Dynamic politics: necessity, founding, and (re)founding in Machiavelli’s Discourses on Livy

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DYNAMIC POLITICS: NECESSITY, FOUNDING, AND (RE)FOUNDING IN MACHIAVELLI’S DISCOURSES ON LIVY

by

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Dynamic Politics: Necessity, Founding, and (Re)Founding

in Machiavelli’s *Discourses on Livy*

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Abstract

This dissertation is an attempt to recast the political thought of Niccolò Machiavelli in his *Discourses on Livy* in a far more radical light than it has been previously understood. Rather than trying to overcome *fortune*, I argue that Machiavelli was encouraging political actors to embrace it by embracing the force which fortune generates: *necessity*. Along with this orientation towards *fortune* and *necessity*, Machiavelli also was engaging in an additional subversive project: the systematic undermining of the conventional republican wisdom of his predecessors and his contemporaries.

On a practical level, the necessity central to Machiavelli’s thought is that of “founding,” of beginning a political order. But I argue that Machiavelli dramatically reinvents this term, because for him there is no such thing as a world without a prior political history and culture upon which to found. Instead, he shows us that there can only be what I have termed “(re)founding,” that is, a process of creating a new order from that which was prior to it, utilizing the logic of prior (re)foundings in light of novel circumstances. These novelties, produced by *fortune*, generate new *necessities*—particularly *fear*—that can compel human beings to act. What Machiavelli teaches is how to utilize these unruly, chaotic *necessities*—some “natural,” some “situational,” and some “artificial”—as opportunities to (re)create political order.

This runs contrary to the standard interpretation of political history that seeks to find a solid “founding” of a political community, and Machiavelli systematically undermines any notion of a pure, one-time beginning. By illustrating the similarities and differences in Machiavelli’s presentation of Rome’s several (re)foundings, I also show how, in contrast to conventional conceptions of *necessity* which view it as a restriction, Machiavelli shows how it is more than mere constraint, but how on the very basis of such constraint it can be *liberating*,

challenging the notion that constraint and freedom are necessarily antithetical. Machiavelli reinterprets the history of Rome from the standpoint of *necessity* and shows how, by embracing and utilizing it, Rome’s dynamism might be (re)created for others daring enough to try.
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Machiavelli is among the most challenging of political thinkers to read and interpret because he eschews formal systems, systematizing, and systematizers. Despite my shared sentiments with him about these things, I was not spared the difficulties that interpreters of his thought have to endure. Nonetheless, the challenge has been embraced, and this dissertation is its fruit. I could not have done it alone. First and foremost, I want to thank my wife Kim for supporting me throughout this process which was as much hers as it was my own. If I had a “good” day of research and writing, she heard—often more than she may have wanted to—about it. I want to also thank my family, other loved ones, and friends for helping me in all the ways I needed, when I needed it. I also want to thank the many members of my department who supported me along the way and especially my committee members and chair, Peter Breiner. His insights and advice have proven to be invaluable, and the time he has devoted to helping me think through Machiavelli’s thought cannot be measured. Finally, I want to thank the many students I have had over the years whom I have had the privilege not only of teaching, but also of learning from as well.
Chapter I: Introduction

The purpose of this dissertation is to make an argument about how Machiavelli depicts and conceives of political reality as well as to examine how the actors he situates there navigate it based upon his *Discourses On Livy*.¹ This text has been chosen deliberately. To begin with, Machiavelli himself in his dedicatory letter to Zanobi Buondelmonti and Cosimo Rucellai explains that in the *Discourses*, “I have expressed as much as I now and have learned through a long practice and a continual reading in worldly things.”² But beyond Machiavelli’s own words that the *Discourses* represents the height of his knowledge, the level of scholarly attention it has received compared to *The Prince*³ is substantially less, and it is a curious thing: the two works share much the same language and have many of the same themes. In fact, what is arguably the central theme of *The Prince*, the so-called problem of *fortuna*, or “fortune”⁴ (what Alasdair MacIntyre called “the bitch goddess of unpredictability”⁵), is (in a certain sense at least) “solved” in the *Discourses*. In *The Prince*, we learn that no individual can successfully manage fortune for very long, for in order to do so that actor would need “to have a spirit disposed to change as the winds of fortune and variations of things command him…”⁶ But herein lies the rub of that work: the hypothetical political actor who has “a spirit disposed to change” as fortune dictates is

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¹ Niccolò Machiavelli, *Discourses On Livy*, trans. Harvey C. Mansfield and Nathan Tarcov. (Chicago: University of Chicago Press, 1998). All citations from the *Discourses* will take the following form: D I.2, 3, with the “D” referring to the *Discourses*, the “I” referring to the book, the “2” to the chapter, and the “3” to the page number.
² *Dedicator Letter*, 3.
³ Niccolò Machiavelli, *The Prince*, trans. Harvey C. Mansfield. (Chicago: University of Chicago Press, 1998). All citations from the *Prince* will take the following form (where clarification is necessary): P I, 2, with the “P” referring to the *Prince*, and the “I” referring to the chapter, and the “2” referring to the page number.
⁶ P 18, 70.
an impossibility, because no one can “be found so prudent as to know how to accommodate himself to this.”

Yet perhaps this problem is resolvable—by turning away from principalities and individuals such as those found in The Prince and to republics, the subject of Machiavelli’s Discourses. There Machiavelli writes that

- A republic has greater life and has good fortune longer than a principality, for it can accommodate itself better than one prince can to the diversity of times through the diversity of citizens that are in it. For a man who is accustomed to proceed in one mode never changes, as was said; and it must be of necessity that when the times change not in conformity with his mode, he is ruined.

This brief passage tells us not only something about how Machiavelli understands republics and principalities, but also how he conceives of political reality. A republic can draw upon the “diversity of citizens that are in it,” whereas a principality cannot, and this is the problem where the latter are concerned. It is clear from this that it is what Machiavelli would call a “necessity” that a political community possess this ability to rely upon different types of citizens if it is to survive “the diversity of times.” Notice here that the emphasis is upon a republic’s ability to adapt to the changes around it. The exclusivity of a principality—rule by one—is simply too static and unable to adapt to what amounts to a dynamic reality.

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7 P 25, 100. At the end of The Prince, we are left with what appears to be an unresolvable problem: a necessity which no individual can indefinitely (if ever) satisfy and advice that cannot be followed. Two interpreters who try to make sense of this paradox are Thomas M. Greene, ‘The End of Discourse in Machiavelli’s “Prince,”’ Yale French Studies 67, Concepts of Closure (1984): 57-71, and Charles D. Tarlton, “Azioni in modo l’una dall’altra”: action for action’s sake in Machiavelli’s The Prince,’ History of European Ideas 29 (2003): 123-140.

