problem with this suggestion, however, is that it is wholly speculative: there is no independent evidence that these particular tituli were ever effaced, still less that they have come to be reversed. A further problem is that the episode on the right is not self-evidently an instance of distribution. Frugoni is obliged to assume that the two figures are both receiving gifts, which is doubtful in itself; that the lance or spear is a symbol of office, which is even more conjectural; and that the unidentifiable cylindrical object is a strong-box 'full of money', which seems quite unjustified.³

The decisive objection to Frugoni's thesis, however, is that it leaves us with an unrecognizable portrayal of commutative justice. When Aristotle raises the issue of justice in relation to exchange, he does so in the context of quoting the Pythagorean

¹ Aristotle, *Ethica*, pp. 231-2.

² Frugoni, *Città*, p. 138.

³ *Ibid.*, p. 139.

maxim that 'reciprocity is a straightforward instance of justice'.¹ He begins by observing that this looks doubtful, since neither of the two forms of justice he has by then distinguished—distribution and rectification—can be said to involve pure reciprocity. But he concedes that such relationships nevertheless seem to 'hold people together' when it comes to questions of trade, barter, and exchange between citizens. So he feels it appropriate to examine the principles involved.²

Nothing in his ensuing examination, however, bears any resemblance to either of the episodes characterized by Frugoni as instances of commutative justice. As we have seen, one of these instances takes the form of a kneeling figure being crowned. Since the issue of commutative justice is held to arise only in exchanges between equals, however, neither Aristotle nor Aquinas ever suggests that it might be connected with the receiving of honours or rewards. The other alleged instance shows a kneeling figure being executed. But as Aristotle himself stresses, his sole aim in raising the question of fair exchanges is to establish whether pure reciprocity counts as a form of justice. The awarding of penalties for wrong-doing is obviously unconnected with this issue, and is mentioned at no point. Nor can this latter difficulty be met, as Frugoni suggests,³ by pointing to the passage in Aquinas's commentary where he follows Aristotle in noting that 'two sorts of transactions' mark our common life, and that judges either punish or recompense in such cases. For in Aquinas, as in Aristotle, these observations are made in the course of considering the nature of rectificatory, not commutative, justice.⁴

Suppose, however, we turn instead to the pre-humanist literature on city government as a key to explaining Lorenzetti's depiction of justice. If we revert to these sources, and in particular to Latini's distinctive analysis in the *Tresor*, most of the puzzles we have been considering can be resolved.

As we have seen, Latini argued that justice consists essentially in the rectifying of inequalities. Some arise from *entreservices*: the metal-worker needs to be able to engage in fair exchanges with the draper, the cordwainer, the carpenter. But others arise from social behaviour, requiring an *ygailleur* who can 'rectify' in two further ways: by punishing the wicked, especially by executing and

¹ Aristotle, *Ethica*, p. 235: 'contrapassum esse simpliciter iustum.'

² *Ibid.*, p. 236.

³ Frugoni, *Città*, p. 139.

⁴ Aristotle, *Ethica*, p. 233; the passage from Aquinas's commentary quoted by Frugoni, p. 139, glosses 1131a, 1-5.

sending them into exile; and by rewarding the good, especially by handing out money and honours.

The two angels flanking Lorenzetti's figure of Justice seem to be engaged in precisely these forms of *ygaiillance*. The one on the left appears to be acting as a rectifier in both the ways singled out in Latini's account. With his right hand he executes one kneeling figure, thereby punishing the wicked; with his left he crowns the other, thereby rewarding good conduct with honour. Meanwhile the angel on the right appears to be regulating *entreservices*. He receives from the two kneeling figures different items which they evidently wish to exchange in accordance with the mediating rules of justice. The figure on the right cannot be identified, but there is certainly a case for saying that the one on the left may be (as in Latini's example) a metal-worker, handing over spears or lances in the expectation of receiving commensurable articles in return. And if this is so, it may well be that the figure on the right represents one of the other trades mentioned by Latini—that of draper, cordwainer, or carpenter. Since the object he is holding appears to be cylindrical, perhaps the best guess is that he is a draper with a bale of cloth, a representative of one of Siena's most important industries.

Finally, it is worth recalling the *topos* cited by so many of the pre-humanist writers to the effect that justice constitutes the ultimate bond of human society. For this is a further conception Lorenzetti seems to illustrate. As we have seen, the double rope of concord held by the procession of citizens is handed to them by the figure of Concord. She in turn receives it, however, from the two angels of justice. The red cord originates as the girdle worn by the angel on the left, the grey as the girdle of the one on the right. Each cord passes through one of the pans in the scales of justice; both are then gathered by the figure of Concord, in whose hand they are woven into a single rope. Justice is thus depicted as the source from which the rope of concord ultimately derives, and hence as the ultimate bond of human society.

I now turn to the right hand side of Lorenzetti's painting, and so to the mysterious regal figure who dominates this section of the frescoes. As I began by observing, he is usually interpreted as a symbolic representation of the Thomist doctrine of the common good. He 'personifies the common good'; he is 'meant to represent the Common Good'.¹ Lorenzetti's final message is thus that 'the

¹ N. Rubinstein, 'Marsilius of Padua and Italian Political Thought of his Time' in *Europe in the Late Middle Ages*, ed. J. Hale, R. Highfield and B. Smalley (London, 1965), pp. 44-75, at p. 55; Rubinstein, 'Political Ideas', p. 181. Cf.

common good must be raised to the position of the ruler' if we are to enjoy the blessings of peace.¹

One difficulty with this interpretation is that it seems to involve a misunderstanding of Thomist doctrine. Aquinas never argues that the common good is to be equated with the laws and those who enforce them. His thesis in the *Summa* is that 'all law is ordained to bring about the common good'.² So he never suggests that the common good should be raised to the position of a ruler; rather he insists that rulers have a duty to uphold the laws in such a way that they attain 'their own ultimate end, which consists in the realization of the common good'.³

My main contention, however, is that there are good reasons for doubting whether this part of the frescoes has any connection with Thomist political ideas at all. As before, a more illuminating guide to Lorenzetti's meaning can I think be found in the pre-humanist literature on city government.

As we have seen, the pre-humanist writers took the key to attaining the common good to lie in assigning a plenitude of power to an elected *signore* or *signoria*. Such powers were in turn held to include at least the following elements: full control of city and *contado* alike, including the right to command the allegiance of local feudatories; full legal as well as legislative authority, including the right of judicial execution; and full military as well as police backing for the implementation of these policies.

Lorenzetti faithfully mirrors all these aspects of civic government. First of all, he symbolizes the authority of city magistrates over local feudatories. We see two noblemen in armour kneeling at the foot of the regal figure, offering him their castle in an evident act of homage. Next, he provides a strongly realistic portrayal of the legal powers of city magistrates. Below the regal figure, and upon his 'sinister' hand, we see a band of *fures* roped together under arrest, their bonds offering a strong contrast to the bonds of concord voluntarily held by the procession of worthy citizens on the other side. One of the *fures* has his head partly covered with a black cloth, a familiar device for representing someone convicted

also J. White, *Art and Architecture in Italy 1250 to 1400* (Harmondsworth, 1966), pp. 251-2.

¹ See p. 2, n. 10.

² Aquinas, *Summa*, I.ii.90.2: 'omnis lex ad bonum commune ordinatur.' Cf. also I.ii.95.3-4, and II.ii.58.6.

³ *Ibid.*, I.ii.90.2: 'ad ultimum finem, qui est bonum commune.' Cf. also I.ii.96.6. For further instances see the list in S. Michel, *La notion thomiste du bien commun* (Paris, 1932), pp. 243-4.

of a capital crime. Finally, Lorenzetti hints at the various types of armed strength available for the enforcement of justice. We see one group of foot-soldiers standing behind the procession of citizens; they are all carrying lances, and one stares fixedly up at the regal figure above. A further group stands behind the two kneeling noblemen; again they are carrying lances, and again one of them looks up into the face of the regal figure. This latter group may perhaps be intended to represent the special force of *contadini* recruited by the Nove in 1302 to keep the peace in the Siense countryside, a possibility suggested both by their proximity to the two feudatories and by the fact that the device on their shields is a lion rampant, the emblem of the Siense *popolo*. Lastly, behind this group and to the right we see four mounted lancers; they are grim-faced, fully armoured, and one of them gazes up into the impassive face of the figure marked IUSTITIA.

Lorenzetti also portrays with remarkable fidelity the various images used to convey the majesty of public authority. The writers on city government liked to speak of the need for magistrates to deliver their judgements from a throne of glory. Lorenzetti duly shows the regal figure seated on a high and sumptuously covered throne. They liked to speak of magistrates as shields and defenders of their communities, carrying sceptres in their strong right hands. Lorenzetti duly shows the regal figure holding a golden staff in his right hand, a shield in his left. Some pre-humanist writers also described the duties of government as a burden our magistrates carry on their shoulders. Around the shoulders of the regal figure Lorenzetti duly displays the letters c.s.c.v.¹ The initials are those of the *Commune Senarum, Civitas Virginis*,² the community whose government is thus shown to weigh upon the regal figure as he bears its burdens on behalf of the people. Finally, most of the pre-humanist writers spoke of our magistrates as set 'over' us while

¹ The inscription now reads *C.S.C.C.V.*, but the second 'C' is a relatively recent interpolation. G. della Valle, *Lettere Senesi* (3 vols., Rome, 1782-6), ii. 220 n., saw only *C.S.C.V.*; so did G.-B. Cavalcaselle and J.-A. Crowe, *Storia della pittura in Italia*, iii (Florence, 1885), 210. For technical information about the interpolation see Rowley, *Lorenzetti*, i. 99 n. The lettering that accompanies the similar figure portrayed on the Gabella cover for 1344 reads *C.S.C.V.* See E. Carli, *Le Tavole di Biccherna* (Florence, 1950), pp. 39-40, and pl. xv.

² *Commune Senarum* (rather than *Civitas Senarum*, as Carli, *Tavolete*, p. 39, suggests), this being the city's official designation. See the *Constituto* (ed. Zdekauer), p. 25. And *Civitas Virginis* (not *Civitatis Virginis*, as Cavalcaselle and Crowe, *Storia*, iii. 210, Rowley, *Lorenzetti*, i. 99, Feldges-Henning, 'Programme', p. 145, and others suggest, since the use of the genitive makes no sense). For Siena as the city of the Virgin see Bowsky, *Commune*, p. 160.

we are obliged to live 'under' their command. Lorenzetti duly displays the whole spectrum of citizens—the malefactors, the procession of worthies, the squads of foot-soldiers in between—as standing 'under' the regal figure and in several cases looking up at him as he sits enthroned 'over' the entire populace.