8 See Peter Breiner, “Machiavelli’s “new prince” and the Primordial Moment of Acquisition.” Political Theory 36, no. 1 (Feb., 2008): 90. There he writes that “within this field of original conflict, as Machiavelli presents it, there is one last lesson about the conditions of success for an individual political actor in matters of state. Success comes to the prince ultimately only when the prince cedes power to that which he can never conquer, a republic.” Ironically, this move between The Prince and the Discourses from the individual to the city or state level of analysis is—although Machiavelli is critical of such kinds of works—reminiscent of Plato’s strategy between Books 1 and 2 of the Republic. See P 15, 61 for an indication of Machiavelli’s disdain for idealist (and consequently, systemic) political philosophy: “…it has appeared to me more fitting to go directly to the effectual truth of the thing than to the imagination of it. And many have imagined republics and principalities that have never been seen or known to exist in truth…”

9 D III.9, 240.
Yet what is the nature of this “dynamic reality?” For Machiavelli, it is nothing other than fortune itself, the very landscape where the various forces of reality come together and upon which action takes place and produces effects (i.e. the “good” or “bad” fortune one enjoys or endures). That these forces and actions come together and produce a near-endless variety of effects for human beings and their ways of life is a product of what might be the defining feature of this dynamic reality: “all things of men are in motion and cannot stay steady,” and so “they must either rise or fall.” Later in the Discourses he reiterates the point: “for since human things are always in motion, either they ascend or they descend.” Reality (fortune) is “dynamic” because it is in a state of perpetual motion.

This dissertation is concerned with the verità effettuale, or “effectual truth,” of these motions, or the effect that they produce: necessity for political actors (both individuals and collectivities such as cities/kingdoms/republics). That this word is crucial for Machiavelli is clear. J.H. Whitefield asks, “What is the key-word of the Prince?”

Is it not necessity, which, as noun, participle, or adjective, occurs seventy-six times in this short treatise of only twenty-six chapters? Nor, even if we take it that a few of those occurrences are discrepant, is it unaccompanied by other words, more or less energetic, more or less synonymous, that would swell the count.

The same question might be asked regarding necessity (and its cluster of derivative and related words like “necessary,” “necessarily,” “necessitate”) in the Discourses. In terms of sheer frequency, Harvey Mansfield counts no less than nineteen occurrences of “necessitate” alone; as for “necessary,” “necessarily,” and “necessity,” the occurrences are too great to count. It is not an exaggeration to say that in Machiavelli’s thought generally and the Discourses specifically,

10 D I.6, 23.
11 D II, preface, 123.
12 P 15, 61.
14 See the Discourses, glossary, 311, for an explanation of Mansfield’s accounting practices.
“necessity” and the language of compulsion lurk everywhere, yet its ubiquity has not translated into a corresponding level of attention.\(^\text{15}\) Evidently, *necessity* is hiding in plain sight. Yet what is *necessity*? Erica Benner writes that

\(\text{(i)\text{ in classical history and philosophy, the word *necessity* (Greek *anangkē*, Latin *necessitas*) identifies very strong causalities that constrain human actions… Both among scholars who see Machiavelli primarily as continuing a civic humanist tradition and those who see him as a realist who broke with that tradition, the overwhelming majority assume that he uses the concept of *necessità* in a fairly straightforward way. When Machiavelli says that agents act under necessity, it is generally assumed that he wants to underscore the hard realities of conflict and power that limit human choices, rendering ideally moral actions impossible…}\)\(^\text{16}\)

While this conventional view of *necessity* is accurate (it does constrain choices), it is also incomplete, for Machiavelli’s use of “necessity” *is* far from “straightforward.” One of the goals of this project, therefore, is to flesh out the meaning of *necessity*. The challenge to doing so is that Machiavelli, seemingly deliberately, rarely if ever employs his concepts in one consistent manner, and *necessity* is no exception.\(^\text{17}\) The meaning of *necessity*, as with that of any word, is dependent upon the context in which it is found. Because Machiavelli is writing about politics, the context is constantly shifting “as the winds of fortune and variations of things”\(^\text{18}\) do, so *necessity* is no one particular thing. At times *necessity* is a cause (e.g. “fortune” generally speaking, or “motion” as a *necessity* of reality), and at other times it is an *effect* (e.g. “good” or “bad” fortune, or the various necessities that fortune’s motions produce). Sometimes *necessity*

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\(^\text{17}\) I recognize that this is probably true to varying degrees of many if not most writers, but I believe this to be a central tendency in Machiavelli’s work.

\(^\text{18}\) P 18, 70.
has a positive connotation (such as when Machiavelli links it causally to virtù)\textsuperscript{19}, and at other times it is cast in a negative light (such as judging a republic to be “weak” when it makes decisions because of necessity rather than through “choice”).\textsuperscript{20} At other times, Machiavelli does not call something a “necessity” despite it sharing the characteristics of being unavoidable and inevitable (such as fortune and motion). Suffice it to say that necessity wears many hats (some explicitly and others only implicitly) for Machiavelli, and this is especially true in the Discourses.

Rather than view this diversity of forms as a problem, I prefer to treat it as an opportunity to select out those which I feel are most interesting and critical for understanding the Discourses and the kind of thinking Machiavelli wants the reader to develop. What I am concerned with is how a political community, comprised of individual actors as well as social classes, manages its relationship to necessity across space, time, and the dictates of human nature as Machiavelli understood them. But besides these more general, natural necessities\textsuperscript{21}, there lies the very particular situational necessities that shape the field of action, constraining and enabling actors’ movements.

In this dissertation, I am making an argument about how both political communities and individuals relate to necessity and, by extension, how they relate to its source, fortune. The way in which an actor (however conceived) relates to fortune (understood as being a dynamic reality in constant motion) has normally been understood as their virtù.\textsuperscript{22} This relationship has,

\textsuperscript{19} D I.1, 8.
\textsuperscript{20} D I.38, 81-83. The apparent dichotomy of “necessity” versus “choice” will be explored in this project, particularly in chapter 2.
\textsuperscript{21} By “natural” I mean those necessities arising from out of “nature.” “Nature” itself is a necessity in the same sense that fortune and motion are but, for the sake of clarity, I break “nature” down into its component parts of “space,” “time,” and “human nature.”
furthermore (and not without reason), typically been understood as conflictual, as ‘the confrontation of “virtue” with “fortune” and “corruption”…’\textsuperscript{23} What I would like to suggest is that we rethink this as the only or best characterization of this relationship based on the textual evidence found in the \textit{Discourses}. Rather than a “confrontation,” I believe it to be the case that Machiavelli is suggesting something quite different overall. When he writes in \textit{The Prince} that mastery of fortune, here depicted and conceived of as a woman, requires that one “beat her and strike her down,” it must be remembered that the sentence is a conditional one: “it is necessary, if one wants to hold her down,” that they “beat her and strike her down.”\textsuperscript{24} But what if an actor—whether individual or collective—decides to pursue a different path? What if they decide that managing fortune consists \textit{not} in domination but, rather, in accommodation?