For all these elements of majesty, however, the writers on city government always insisted that true *signori* remain mere public servants, installed in office by the consent of the people to procure the common good. And as we have seen, they liked to express this contrasting perspective in a further set of metaphors. One favourite image spoke of such *signori* as tied or bound to rule according to the dictates of justice. Again Lorenzetti illustrates this exact conception, depicting the regal figure as bound by the red and grey rope of concord originating with the figure of Justice. Commentators on the frescoes have generally claimed that the regal figure is simply holding the rope, and that it is transferred or handed to him by the procession of citizens.¹ Closer inspection reveals, however, that the red strand of the rope encircles his hand, while the end of the rope hangs down to the left—two indications that we are to think of it as knotted around his wrist. Symbolically the difference is of obvious significance: although the regal figure holds a sceptre in the same hand, he is shown as bound or constrained to wield it according to the dictates of justice and the will of the citizens as a whole, in line with the maxim that 'what touches all must be approved by all'.

Lastly, Lorenzetti seeks in a number of ways to convey the idea that the powers of elected *signori* are simply an expression of, a way of representing, the powers of the community over which they preside. He shows the regal figure as grey-bearded, white-haired, and thus as *senex* or old—a possible allusion to Sena, the Latin name for the city of which he is head.² He is dressed in black and white, the heraldic colours of the commune of Siena. At his feet a she-wolf suckles a pair of twins, the ancient symbol of the Roman republic which the Sieneese had adopted and emblazoned on the arms of their city in 1297.³ Finally, on his shield we can still faintly discern an image of the Virgin Mary, chosen by the Sieneese as their special patron just before their victory over the Florentines

¹ e.g. Rowley, *Lorenzetti*, i. 100; Rubinstein, *Marsilius*, p. 55; Feldges-Henning, 'Programme', p. 145; and Frugoni, *Città*, p. 136. But cf. the excellent remarks in Southard, *Frescoes*, p. 280.

² I owe this thought to Southard, *Frescoes*, p. 60.

³ See Larner, *Culture and Society*, p. 113, and cf. Southard, *Frescoes*, pp. 47, 66.

at Montaperti in 1260.¹ The Virgin sits enthroned with the infant Jesus upon her left hand, and with two haloed supporters kneeling on either side of her. This strongly recalls the portrait of the Virgin to be seen on the left of the two central roundels beneath Simone Martini's *Maestà* in the next-door chamber of the Palazzo Pubblico. Around the edge of Simone's roundel can be read the motto of the Sienese republic, further emphasizing the city's special indebtedness to the mother of God: SALVET VIRGO SENAM VET[EREM] QUAM SIGNAT AMENAM. If we turn back to Lorenzetti's fresco, we find around the edge of the shield held by the regal figure a faint and fragmentary version of what must certainly be the same motto: SALVE[T] VI[RG]O SE[NA]M [VETEREM] [QU]AM [SIGNAT AMENAM].

I conclude that the regal figure has been misidentified by those who have seen it as a personification of the common good. The figure is, rather, a symbolic representation of the type of *signore* or *signoria* a city needs to elect if the dictates of justice are to be followed and the common good secured. To put the point more precisely in the language used by the pre-humanist writers, the figure constitutes a symbolic representation of the type of magistracy by means of which a body of citizens can alone hope to create or attain an ideal of the common good, and hence the blessings of peace.²

It is arguable that Lorenzetti offers an even more exact and local allusion to the type of magistracy he wishes to commend. He does so by the unusual way he groups the virtues around the regal figure and relates them to the image of Peace. As we have seen, there were two rival traditions of thought about the virtues of public life. According to the more usual view, seven qualities are indispensable to good government: the three 'theological' virtues of faith, hope, and charity, together with the four 'cardinal' virtues of prudence, justice, temperance, and fortitude. According to the rival Senecan tradition, however, we ought rather to think of five civic virtues, since we ought to add the quality of magnanimity to the conventional list and indeed to give it pride of place.

Lorenzetti prefers to follow this latter and less orthodox scheme.

¹ Southard, *Frescoes*, p. 48.

² Some commentators have suggested that the figure symbolizes the commune itself. See for example Wieruszowski, *Politics and Culture*, p. 491; Rowley, *Lorenzetti*, i, 99; Tuve, 'Notes on the Virtues', p. 290; Lerner, *Culture and Society*, p. 83; Southard, *Frescoes*, pp. 60–1. I have sought to argue, however, that what is symbolized is not a social entity but a form of government, albeit one that in turn 'represents' the commune.

He groups the figures marked *FIDES*, *CARITAS*, and *SPES* around the head of the regal figure, puts those marked *PRUDENTIA* and *MAGNANIMITAS* in pride of place next to him, and flanks them with *[FO]RTITUDO*, *[T]ENPERANTIA*, and *IUSTITIA*. Finally, he situates the whole tableau of civic virtues on the same plane as the figure of Peace, the value whose triumph these qualities are said to ensure.

As a result, he is able to contrive a further and very important symbolic effect. By adopting the scheme of five civic virtues and placing them in the company of Peace, he is able to surround the regal figure with a total of nine symmetrically disposed qualities. He is thus able firmly to associate the number nine with his representation of an ideal *signore*. It is perhaps not fanciful to see in this arrangement a celebration of the Nove Signori of Siena as an ideal *signoria*, especially as it was they who commissioned Lorenzetti to paint his frescoes for their own council-chamber in the Palazzo Pubblico.¹ Given the setting of the paintings, indeed, they might even be held to carry the force of a continual reminder to the Nove of the civic values they were sworn to uphold.

This conception that the *signoria* of a commune may be said to 'represent' the commune itself is one that appears elsewhere in Tuscan art during the Trecento. Perhaps the clearest exemplification of the idea can be found in one of the reliefs carved on the tomb of Bishop Guido Tarlati in the cathedral at Arezzo. Under an enthroned and venerable figure the explanatory legend reads *COMM[UN]E IN SIGNORIA*.² With his portrait of the Nove 'representing' the city, Lorenzetti offers a distinctively Siennese version of the same general theme.

Among those who have identified Lorenzetti's regal figure as The Common Good, however, it has always seemed an unanswerable argument that, as Rubinstein observes, 'if we turn to the inscription at the bottom of the fresco, we find the explicit statement that the Ruler is meant to represent the Common Good'.³ What the verse states is that, wherever the holy virtue of justice rules, many souls are able to act together in such a way that 'un ben comun per lor sigror si fanno'.⁴ This line has in turn been understood to say that they are able to act in such a way as to

¹ On the commission see Bowsky, *Commune*, pp. 100, 287-8.

² See Wieruszowski, *Politics and Culture*, pp. 489-90.

³ Rubinstein, 'Political Ideas', p. 181.

⁴ Until the restoration of the early 1980s the word 'sigror' (which I have encountered nowhere else) appeared as 'signor'. Cf. p. 1, n. 2.

'constitute the *ben comun* as their *signor*'¹ or to 'make up the common weal—*Ben Comun*—for their lord'.²

It is I think clear, however, that these renderings embody an anachronistic understanding of the word *per* in the vital line. As we have seen, a number of pre-humanist treatises—not to mention the Sienese Constitution of 1309–10—insisted that the common good and the triumph of peace can only be brought about *per*—by means of, through the agency of—an elected *signore* or *signoria* dedicated to upholding the dictates of justice. The crucial word *per* in the verses accompanying Lorenzetti's fresco must undoubtedly be understood in the same way. What the verses state is that, where justice induces many souls to act together, they can hope to create or attain for themselves, through the agency of their *signor*, an ideal of the common good. They confirm that the regal figure in Lorenzetti's fresco is an ideal *signore*, a symbolic representation of the type of magistracy through which the common good can alone be attained.³

I turn lastly to the other and more general claim usually made about this section of Lorenzetti's frescoes: that the tableau of virtues surrounding the central figure can best be interpreted as an expression of scholastic ideas, and specifically of Aquinas's moral and political thought.⁴

There are certainly many elements in Lorenzetti's design that can readily be explained in this way. Consider first the figures of Faith, Hope, and Charity floating above the head of the regal figure, with Charity in pride of place. Aquinas singles out just these qualities as the major theological virtues, and quotes St Paul's judgement that the greatest of these is Charity.⁵ Consider similarly the figure of Justice, who is shown with a crown in her left hand and a sword in her right. Aquinas makes use of both images, assuring us that 'a crown of justice is laid up' for those who behave righteously,⁶ and that 'our rulers, when they punish malefactors, are lawfully defending the community with the

¹ Dowdall, 'The Word "State"', p. 113.

² Feldges-Henning, 'Programme', p. 146. Rowley, *Lorenzetti*, i. 127 (followed by Bowsky, *Commune*, p. 289), instead suggests 'a common good for their master undertake'.

³ A similar interpretation is proposed in L. Douglas, *A History of Siena* (London, 1902), p. 371.

⁴ For this claim see esp. Rubinstein, 'Political Ideas', pp. 186–7; F. Yates, *The Art of Memory* (London, 1969), p. 101; and Bowsky, *Commune*, p. 288.

⁵ Aquinas, *Summa*, I.ii.62.4; II.ii.23.6.

⁶ *Ibid.*, I.ii.114.3: 'reposita est mihi corona iustitiae.' Cf. also I.i.95.4 and I.ii.4.3.

sword'.¹ Consider finally the figure of Prudence, whom we see on the left of the regal figure, garbed with particular richness, crowned as the noblest of the virtues and pointing with her right hand to a cartouche inscribed PTERIT PSE FUTM.² Aquinas speaks of prudence as 'nobler than all the other virtues',³ and explains at the start of his rubric on the subject in the *Summa* that what distinguishes prudence is the ability to learn about things in the future (*futura*) by way of considering things in the present (*praesentibus*) as well as things in the past (*praeteritis*).⁴

Even in these instances, however, there is no reason to conclude that Lorenzetti actually drew on Aquinas or any other scholastic authority. The pre-humanist writers on city government could equally well have supplied him with his inspiration for the disposition of all these figures. As we have seen, the belief that prudence should be regarded as the queen or ruler of the virtues was one that most of the pre-humanist writers shared; so was the belief that faith, hope, and charity constitute the leading theological virtues; so was the belief that the greatest of these is charity. The same point can be made about the symbols Lorenzetti chooses to associate with these qualities. The crown of justice was originally a Biblical image, and was subsequently taken up by a number of pre-humanist writers on the virtues.⁵ The idea that justice carries a sword can similarly be traced to St Paul's contention that no ruler bears the sword in vain, a warning echoed by several pre-humanist treatises on city government.⁶ Finally, the formula connecting prudence with an understanding of past, present, and future can be found not merely in Cicero's *De officiis*,⁷ but also in Martin of Braga's *Formula vitae honestae*,⁸ as a result of which the same *topos* recurs in practically every work of moral philosophy indebted to those sources.⁹

¹ Ibid., II.ii.40.1; '[Principes] . . . licite defendunt eam materiali gladio . . . dum malefactores puniunt.'

² A likely source of these abbreviations is Cicero *De officiis*, 1.4.11, where Prudence is connected with a knowledge of *praeteritum praesens* and *futurum*. Frugoni, *Città*, p. 161, suggests the Book of Wisdom as the source. But this makes no mention of *praesens* and speaks not of *futurum* but *de futuris*.

³ Aquinas, *Summa*, II.ii.47.6: 'Prudentia sit nobilior virtutibus moralibus.'

⁴ Ibid., II.ii.47.1.

⁵ See II Timothy Ch. 4, v. 8, cited e.g. by Peyraut, *Summa*, i, 244.