In \textit{The Prince}, Machiavelli provides textual evidence for this alternative vision for coping with fortune:

\begin{quote}
I liken her to one of these violent rivers which, when they become enraged, flood the plains, ruin the trees and buildings, lift earth from this part, drop in another; each person flees before them, everyone yields to their impetus without being able to hinder them in any regard. And although they are like this, \textit{it is not as if men, when times are quiet, could not provide for them with dikes and dams so that when they rise later, either they go by canal or their impetus is neither so wanton nor so damaging}. It happens similarly with fortune, which demonstrates her power where virtue has not been put in order to resist her and therefore turns her impetus where she knows that dams and dikes have not been made to contain her.\textsuperscript{25}
\end{quote}

In this formulation, although he speaks of resisting fortune, Machiavelli does so in the language of \textit{accommodation}: fortune is a \textit{force of nature} and as such cannot be overcome or dominated for very long, if at all. It is far more prudent to \textit{channel} this force: if it overruns you, you may not be altogether ruined, for the flood provides the fertility for the next harvest or, less

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\textsuperscript{24} P 25, 101, emphasis added.
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\textsuperscript{25} P 25, 98-99, emphasis added.
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bleakly, one might prevent ruination by redirecting such a river by constructing “dikes and dams” so that it may “go by canal…” Because fortune always ultimately triumphs regardless of the path chosen—even the Roman republic, Machiavelli’s exemplary case, imploded—it is best to learn how to utilize it, making the most of what it offers while you have the time to do so. If this is the case, then the “problem” of fortune ceases to be a problem at all—and this is precisely the kind of interpretive possibility that lies dormant in Machiavelli’s thought, and the goal here is to develop a reading of the Discourses that brings this to life while simultaneously saying something about the nature of political reality as I believe Machiavelli understood it. Ultimately, I argue that this orientation toward fortune—that of accommodation—is about “embracing” fortune (itself a kind of necessity) and what it constantly produces, necessities. By embracing these necessities, Machiavelli’s Romans ironically create their own freedom.

This argument about the relationship between fortune, necessity, and freedom places this project into a wider debate among scholars of Machiavelli’s thought who have plied it (and particularly the Discourses on Livy) for insights into the history of political thought as well as insights useful to contemporary democratic theory. The interpretations of J.G.A. Pocock, Quentin Skinner, Philip Pettit, and Maurizio Viroli (collectively understood as the so-called

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26 See Pocock’s Machiavellian Moment, cited above.
“Cambridge School”), straddle both camps.\textsuperscript{30} Although they do not all share an identical interpretative framework\textsuperscript{31}, this group of scholars does share a general republican reading of Machiavelli. Taken together, their reading of Machiavelli’s work has helped to (and I believe rightfully) “rehabilitate” his image, counteracting the damage inflicted upon it through other (I believe mistaken) readings that have portrayed him as a (or the) theorist of despotism or tyranny. Indeed, Cambridge School scholarship has provided critical insights into Machiavelli’s thought, particularly where his conception of freedom is concerned,\textsuperscript{32} and has provided an excellent intellectual foil to contemporary liberal democracy.

Nevertheless, overreliance upon republicanism to improve the quality of democratic theory is problematic because “republicanism, unless reconstructed almost beyond the point of recognition, can only reinforce what is worst about contemporary liberal democracy: the free hand that socioeconomic and political elites enjoy at the expense of the general populace.”\textsuperscript{33} This in turn is “(b)ecause of the traditional oligarchic tendencies of republicanism,”\textsuperscript{34} tendencies that I argue in this dissertation Machiavelli was not only conscious of but diametrically opposed to. As McCormick also recognizes, it is not that Machiavelli thought elites could be (or even necessarily should be) done away with entirely, but he did not resign himself to their domination of the rest of the populace, either. Indeed, Machiavelli shows us “that the general populace can


\textsuperscript{31} It seems to me that Pocock in particular reads Machiavelli through an Aristotelian-republican lens rather than through either the Classical or Renaissance republican frameworks that Skinner, Pettit, and Viroli do. For a similar observation about Pocock’s reading, see Vickie B. Sullivan, ‘Machiavelli’s Momentary “Machiavellian Moment”: A Reconsideration of Pocock’s Treatment of the Discourses,’ Political Theory 20, no. 2 (May, 1992): 309-318.

\textsuperscript{32} This is especially true of Skinner’s and Pettit’s work, listed above. I shall return to a brief discussion of freedom/liberty in the conclusion to this project.

\textsuperscript{33} McCormick, “Machiavelli against Republicanism,” 616-617.

\textsuperscript{34} McCormick, “Machiavelli against Republicanism,” 616.
render these elites more accountable than do the simple electoral standards and mechanisms that liberal democracy has inherited from republicanism.”35 “On these and other grounds,” McCormick writes,

Machiavelli’s populist theory of holding elites to account is closer to a more egalitarian democratic than to a traditional republican theory: unlike the latter theory of popular government, which is largely acclamatory, Machiavellian democracy is both participatory and contestatory.36

In line with this statement and central to this project, ‘republicanism…had always prescribed a much more narrow role for the populace in republics or “mixed regimes”—at least too narrow to warrant association with Machiavelli…’37 As I shall demonstrate in subsequent chapters, throughout the Discourses Machiavelli critiques and “reverses” many of the central assumptions of republican thought, including any notion that the people are politically defective or suspect in any way. In this particular overturning of the conventional republican wisdom, I will show how Machiavelli argues that Rome’s success once the republic was founded was not due to the prudence or excellence of the nobility, but that instead whatever virtues the nobility demonstrated were the result of militant popular opposition to their generally self-interested schemes.38

Despite these overall incongruities between classical republicanism and Machiavelli’s political thought and, despite my reading of Machiavelli’s Discourses and thought generally as something other than orthodox republican—so much so that we should consider the question of whether he is still a “republican” at all39—the work of the Cambridge school still raises important questions about and insights into his work. In particular, it is Pocock’s masterful

38 See chapter 4 below.
39 See McCormick, “Machiavelli against Republicanism,” 618-619. Nonetheless, I use the term “republican” to describe Machiavelli so as not to generate confusion and because, as McCormick points out at 619, “‘republican’…is, after all, the word he used…”
work, *The Machiavellian Moment*, that “establishes the interpretive framework for understanding Machiavelli and republicanism”\(^{40}\) that the other Cambridge School scholars would. Indeed, it is Pocock’s work, his consideration of fortune and time, that, despite many interpretive differences, has helped set my mind to thinking about the question of contingency in Machiavelli’s thought and in the *Discourses* particularly. It is “the Machiavellian moment,” he writes, that

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\text{denotes the problem itself. It is a name for the moment in conceptualized time in which the republic was seen as confronting its own temporal finitude, as attempting to remain morally and politically stable in a stream of irrational events conceived as essentially destructive of all systems of secular stability. In the language which had been developed for the purpose, this was spoken of as the confrontation of “virtue” with “fortune” and “corruption”…}^{41}
\]

According to Pocock, it was Machiavelli who “established that civic virtue and the vivere civile may—though not that it is necessary that they should—develop entirely in the dimension of contingency, without the intervention of timeless agencies.” In this dissertation, I agree with Pocock on this critical point: time and contingency, manifested as “fortune,” are central, perhaps the central problems for Machiavelli, especially in his *Discorsi*. But where things become problematic for Pocock’s reading of Machiavelli can be found in Pocock’s assumption that Machiavelli, while perhaps sharing some of the same concerns as other republicans, also shares its orientation toward the goals and problems it has traditionally set before itself: “(t)he goal” for Machiavelli, “defined by Polybius and achieved by Lycurgus may still be to escape from time and change, but there are circumstances in which citizens move toward this goal through the efforts of their own time-bound selves.”\(^{42}\) While the latter part of this statement is indeed true—political actors and communities have no one but themselves to rely upon for anything as far as Machiavelli is concerned—the assumption that “escape” is also Machiavelli’s orientation toward “time and change” is, while understandable, mistaken. Just because Machiavelli’s

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\(^{40}\) McCormick, “Machiavelli Against Republicanism,” 619.