⁶ Romans, Ch. 13, v. 4. Cf. *Oculus*, p. 63; Faba, *Parlamenti*, p. 154; Giovanni, *De regimine*, p. 235; and Latini, *Tresor*, p. 397.

⁷ See n. 2.
⁸ Martin, *Formula*, p. 240. Cf. the discussion in E. Panofsky, *Meaning in the Visual Arts* (Harmondsworth, 1970), pp. 184-6.

⁹ e.g. *Dogma*, p. 9; Peyraut, *Summa*, i, 166; *Oculus*, pp. 43, 63; Giovanni, *De regimine*, p. 252; Giamboni, *Libro de' vizi*, p. 57; and Latini, *Tresor*, p. 233.

Even more striking, however, is the extent to which Aquinas's analysis of the virtues remains powerless to explain a number of Lorenzetti's effects, whereas the pre-humanist writers appear to offer a systematic guide to this part of his pictorial scheme.

This applies most obviously to the arrangement of the individual virtues. Lorenzetti places Justice at a greater distance from the central figure than any of the other virtues. This hardly answers to Aquinas's sense that 'among the moral virtues justice is the one that excels all the rest'.¹ But it seems an apt illustration of the strongly contrasting view we encountered in several of the pre-humanist treatises: the view that, as Latini expressed it, 'justice comes after all the other virtues'. So too with the figure of Magnanimity, whom we see together with Prudence at the centre of Lorenzetti's scheme. Nothing in Aquinas's analysis suggests such an arrangement, since he endorses the conventional assumption that magnanimity is merely one of the subordinate elements of fortitude.² Again, however, the pre-humanist writers seem to provide the key. As we have seen, a number of them followed Seneca in thinking of magnanimity as perhaps the most dominant and splendid of the virtues. This is certainly how we see her depicted: dominantly positioned, her garments a more brilliant white than those of Peace herself. Latini went on to add that magnanimity is 'negligent about small expenses' and thinks it 'a nobler thing to give than to receive': we duly see her dispensing coins from a large dish held in her lap. He concluded that magnanimity represents 'the crown and the brightest of all the virtues': we duly see her holding out a crown in her right hand.

If we turn to the symbols associated with the rest of the political virtues, a similar argument can be mounted in almost every case. Consider first the motifs assigned to Justice and Prudence. Although these are the most conventional of Lorenzetti's figures, Prudence displays one highly unusual iconographical feature. Among Tuscan painters and sculptors of this period, Prudence is generally pictured with a book, a pair of dividers, or sometimes a snake. For example, Andrea Pisano's figure of Prudence on the campanile of the Duomo at Florence is shown grasping a snake by its tail, while Giotto's figure in the Scrovegni Chapel is shown with dividers and a book. Lorenzetti, by contrast, displays Prudence cradling in her left hand a small black lamp, the three flames of which illuminate the three words inscribed on her cartouche.

¹ Aquinas, *Summa*, II.ii.58:12: 'ipsa [iustitia legalis] est praeclarior inter omnes virtutes morales.'

² *Ibid.*, II.ii.129.5.

There is nothing in Thomist discussions to suggest this attribute. Aquinas himself remarks that prudence 'is divided and numbered apart from the other virtues';¹ he quotes Macrobius's observation that prudence is distinguished by her willingness to be taught; and he repeats St Matthew's injunction that we must learn to be prudent as serpents.² He confines himself, in short, to mentioning the three qualities implied by prudence's conventional iconography. If we turn, however, to the pre-humanist writers, and the moral treatises on which they relied, we find an obvious source for Lorenzetti's imagery. The author of the *Moralium Dogma Philosophorum* speaks of prudence as 'carrying a lamp to show the way to the other virtues'.³ Peyraut similarly observes that prudence 'carries a light before the rest of the virtues'.⁴ And Latini later reiterates the same metaphor, remarking that prudence 'goes before the other virtues and carries a lamp to show them the way'.⁵

Consider next the figure marked [T]ENPERANTIA. So far as I am aware, this was iconographically unique at the time Lorenzetti painted it. Among Tuscan artists of Lorenzetti's period, Temperance is usually depicted with a vessel in each hand, often in the act of pouring liquid from one to the other. This is how she appears on the campanile of the Duomo at Florence, and this is how Lorenzetti himself portrays her in his fresco of c. 1326 in the church of San Francesco in Siena. A decade later, however, he presents her in a completely different guise. She holds in her right hand the base of a large *horarium* or sand glass, bending her gaze upon it and pointing with the index finger of her left hand to show us that the sands have half run out.

Again, there is nothing in Thomist tradition to indicate such an iconography. Aquinas opens his rubric on temperance in the *Summa* with the etymological claim that 'the very name of this virtue signifies a power of moderating or tempering'⁶—thereby evoking the familiar image of someone diluting or tempering the contents of one vessel with another. If we turn, however, to the pre-humanist writers on city government, we find them drawing

¹ Ibid., II.ii.47.5: '[Prudentia] condividitur et connumeratur aliis virtutibus.'

² Ibid., II.ii.49.4; II.ii.56.1.

³ *Dogma*, p. 8: 'ferens lucernam et aliis [virtutibus] monstrans viam.' Cited by Tuve, 'Notes on the virtues', p. 285.

⁴ Peyraut, *Summa*, i, 153: 'prudentia caeteris [virtutibus] lumen praefert.'

⁵ Latini, *Tresor*, p. 231: 'ele vait par devant les autres vertus et porte la lumiere et moustre as autres la voie.'

⁶ Aquinas, *Summa*, II.ii.141.1: 'In ipso eius nomine importatur quaedam moderatio seu temperies.' So too Henry, *Virtutibus*, IV. 2, fo. 99b.

on a rival etymological suggestion which seems to furnish the key to Lorenzetti's imagery: the suggestion that there is a special connection between temperance and the keeping of time.

As so often, Cicero's *De officiis* seems to have provided the inspiration for this line of thought. Discussing the virtue of temperance in Book I, Cicero not only relates it to the notion of acting in a 'timely' way, but argues that temperate behaviour can be compared with the behaviour of time itself. 'We must take care never to move too slowly nor too quickly' and 'we must take even greater care to ensure that the movements of our soul remain in harmony with nature'.¹ The implication that there may be an etymological link between *tempus* and *temperantia* was later spelled out by no less an authority than Varro in his treatise on the Latin language. 'It is from the temperate movements of the sun and moon', he declares, 'that time itself is named.'² Finally, the view that temperance itself is essentially a quality of timeliness recurs in a number of moral treatises of Ciceronian inspiration, most obviously in the *Moralium Dogma Philosophorum*. This not only quotes Cicero's commendation of measured behaviour in the *De officiis*, but adds a number of other Ciceronian passages to the same effect, including the contention from the *De inventione* that temperance is the quality that serves to restrain all importunate movements.³

By way of such intermediaries, the same view of temperance recurs in several of the pre-humanist treatises on city government. Latini in particular draws on the *Dogma* for his views about the importance of timely behaviour, adding that temperance is a virtue with five subsidiary members, the principal of which is a quality of *mesure* 'that enables all our movements and all our affairs to be conducted faultlessly and without disgrace'.⁴ Latini's is not only much the fullest of these discussions, but is also the one that Lorenzetti's unprecedented portrayal of Temperance seems most closely to evoke.

Consider finally the figure marked [FO]RTITUDO, whose iconography embodies a number of even more unconventional features. The virtue of Fortitude is almost always depicted by Tuscan

¹ Cicero, *De officiis*, 1.36.131: 'Cavendum autem est, ne aut tarditatibus utamur . . . aut in festinationibus suscipiamus . . . sed multo etiam magis elaborandum est, ne animi motus a natura recedant.'

² Varro, *De lingua latina*, 6.2.3: 'ab eorum tenore [i.e. sol et luna] temperato tempus dictum.'

³ *Dogma*, pp. 41-2; cf. Cicero, *De inventione*, 2.54.164.

⁴ Latini, *Tresor*, p. 250, on 'mesure': 'tos nos movemens et tous nos afferes, fait estre sans defaute et sans outrage.'

artists of this period as a Herculean hero, draped with the skin of a lion and carrying a club. This image, which clearly owes much to Ovid and Virgil,¹ recurs very widely: in the Arena Chapel, on the campanile of the Duomo at Florence, in Giovanni Pisano's carvings on the pulpit of the Duomo at Pisa. Lorenzetti, by contrast, portrays Fortitude in a completely different and even more belligerent pose. A black-robed female figure, wearing a cuirass underneath her robes, she is shown carrying a shield in her left hand, a staff in her right, closely accompanied by two soldiers on horseback, each of them fully armoured and helmeted.

There is nothing in the writings of Aquinas or his immediate disciples to hint at Lorenzetti's exceptionally aggressive characterization. On the contrary, the main emphasis in Thomist discussions was usually placed on the idea of fortitude as a matter of courage to endure rather than courage to fight. As Aquinas himself puts it in the *Summa*, 'the chief sign of fortitude is more a willingness to sustain dangers and stand one's ground than a willingness to attack'.² Nor—with one exception—is there any warrant for Lorenzetti's warlike portrait among the pre-humanist writers on city government. The exception, however, is of great significance. Latini defines fortitude in his *Tresor* as that virtue which 'serves as a shield and a defence to a man, as his armour and his staff, enabling him not only to defend himself but to attack those who deserve it'.³ It is Latini's description—for which I can find no precedent—which appears once again to have supplied the inspiration for Lorenzetti's iconography.

Given that Lorenzetti seems to have drawn specifically on Latini's text for his portraits of Magnanimity, Temperance, and Fortitude, it is worth commenting on one further claim about the cardinal virtues that figures prominently in the *Livres dou Tresor*, but again appears to be without parallel in any earlier work. Latini tells us at the start of his encyclopaedia that 'the second part will treat of the virtues and vices, and will thus be concerned with precious stones that give men delight and virtue'.⁴ It was of course a commonplace to speak, in the manner of Pliny, of gemstones as having special or even magical virtues or properties. But Latini

¹ See Ovid, *Metamorphoses*, 15.284; Vergil, *Aeneid*, 7.667–8, and 10.318–19.

² Aquinas, *Summa*, II.ii.123.6: 'principalior actus est fortitudinis sustinere, id est immobiliter sistere in periculis, quam aggredi.' So too Henry, *Virtutibus*, III.3, fo. 64b.

³ Latini, *Tresor*, p. 260: '[Force est] escus et deffense de l'ome, c'est son hauberc et son glave, car ele fet l'ome deffendre soi et offendre a ciaux k'il doit.'

⁴ Ibid., p. 17: 'La seconde partie ki traite des vices et des viertus est de precieuses pieres, ki donent a home delit et vertu.'

reverses the usual argument, claiming not that precious stones possess virtues, but rather that virtues can be symbolized by precious stones.