\(^{42}\) Pocock, *Machiavellian Moment*, 190, emphasis added.
“contemporaries” may have held this orientation toward fortune does not mean that Machiavelli shared in it.\textsuperscript{43}

Instead—and returning to the point made earlier in the introduction—the overriding argument of this dissertation is that for Machiavelli “time and change” are not phenomena to be avoided, for political actors and communities to “escape” from, but instead are \textit{necessities}—the very phenomena to be \textit{embraced}. Furthermore, it does not seem to me that Pocock’s reading of Machiavelli’s “solution” to “time and change” was capable of this “escape,” anyway. Although he acknowledges the uniqueness of Machiavelli’s reliance upon class conflict as the critical element that made Rome “perfect,”\textsuperscript{44} he becomes mired in perhaps the quintessential classical republican notion of “balanced government”\textsuperscript{45} in the form of the mixed regime whereby “each of the three elements was able to hold back the others from excess.”\textsuperscript{46} On Pocock’s reading, it appears as if upon the creation of the people’s tribunes Rome’s “perfection” was complete and indeed Machiavelli arguably says as much in I.2 of the \textit{Discourses}. But is it not strange that Machiavelli would speak of “perfection” at the very beginning of the work? While it is true that Machiavelli was far from systematic in his structuring of the \textit{Discourses}, it nevertheless seems odd to place such an important concept so early in the work and leave it at that. Instead, I read his placement of “perfection” so early in the work as an ironic move on his part, as his way of calling the notion of “perfection” into question rather finalizing it once and for all. As I will show, while Machiavelli may utilize republican language to describe “perfection,” he proceeds to completely reinvent what this means—linked as it is to a different orientation toward “time and

\textsuperscript{43} Pocock, \textit{Machiavellian Moment}, viii. Here we see Pocock framing Machiavelli within a \textit{constructed} intellectual context which includes his contemporaries, rather than Machiavelli via the \textit{Discourses} alone. For an instructive discussion of “constructed” and “reconstructed” contexts, see John G. Gunnell, \textit{The Orders of Discourse: Philosophy, Social Science, and Politics}, (Landham, MD: Rowman & Littlefield Publishers, Inc., 1998): 166-169.

\textsuperscript{44} Pocock, \textit{Machiavellian Moment}, 194-195, quoting D I.2.

\textsuperscript{45} Pocock, \textit{Machiavellian Moment}, viii.

\textsuperscript{46} Pocock, \textit{Machiavellian Moment}, 195.
change” than that of his contemporaries, forerunners, and even than that of those who came after him. This reinvention includes a far less sanitized—and never-ending—vision and version of class conflict, of the dynamic struggle between the umori or “humors” of the people and the nobility, than Pocock provides in The Machiavellian Moment.\footnote{47} In short, because Pocock’s account of Machiavelli’s argument in the Discourses cannot break out of the larger republican framework of ideas, it only manages to provide an account of Machiavelli’s thought that leads toward the reproduction of the “static”\footnote{48} type of republic (e.g. Sparta and Venice) that Machiavelli was challenging throughout the work\footnote{49}, leading McCormick to go so far as to write that Pocock “might have more accurately titled the book The Guicciardinian Moment,” after Machiavelli’s elite-favoring contemporary, Francesco Guicciardini.\footnote{50}

While my work is in an important sense an outgrowth of Pocock’s in the sense that it is a different response to the problem he poses, it is also an outgrowth of another interpreter of Machiavelli’s whom I have already cited at length for his critique of the Cambridge-linked scholars’ readings of Machiavelli: John P. McCormick.\footnote{51} McCormick utilizes Machiavelli to argue for a far more robust, popular, and contestatory democratic theory than any of the Cambridge scholars. This “Machiavellian democracy”\footnote{52} rests upon two critical insights: first and

\footnote{47} Indeed, a far less sanitized version of class conflict than any of the Cambridge School scholars present. Cf. Skinner’s “tensely balance equilibrium” in Foundations, 181, and Viroli’s “moderation” in “Machiavelli and the republican idea of politics,” 165-167 and in his “Machiavelli,” 125, where he writes that “Machiavelli’s republicanism is a commitment to a well-ordered popular government. By a well-ordered, or moderated, republic he means, in accordance with Cicero’s concept of orderliness or moderation a republic in which each component of the city has its proper place.”

\footnote{48} See chapter 3 below.

\footnote{49} See McCormick, “Machiavelli against Republicanism,” 619-626.

\footnote{50} McCormick, “Machiavelli against Republicanism,” 620.


\footnote{52} McCormick, Machiavellian Democracy, 7.
in a manner different than Pocock’s, McCormick recognizes the power of contingency, in the form of *accidenti* or “accidents,” in Machiavelli’s thought, and second, his recognition that Machiavelli’s “political theory is more populist and anti-elitist than what passes under the name of either republican or democratic theory today.” The first insight takes McCormick’s interpretation of Machiavelli far beyond the standard recounting of the mixed regime to a more nuanced view of Rome’s political development. The second suggests that even with the achievement of the mixed regime, Rome’s political development was far from over.

In his movement beyond the mixed regime, McCormick in his analysis primarily focuses upon the “forgotten or abandoned practices of elite accountability” that can be found in Machiavelli’s *Discourses*: “(o)ffices or assemblies empowered with veto or legislative authority that exclude the wealthiest citizens from eligibility,” “(m)agistrate appointment procedures that combine lottery and election,” and “(p)olitical trials in which the entire citizenry acts as ultimate judge over prosecutions and appeals.” For McCormick, the *Discourses* is an account of “how common people might control elites.” Although he writes of an “antagonistic political culture,” McCormick’s main focus for controlling elites is institutional: “auxiliary governmental institutions that facilitate direct political action.” To this end, he is rightfully fascinated by the power of the Tribunes of the Plebs, Machiavelli’s most favored political institution.

55 It seems to me that even portraying the “mixed regime” as a product of larger processes and forces, as part of Rome’s “development” rather than its “perfection,” is often wanting in accounts of the early chapters of the *Discourses*. McCormick’s attention to the role of “accidents” directly informs my account; for my “developmental” accounting, see chapters 2-4; for “accidents,” see chapters 3-4 below.
58 McCormick, “Controlling Elites with Ferocious Populism,” 297. See also his comment to this effect on 298: “Machiavelli’s analysis of Rome is both sociological and institutional. As such, it prompts us to consider that an adequate analysis of popular government must be both.”
Yet while McCormick acknowledges the critical importance of “popular ferocity” on the part of the people when “provoked” and, while he provides a superior analysis of class conflict to those scholars of the Cambridge School persuasion in that he sees the intensity and animosity in it that they largely sanitize, his focus is almost too institutional in nature. While I agree with McCormick about the critical nature of “(t)he plebian tribunate,” it cannot be, by itself, understood as “the centerpiece of Machiavelli’s prescriptions for popular government…” Instead, the tribunate has to be understood as but one part of a dynamic of forces that allowed for “popular government” in Rome. Along with the institutionalized tribunate was the force that created it: the disunion between the nobility and plebs which resulted in “extraordinary and almost wild” action on the part of the plebs. Disunion and tumults are therefore just as if not more important than the tribunate, as they were “the first cause of keeping Rome free…”

While McCormick may in his *Machiavellian Democracy* want “attention on the necessity of properly institutionalized class conflict for healthy domestic politics within popular governments,” in this project I aim to do the opposite: to show the necessity of properly extra-institutionalized class conflict and indeed, to demonstrate the necessity for extra-institutionalized activity generally as it is that which creates the space for institutionalized practices to even exist in the first place.