Latini reverts to this suggestion—an obvious pun on the title of his encyclopaedia—at the opening of Book II, where he begins with a rhetorical flourish that appears to be all his own.¹ ‘This second part of the *Tresor*’, he declares, ‘will be concerned with precious stones, that is, with the virtues.’² ‘Among these’, he goes on, ‘the first is prudence, which is signified by the carbuncle, which lights up the night and is more splendid than any other stone. The second is temperance, which is signified by the sapphire, which is the colour of the sky, and is the most gracious stone in the world. The third is fortitude, which is signified by the diamond, which is so strong that it can break and pierce all other stones and metals, while nothing can harm it. The fourth is justice, which is signified by the emerald, the most virtuous and beautiful object that the eye of a man can behold.’³

It is perhaps the strongest evidence of Lorenzetti’s dependence specifically on Latini’s authority that he follows this account with such fidelity in depicting the four virtues concerned. He associates Temperance with the colour of the sky, giving her a cloak and flowing skirt of cerulean blue. He associates Justice with the colour of emeralds, giving her a green tunic under her orange cloak. He associates Fortitude with diamonds, showing a large diamond-shaped ornament glittering at her breast. Finally, he not only shows Prudence as the first among the virtues, and hence in pride of place; he also shows her wearing a robe whose hem is encrusted with dark-coloured stones. These, we can surely conclude, must be intended to represent carbuncles.

I began with the general claim that Lorenzetti’s frescoes give expression to various Ciceronian and Senecan themes that were first revived and developed by the ideologists of the Italian city republics in the early decades of the thirteenth century. I have now arrived at the more specific contention that one particular

¹ Though the germ of the idea can be found in *Dogma*, p. 79.

² Latini, *Tresor*, p. 175: ‘la seconde partie dou tresor, ki doit estre des pieres precieuses, ce sont les vertus.’

³ Ibid.: ‘la premiere est prudence, ki est segneftee par le carboncle, ki alume la nuit et resplendist sour toutes pieres. La seconde est atemperance, ki est segneftee par le saphir, ki porte celestial coulor, et est plus gracieuse que piere du monde. La tierce est force, ki est segneftee par le diamant, ki est si fort k’il ront et perce toutes pieres et tous metaus, et por poi il n’est chose ki le puisse donter. La quarte vertu est justice, ki est segneftee par l’esmeraude, ki est la plus vertuose et la plus bele chose que oil d’ome puisse veoir.’

statement of this ideology can be shown to have provided the source for most of Lorenzetti's symbolic effects. Brunetto Latini, who was of course Dante's teacher, was plunged by Dante in the *Inferno* into the seventh circle of hell. My main conclusion is that, if we wish to understand Lorenzetti's masterpiece, this is a depth of oblivion from which we shall have to rescue him.

So far I have considered Lorenzetti's frescoes mainly as the expression of an ideology, and examined that ideology mainly as a way of explicating the frescoes. I wish to conclude by prising these two elements apart, asking whether there is anything further to be learnt from my analysis about Lorenzetti's masterpiece in itself, or about the historical significance of the ideology I have delineated.

In the case of the frescoes, I should like to think that various elements in the organization and colour-scheme of the central section can now be more fully explained by reference to the evidence I have presented. I should now like to add that the same evidence can also be deployed as a means of reconsidering a crucial question about the painting's state of repair, and hence its authenticity.

The question I have in mind is one that has preoccupied commentators ever since this part of the cycle was restored in the early 1950s. As Cesare Brandi definitively established at that time, the section portraying the virtues underwent extensive repair within about twenty years of its completion in the late 1330s. It appears to have been vandalized either in the course of the riots that accompanied Charles IV's visit to Siena in 1356, or perhaps during the uprising of 1368. Whatever the occasion of the violence, the resulting damage was such that the whole area to the right of the regal figure had to be repainted, including the major figures of Magnanimity, Temperance, and Justice.¹

The question this raises is of course whether the later artist (Lorenzetti having died in c.1348) was able to reproduce the original colour-scheme and iconographical details, or whether the destruction was so extensive as to force him to improvise.

It is certainly evident that various changes must have been introduced. In the area to the right of the regal figure, the cloth covering the bench on which the virtues are seated has been repainted with an inverted pattern and a darker colour-scheme. The handling of the drapery on the right-hand figures is less complex than on the left, while their faces altogether lack the characteristic angularity Lorenzetti has imparted to Peace,

¹ C. Brandi, 'Chiarimenti sul "Buon Governo" di Ambrogio Lorenzetti', *Bollettino d'Arte*, xl (1955), 119-23.

Prudence, and especially Fortitude. Closer inspection also discloses some clumsiness in the restoration of the section immediately to the right of the crack that separates off the area of damage, a crack that follows the right-hand fold of the regal figure's cloak. The hem of the cloak itself has been repainted in a simpler style, while the crown held out by Magnanimity has been superimposed on another crown of similar design, part of which is still rather confusingly visible.

Brandi himself inferred that, although the later artist probably reproduced as much as possible of Lorenzetti's work, he certainly fell short of anything like a literal imitation of what had been lost.¹ Recent scholars have voiced similar doubts,² while White has positively asserted that various elements in Lorenzetti's design must have been altered, claiming in particular that the sand-glass held by Temperance cannot be ascribed to a period earlier than the late 1350s.³

It is I think arguable, however, that Lorenzetti's basic design, colour-scheme, and iconography have all been preserved, at least in the case of the major figures of Magnanimity, Temperance, and Justice. The grounds for this optimism are furnished by the fact that Latini's *Tresor* evidently supplied Lorenzetti with the programme for his entire group of political virtues. As we have seen, Latini's descriptions of Fortitude and Magnanimity, which are virtually without precedent, are followed by Lorenzetti with complete fidelity; his descriptions of Prudence and Temperance, which are likewise distinctive, are no less carefully reproduced. There is indeed only one point at which Latini offers a strong visual clue that Lorenzetti fails to pick up. Latini's suggestion—again without parallel in other texts—that the cardinal virtues can be associated with particular precious stones is only imperfectly realized. As we have seen, Lorenzetti adopts the suggestion in the case of Fortitude and Prudence on the left, but not in the case of Temperance and Justice on the right.