60 McCormick, “Controlling Elites with Ferocious Populism,” 300.
62 McCormick, “Controlling Elites with Ferocious Populism,” 302: “The active civic life enjoyed by Machiavelli’s (perhaps romanticized popularly based Rome is not—contemporary neorepublicans and communitarians take note—a peaceful, bucolic, or tranquil arrangement of social interaction.” In footnote 8 attached to this comment, McCormick specifies further, recognizing that “in contemporary, especially poststructuralist, critiques of liberal democracy” there is a recognition of the importance of “conflict, contestation, or “agonism,”” but only that this “literature promotes conflict over identity “recognition” rather than economic “redistribution”” and “control of elites.” McCormick clearly is more concerned with the latter two.
64 D I.4, 16, emphasis added.
65 D I.4, 16.
The layout of the proceeding chapters are as follows: in each of the next three chapters (2, 3, and 4), I explore on the general level of abstraction the natural necessities of space, time, and human nature, respectively, in that order. But in each of these chapters, I also examine how, at the particular level of analysis, concrete actors face situational necessities and, as a result, must take direct actions to shape and reshape their political communities, based on the example/template of particular founding and (re)founding in chapter 2. In that chapter we see how Rome was founded by Romulus and (re)founded by Numa, and how these actors established templates which later founders could employ. In chapter 3, I examine the (re)founding of Brutus, and in chapter 4, the (re)founding of Rome by the plebeians. Chapter 5 brings these three chapters together, illustrating how the natural necessities of space, time, and human nature are not independent but instead are dynamically shaping one other—and the path of Machiavelli’s Romans. Chapter 6 concludes with a recapping of the overall argument and a consideration of the implications of this analysis.
Chapter II: Spatiality and Founding

Introduction

It is conventional to think of the “beginning” or “founding” of something as a single act that occurs in a moment of linear time, an instant where something that did not exist previously comes into or is brought into being. This is certainly how the founding of a political order, often in the form of a city, has been and is conventionally understood: a single actor, at a stroke, creates or founds for the inhabitants of a place a political order under which they may live.

Classical, conventional images of founding which Machiavelli cites include Theseus’ founding of Athens, Lycurgus’ founding of Sparta, and Romulus’ founding of Rome. But with Machiavelli we quickly run into a problem with this one-shot model:

Although Rome had Romulus as its first orderer and has to acknowledge, as daughter, its birth and education as from him, nonetheless since the heavens judged that the orders of Romulus would not suffice for such an empire, they inspired in the breast of the Roman Senate the choosing of Numa Pompilius as successor to Romulus so that those things omitted by him might be ordered by Numa.

And on the following page Machiavelli writes,

So if one had to dispute over which prince Rome was more obligated to, Romulus or Numa, I believe rather that Numa would obtain the first rank…

Chronologically speaking, Romulus founded Rome, and Machiavelli says as much. Yet it is Numa who deserves higher praise as Rome’s second leader because of his introduction of religion which, for Machiavelli, has beneficial effects: “where there is religion, arms can easily be introduced, and where there are arms and not religion, the latter can be introduced only with

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1 For Theseus, see D I.1, 7; for Lycurgus see I.2, 10, I.9, 30, and I.11, 35; for Romulus, see I.1, 9, I.2, 14, and especially I.9, 28-30. Machiavelli also discusses Alexander, Aeneas, and Moses at I.1, 8-9 as founders of cities and Moses again at I.9, 30, II.8, 144-145, III.30, 280. Also see his reference to Solon’s giving of laws to Athens at I.2, 13, and I.9, 30, and I.11, 35.
2 D I.11, 34.
3 D I.11, 35.
difficulty.” If Numa is just as, if not more important than, Romulus, then Machiavelli is turning the conventional image of founding on its head. To eventually rise to the greatness Rome did, Romulus’ actions, while necessary, were by themselves insufficient; Numa’s (re)founding of Rome, specifically his introduction of religion, was “necessary to arrive at Roman greatness.”

But if we are being critical, we must ask of Machiavelli whether Numa’s (re)founding, while quite necessary, was itself sufficient for “greatness” as he understood it? As we shall see in the Discourses, the answer for Machiavelli is a resounding “no.”

The course of the Roman republic demonstrates extremely well how difficult it is, in ordering a republic, to provide for all the laws that maintain it free. Notwithstanding the many laws that were ordered there by Romulus first, then by Numa, by Tullus Hostilius and Servius, and last by the ten citizens created for like work, nonetheless new necessities in managing that city were always discovered, and it was necessary to create new orders…

No founding or ordering, no matter how necessary and/or useful for what Machiavelli calls a “free way of life,” is ever ultimately sufficient because reality is dynamic: “all things of men are in motion and cannot stay steady,” and so “they must either rise or fall.” Thus no “equilibrium” can be achieved, nor can a carefully “balanced” political arrangement be struck. Nothing is permanent, stationary, or “static.” A single founder, regardless of how virtuous, and a single founding, regardless of how successful, is ever enough. Thus we encounter the central

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4 D 1.11, 35.
5 D 1.6, 23.
6 D 1.49, 100, emphasis added.
7 “Way of life” is often if not always modified by some adjective. My concern in this project is with what Machiavelli calls the “free way of life” (vivere libero). For its usage, see D 1.2, 14; 1.5, 17; 1.16, 45; 1.25, 60, 61; 1.33, 71; 1.36, 78; 1.49, 100, 101; II.2, 129, 130 (3x), 132; III.1, 209.
8 D 1.6, 23. See also II, preface, 123: “…for since human things are always in motion, either they ascend or they descend.”
10 For the idea that “balanced government” is central to Machiavelli’s thought, see Pocock, The Machiavellian Moment, viii. Then, compare this to what Machiavelli writes in D 1.6, 23: “…one cannot, as I believe, balance this thing, nor maintain this middle way exactly…”
11 Thus Harvey Mansfield is correct when he writes that “Machiavelli conceives of many beginnings, not just one.” See Mansfield, “Machiavelli’s Beginnings,” 55. See also Mansfield’s “Necessity in the Beginnings of Cities,” 57-78.
necessity with which this chapter—and this project—is concerned: the necessity for “(re)founding” (and all that this may entail) whenever the necessity for it arises.

In this chapter I begin the task of tracing out Machiavelli’s challenge to and ultimate reversal of the conventional understanding of founding as a single act in a single moment in time by following his moves from Rome’s “generic” founding to its first two “particular” foundings. Central to both “levels” of founding is necessity, because “(f)or Machiavelli there is just one beginning—necessity.”¹² If this is accurate, founding and necessity are inexorably bound together. But because necessity can and does mean many things for Machiavelli, we must not only examine the necessity for (re)founding, we also have to understand the various necessities of (re)founding. To identify these, we must locate them within the wider field of necessities that exist for Machiavelli, or what I will call “natural” and “situational” necessities. Natural necessities are those which originate from nature: those of space, of time, and of human nature. While in this chapter I define and in later chapters explore all three “natural” necessities, my primary focus here is upon space. As for situational necessities, they are those necessities that are specific to the type of situation a type of political actor finds themselves in. In other words, there are different types of situations for Machiavelli, and each type contains features, actors, and dynamics that would likely be present should that type of situation reoccur. While the outcomes of these situations are contingent, their component parts and processes remain generally consistent across time and space for Machiavelli. Each situation, furthermore, provides an opportunity for (re)founding and, in a certain sense, there is no general political situation besides that of the constant necessity (and greater or lesser potential) for (re)founding. I am therefore concerned with not only (re)founding as a necessity, but with the necessities of this process as such.

We can best see how natural necessities, situational necessities, and the necessities of (re)founding manifest themselves by seeing them at the generic and particular levels of founding, respectively. The generic process of founding Machiavelli diagrams at the beginning of the Discourses—the identification of natural necessities, and the utilization of the opportunity (occasione) they provide to produce “artificial” necessity or orders (ordini) which channel the potential inherent in nature toward ends ultimately conducive to the “free way of life”\textsuperscript{13}—is the template for each of his particular (re)foundings. In other words, once we understand the logic of founding generically, we can then see how this logic is reflected in concrete particular (re)foundings. At the level of particular (re)founding, therefore, once we take account of the various situational necessities (analogous to the natural necessities of generic founding) which political actors face as they engage in the process, we can then glean what they must do in the face of them, or the necessities of (re)founding. The logic of Romulus’ founding, for example—particularly his entrance in to what Machiavelli terms the “extraordinary”\textsuperscript{14} as a source of power and authority so as to give “form” to the “matter”\textsuperscript{15}—applies the logic of generic founding’s use of natural necessities to create artificial necessities. As for his successor Numa, he imitates the logic (if not all of the deeds) of Romulus’ particular founding and thus also applies the logic of the process of generic founding, but must do so in the wake of what Romulus had already done. It is this combination of imitation and innovation on Numa’s part which (re)founds Rome.


\textsuperscript{14} To gain a sense of what Machiavelli means by “extraordinary,” see D I.4, 16 (as it applies to the actions of the Roman plebs), and I.7, 24 (for its destructive potential). But also see my discussion later in this chapter and in the coming chapters for the creative potential found in the “extraordinary.”

\textsuperscript{15} For the “matter,” see D I.16, 44. See also D I.17, 48. My understanding of the “matter” is the people together with their customs, orders, laws, and modes (of conducting or executing the customs, orders, and laws).
It is useful to recall what Machiavelli wrote about “hereditary” principalities: “In the antiquity and continuity of the dominion the memories and causes of innovations are eliminated; for one change always leaves a dentation for the building of another.”\(^{16}\) This chapter is an excavation of Machiavelli’s process of creatively “remembering” those “memories and causes of innovations” that he understood as part and parcel of founding and indeed, of politics itself. By the conclusion of this chapter, we shall see founding not so much as an “act” but as a series of “actions” which, when taken together, form a *dynamic process*\(^{17}\) of founding and (re)founding that must continue so long as necessities arise which, for Machiavelli, they must of necessity always do.

**“Natural” Necessities**

First off for Machiavelli there are “natural” necessities that are inherent in all cities or political orders which must be reckoned with at all times (although as time passes, they may be forgotten, as the quote from *The Prince* above suggests), and especially at the moment of initial founding. These “natural” necessities which nature provides include space and time, as well as generic human nature. The natural necessity of “space,” or what we might conceive of as “spatial” necessity, pertains to geography, particularly the location of a city, or its “site,” and with whether it is either “sterile” or “fertile.”\(^{18}\) Cities which are built in “sterile” spaces produce inhabitants who are “constrained to be industrious and less seized by idleness, live more united, having less cause for discord, because of the poverty of the site…” In contrast to this are cities situated in “fertile” spaces, whose citizens are presumably *less* “industrious” and are “seized by

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\(^{16}\) *P* 2, 7.

\(^{17}\) Although her focus is not the *Discourses*, another author who recognizes founding as a “process” is Melissa M. Matthes, *The Rape of Lucretia and the Founding of Republics*, (University Park, P.A.: The Pennsylvania State University Press, 2000), 61-62.

\(^{18}\) *D* I.1, 8.
idleness,” who “live more” disunited, and possess greater “cause for discord.” “because of the abundance of the site…” In short, “sterile” and “fertile” spaces are opposites.

Time, or “temporal” necessity, is for Machiavelli the cyclical character of political reality of birth, growth, apex, decay, death, and rebirth. Another way to conceive of this is as the process through which disorder is transformed into order, and order transformed into disorder, and so on. The cycle is constantly “revolving” and the threat of decay, caused by “corruption” (corruzione), is always lurking and eventually will overtake every political community—it is only a matter of time. Understood from the vantage point of necessity, time’s potential—both for better and for worse—is unavoidable and thus a necessary feature of reality. From the standpoint of “effectual truth” (verità effettuale), that is, from the standpoint of the effects or consequences of actions, events, processes, and arrangements, founding must be judged by how well its logic sets the example for the political community to subsequently follow for handling the necessities which time inevitably brings, and this can only be seen when the community engages in (re)founding. In other words, for Machiavelli, founding is judged by the example it sets for meeting the inexorable necessity of (re)founding. As we shall see in the coming chapters, it is more a question of how well rather than how long a political community endures, and this too will prove to be a reversal of the conventional wisdom of founding and politics.

19 D I.1, 8.
20 For Machiavelli’s cyclical conception of time, that is, time as a series of recurring cycles, see D I.2, 10-14.
21 See the list of D’Amico’s work in note 13 above.
22 D I.2, 13.
23 For “corruption,” see D I.16-I.18, I.55, and III.1.
24 “Time,” or temporal necessity will receive further treatment in the next chapter.
25 P 15, 61.
26 Again, this will become central in the following chapter. Pocock also notes that Machiavelli is shifting away from conventional republican values. See Pocock, Machiavellian Moment, 197.
Machiavelli’s generic conception of human nature is also a natural necessity that any would-be founder must attend to. What I mean by this is Machiavelli’s understanding of human nature *unmodified* by any socialization or “way of life.” As we shall soon see, there really is no historical example of this for Machiavelli (or anyone else); all he is able to do is periodically infer from particular ways of life what he believes to be decisive features of a “pure” type of human nature.\(^{27}\) The most important of these features is that “men work either by necessity or by choice, and…there is greater virtue to be seen where choice has less authority…” We should note that in this formulation “necessity” and “choice” are positioned by Machiavelli as opposites whose respective benefits appear, as was the case with “fertile” and “sterile” sites, to be mutually exclusive. Also important to Machiavelli’s generic conception is the claim that humans are *not* “content to live off their own” and “wish to seek to command others.”\(^{28}\) In both of these maxims, we are not told “why” this is the case; for Machiavelli they simply “are.”