It is possible, however, that this is simply due to the loss of those details at the time when the section on the right was repainted. Although we do not see the emerald associated with Justice, we see a rectangular black patch in just the position where, in the case of Fortitude, her diamond is displayed. So too with Temperance,

¹ Brandi, 'Chiarimenti', p. 120.

² e.g. Rowley, *Lorenzetti*, i, 142; and Borsook, *Mural Painters*, p. 37.

³ L. White, Jr., 'The Iconography of *Temperantia* and the Virtuousness of Technology' in *Action and Conviction in Early Modern Europe*, ed. T. Rabb and J. Seigel (Princeton, 1969), pp. 197–219, at p. 208.

whose sapphire is likewise missing, but whose dress is similarly marked with a black patch that looks even more like an instance of overpainting or repair. It may be that these patches were introduced by the later artist as a means of referring to certain details of Lorenzetti's design that he found it impossible to reconstruct. So the black patch on Temperance ought perhaps to show a sapphire, the one on Justice an emerald.

Even if this seems unduly speculative, we are still left with the following facts. Lorenzetti painted the figure of Fortitude, which is clearly inspired by Latini's *Tresor*. A later artist (probably Andrea Vanni)¹ repainted Magnanimity and Temperance, both of which are no less clearly taken from the same source. The most plausible inference is surely this: that the entire ensemble of the virtues reflects Lorenzetti's dependence on Latini, and thus that the later artist was in fact able to follow Lorenzetti's designs, except in the case of the small details just mentioned.

This is a finding of particular significance in relation to the portrayal of Temperance. As we have seen, this includes the earliest known depiction of a clock in the annals of western art. White has argued that this feature must be a later addition, and that the original painting probably showed Temperance with 'her traditional cup'.² Given Latini's contention, however, that Temperance is essentially a quality of 'measure' and 'timeliness', there is every reason to believe that, here as elsewhere, it was Latini who provided the inspiration for Lorenzetti's iconography. So there is every reason to conclude that the sand-glass held by Temperance must have formed an original feature of the work. The first appearance of a clock in western art can be ascribed to the 1330s after all.

I turn lastly to indicate what I take to be the historical significance of the ideology I have described. Hans Baron and others have influentially argued that the ideal of republican self-government was first fully articulated in Italian political theory only around the year 1400.³ This thesis has been justly criticized, however, for failing to recognize the emergence of similar doctrines among civil lawyers and especially scholastic political philosophers over a century earlier.⁴ The 'rebirth of the citizen'

¹ L. Bellosi, *Buffalmacco e il Trionfo della Morte* (Turin, 1974), pp. 52-4, pls. 110-13.

² White, 'Temperantia', p. 208.

³ H. Baron, *The Crisis of the Early Italian Renaissance* (Princeton, 1966), esp. Pt. I, pp. 3-78.

⁴ See for example C. Davis, *Dante's Italy and Other Essays* (Philadelphia, 1984), p. 254.

and the earliest conceptualizations of 'the new world of urban politics' have thus come to be associated in particular with the recovery and dissemination of Aristotle's *Politics* and *Nicomachean Ethics* in the closing decades of the thirteenth century.¹

This latter view, however, no less than that of Baron, overlooks the fact that the pre-humanist ideology I have been considering embodies an ideal of citizenship, and a vision of self-governing republicanism, that predate by at least a generation the earliest availability of the Aristotelian texts. A number of scholars have of course pointed to this aspect of pre-humanist culture.² But they have tended to add that, as soon as Aristotle became available in translation, his views completely won the day and 'transformed Italian political thought'.³ As I have tried to show, however, the theories formulated by the *Dictatores* not only preceded the so-called Aristotelian revolution but survived it virtually unchanged. The outcome was a distinctive view of citizenship that eventually broadened out into the so-called civic humanism of the Renaissance.⁴ It was from these humble origins, far more than from the impact of Aristotelianism, that the classical republicanism of Machiavelli, Guicciardini, and their contemporaries originally stemmed. The political theory of the Renaissance, at all phases of its history, owes a far deeper debt to Rome than to Greece.

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¹ e.g. J. Pocock, *The Machiavellian Moment* (Princeton, 1975), pp. 3, 66, 74-5; W. Ullmann, *Medieval Foundations of Renaissance Humanism* (London, 1977), pp. 94-6, 134 (and Ullmann, *Political Thought*, pp. 176-80); and N. Rubinstein, 'Political Theories in the Renaissance' in A. Chastel (ed.), *The Renaissance: Essays in Interpretation* (London, 1982), pp. 153-200, at p. 153.

² See for example Ullmann, *Foundations*, pp. 101, 134; and Rubinstein, 'Political Theories', pp. 153-4.

³ Ullmann, *Foundations*, p. 96. Rubinstein, 'Political Theories', p. 155. But for an excellent corrective see R. Celli, 'Pour l'histoire des origines du pouvoir populaire: l'expérience des villes-états italiennes XIe-XIIe siècles', *Publications de l'institut d'études médiévales: Université Catholique de Louvain*, iii (1980), 1-63, esp. pp. 50-2.

⁴ My argument can thus be viewed as a special case of P. O. Kristeller's general thesis about the origins and development of Renaissance humanism, a thesis to which I am deeply indebted. For Kristeller's thesis itself see p. 3, n. 1.