While these natural necessities are separated for purposes of analysis, the reality is that they are interdependent and interact with each other at key moments of coincidence. To understand their intersection in Machiavelli’s thought, we must attend to the generic types of cities he sketches, as well as to the particular empirical examples of them, moving back and forth between the two levels of abstraction and specificity.

**Generic Founding**

Once we firmly grasp of the types and particular examples of cities, reading and understanding the *Discourses* becomes more manageable. Yet before exploring Machiavelli’s typology, it is important that we take note of two further “qualifiers” that shape the lives of cities: the origin of the inhabitants, that is whether they are “native to a place” or “foreigners,”

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\(^{27}\) Usage of the concept of “pure type” or “ideal type” are of course Max Weber’s.  
\(^{28}\) *D I.1, 8.*
and the character of their beginning, i.e. whether or not the inhabitants began as “free men” or could be counted as “those depending on others…” It is this last dichotomy which proves to be critical for founding.

Natives build cities when they are “dispersed” and do not “live securely,” and both the “site” and their “small number” make it so they cannot adequately defend themselves. Thus Machiavelli writes that “(s)o to flee these dangers, moved either by themselves or by someone among them of greater authority, they are restrained to inhabit together a place elected by them, more advantageous to live in and easier to defend.” Athens is an example of the latter type, and Venice, the former. The example of Venice and the type it represents are what we should pay special attention to as we initially examine natural necessity and founding, as it is the basis for the model that the conventional republican wisdom of Machiavelli’s own era deemed worthy of admiration and imitation, and is the very conventional republican model Machiavelli opposes in the Discourses.

The peoples who eventually came to be known as the Venetians settled on “certain small islands at the tip of the Adriatic Sea,” and “who began among themselves without any other particular prince who might order them, to live under the laws that appeared to them most apt to maintain them…” This “turned out happily for them,” thanks to the “long idleness that the site gave them” or, put differently, the site provided for their security, allowing them to be a “happy” people as they were able to “flee the wars that arose every day in Italy because of the coming of new barbarians after the decline of the Roman Empire,” because the “the sea had no exit and the

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29 D I.1, 7.
30 D I.1, 7.
31 See especially chapter 3.
peoples who were afflicting Italy had no ships to be able to plague them…” Thus, “any small beginning would have enabled them to come to the greatness they have.”

For Machiavelli, it seems that Venice’s most salient spatial feature was its location. The “idleness” of the site made them happy, and no external threat compelled them to have to defend themselves once there. Thus the types of citizens who developed there could develop by “choice” rather than by “necessity,” and this for Machiavelli would change the nature and amount of virtue to be found there. What we see in the founding of Venice is that the natural necessity of space had decisive effects, as it was such that no further human modification was necessary for “them to come to the greatness they have.” Although he does not say whether or not Venice was constructed by “free men” or by dependents, we can infer that through their actions (and/or inactions) they were or effectively became dependent: the success or failure of the Venetian project was attributable to the site/space, and not to anything the Venetians themselves did.

Machiavelli also takes note of cities “built by foreign races” who are either “free men or those depending on others.” In the latter case, this can be done by a republic or prince, either “to relieve their lands of inhabitants or for the defense of a country newly acquired that they wish to maintain securely and without expense.” “Of such cities,” Machiavelli writes, “the Roman people built very many throughout its empire.” The empirical examples of dependent (and thus, unfree) cities are Alexandria (built for Alexander’s “glory”) and Florence. Machiavelli is far more concerned with his native city which, “whether built by soldiers of Sulla or perchance by

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32 D I.1, 7, emphasis added.
33 Of course, Venice was “modified,” i.e. augmented by human artifice, and Machiavelli refers to its institutions at different points in the text. By not mentioning it at this point however, he is intentionally directing our attention to just how much Venice depended upon its location and space for its success and how much they arguably owed to fortune.
34 D I.1, 7.
inhabitants of the mountains of Fiesole, who, trusting in the long peace that was born in the world under Octavian, came down to inhabit the plain by the Arno—it was built under the Roman Empire.” Due to its initial dependency, Florence was unable to “make any gains other than those conceded to it by courtesy of the prince.” We can conclude thusly about Florence: it was founded in a state of dependency and during a state of peace which it did not create. Whether or not the space was “sterile” or “fertile” is almost irrelevant, because the unfree beginning overshadows by the potential “idleness” which the “abundance” of the “fertile” space produces. But it is Florence’s dependency that is its most salient characteristic for Machiavelli, for it produces “servile” people unlikely or unable to realize a “free way of life.”

Machiavelli lastly takes explicit note of free cities. “The builders of cities are free,” Machiavelli writes, “when peoples, either under a prince or by themselves, are constrained by disease, hunger, or war to abandon the ancestral country and to seek for themselves a new seat.” The freedom of an individual founder (or if more communally-directed, the people “themselves”) to construct a political order is dependent upon the degree of necessity which their/those people face. It is under conditions such as Machiavelli describes—“disease, hunger,
or war”—that “ultimate necessity”\textsuperscript{40}—the unimaginable level of fear experienced—is produced that provides the opportunity to found a free city. Founding a city that is free—the kind Machiavelli desires—therefore requires a relationship with necessity understood as a constraint, with being unfree.

Machiavelli now switches from generic types and particular accounts of cities to specific—albeit mythical as opposed to historical\textsuperscript{41}—founders: Moses, who led his people to “inhabit the cities...in the countries they acquire,” and Aeneas, who led his people to “build anew.”\textsuperscript{42} But in doing so he seems to be dismissing them; what matters are consequences. Reflecting this logic, he moves from the myth of Rome’s founding to interpreting and judging it from the standpoint of effectual truth: “(i)n this case one can recognize the virtue of the builder and fortune of what is built, which is more or less marvelous as the one who was the beginning of it was more or less virtuous.”\textsuperscript{43}

For Machiavelli, we can judge the builder’s virtue “and the fortune of what is built,” by looking at the “choice of site” and “in the ordering of laws.”\textsuperscript{44} But these criteria are immediately modified by his identification of the central natural necessity of generic human nature: humans “work either by necessity or by choice,” and where there is greater necessity there is greater virtue, so “necessity” here appears to trump “choice.” Thus “it should be considered whether it is better to choose “sterile” places for the building of cities” as opposed to “fertile” spaces, for the sterile space can produce necessity independent of human artifice.\textsuperscript{45} Recall that it is in such spaces that humans are “constrained to be industrious” and are “less seized by idleness,” and

\begin{itemize}
\item \textsuperscript{40} D II.8, 145.
\item \textsuperscript{41} For most of the founders Machiavelli mentions, it is worth asking whether Romulus or Numa were anymore historical than Moses or Aeneas. For Machiavelli at least, it is beside the point.
\item \textsuperscript{42} Still no sign of Romulus, much less Numa.
\item \textsuperscript{43} D I.1, 8.
\item \textsuperscript{44} D I.1, 8.
\item \textsuperscript{45} A la Venice.
\end{itemize}
thus “live more united, having less cause for discord, because of the poverty of the site…”

Absent human intervention beyond choosing the space, and if left free from external interference, a sterile site would produce what we might think of as an “organic” way of life, with “naturally” virtuous inhabitants conditioned by the harsh necessity of the space.

Yet a way of life dependent solely (or primarily) upon the natural necessity generated by space is not what Machiavelli selects as his template, despite the potential for a “natural” kind of virtue to be organically realized. As was said, spatiality is not the only natural necessity at work, and it appears as if other features of generic human nature interrupt the organic results of sterile space: “(t)his choice would without doubt be wiser and more useful,” he writes, “if men were content to live off their own and did not wish to seek to command others.” In light of this natural human necessity, Machiavelli posits an answer to this problem:

(t)herefore, since men cannot secure themselves except with power, it is necessary to avoid this sterility in a country and to settle in the most fertile places, where, since [the city] can expand because of the abundance of the site, it can both defend itself from whoever might assault it and crush anyone who might oppose its greatness.

As was the case before with the choice of a “sterile” space, human ways of life are also dependent upon a “fertile” one, but in this formulation they are not dependent in the same way. The “fertile” site does not naturally give humans “power” in the way a “sterile” site naturally produces necessity. Instead, “power” is a potential inherent within the fertility of the space that no amount of human artifice could cultivate in a “sterile” location. While the implication is that a “sterile” site may be better than a “fertile” one where necessity and choice (left unmodified) are

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46 D I.1, 8, emphasis added.
47 D I.1, 8, emphasis added. Because this is Machiavelli’s understanding of generic human nature—a natural necessity—he is referring not only to the threat posed by men of other cities to a “sterile” city but also the potential for inhabitants of a “sterile” city to want to “command others.” It is not clear at this point in the text why “men” are not “content to live off their own” and whether or not it is all men, or just some kinds of men who “wish to seek to command others.” Possible answers to these questions await us in the following chapter. It is also worth noting that Machiavelli’s earlier framing of “necessity” versus “choice” is undermined by the conditional “if” of this quote, with the result that “choice” is rapidly losing ground to “necessity.”
48 D I.1, 8, emphasis added.
concerned, it is also implied that sterility cannot be overcome through any amount of human artifice; it simply lacks the potential for humans to generate power and “expand.”

In these passages we see the intersection of the natural necessities of space (“sterile” and “fertile”) and of generic human nature, with the latter acting as the criterion for evaluating both options.\textsuperscript{49} Humans are more virtuous where they have less choice, but the “sterile” space that would cause such organic virtue is overruled by a necessity of generic human nature: humans “wish to seek to command others.” But being “overruled” does not mean being ruled-out: humans still work better through necessity than through choice. It is a question of how to artificially achieve the same kind of effect as the “sterile” space naturally does, only in a “fertile” location where power can also be generated that would allow the city to defend itself \textit{and} “expand.” But it is also a question of \textit{how} precisely to do all of this—realizing the potential inherent in a “fertile” space—while avoiding its natural pitfalls (which we shall see momentarily).

Machiavelli recognizes this conundrum of founding, of selecting a site-space, and his solution is the basic building block, the foundational logic and causal necessity, of and for Rome’s success and greatness in the \textit{Discourses}.

As to the idleness that the site might bring, the laws should be ordered to constrain it by imposing such necessities as the site does not provide. Those should be \textit{imitated} who have inhabited very agreeable and very fertile countries, apt to produce men who are idle and unfit for any virtuous exercise, and who have had the wisdom to prevent the harms that the agreeableness of the country would have caused through idleness by \textit{imposing a necessity} to exercise on those who had to be soldiers, so that through such an order they became better soldiers there than in countries that have naturally been harsh and sterile.\textsuperscript{50}

In this passage describing generic founding, we see an example of the identification, prudent selection, and channeling of the natural necessity which arises out of a given (in this case

\textsuperscript{49} Again, “time” or \textit{temporal} necessity will be added to this configuration in the next chapter.  
\textsuperscript{50} \textit{D} I.1, 8-9, emphasis added.
one which happens to be a “fertile”) site-space. In _identifying_ the natural necessities of space and generic human nature, a founder can _prudently select_ the site-space that through the right _artificial_ human ordering⁵¹ _channels_ the potential inherent there, giving its inhabitants the ability to generate power, defend themselves, and expand. The disorders that naturally arise from the “fertile” site (i.e. greater choice, less necessity, idleness, and presumably greater “cause for discord”⁵²) ironically provide the opportunity (_occasione_) for a founder to demonstrate their virtue through the “ordering of laws,” i.e., through human artifice. By creating the “artificial” necessity of military order in a “fertile” space, that is, by artificially creating the necessity or constraint that the site naturally lacks, the inhabitants’ site-induced “idleness” can be channeled into something beneficial: they can become soldiers who through such artifice can be cultivated to outperform⁵³ the soldiers who are naturally or organically produced in “harsh and sterile” spaces.⁵⁴

What is crucial to understand in all of this is the marriage between “fertility” and “necessity.” Only the latter can make manifest the potential inherent in the former, and this is not only what must guide a successful and enduring political community, but also what guides the action and events Machiavelli focuses upon in the _Discourses_. To help conceptualize this in Machiavellian terms, we might think of “necessity” as the sculptor-artist, the force that can give “form” to the “matter” (the potential inherent in fertility, i.e. a “free way of life”). Or perhaps

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⁵¹ In other words, “the ordering of laws,” or what Machiavelli referred to as one of the ways to “recognize the virtue of the builder and the fortune of what is built.” See _D_ I.1, 8.

⁵² _D_ I.1, 8.

⁵³ Machiavelli describes this in what appear to be _qualitative_ terms at this point, but the implication in this chapter is that a fertile site with its “abundance” can also possess a larger population and thus, be _quantitatively_ superior in terms of soldiers than its sterile counterpart. For evidence of this, see _D_ I.6, 22, and later, II.3, 133-135, and II.12, 154.

⁵⁴ A strong military institution is absolutely necessary for Machiavelli. Recall from _The Prince_, 12, 48: “And because there cannot be good laws where there are not good arms, and where there are good arms there must be good laws, I shall leave out the reasoning on laws and shall speak of arms.” In what appears to be similar logic in the _Discourses_ at I.4, 16, he writes that “where the military is good, there must be good order; and too, it rarely occurs that good fortune will not be there.” If founded and ordered properly with martial values and institutions, a city would be well on its way toward making its own luck for Machiavelli.
the founder himself is the sculptor-artist who shapes the matter (the potential inherent in fertility) into a particular form through the instrument that is “necessity.” Perhaps it is both, at least in the sense that the virtù of a founder may really be about how he or she deals with necessity. In any event, we see that natural necessities (e.g. “sterility” or “fertility” of the site-space and generic human nature), if they are to be of any use, must be dealt with through artificial necessities (e.g. military discipline, laws), and only through the constant production of artificial necessities in response to the constant production of natural necessities can a city and its people be successful and endure. Machiavelli has performed—and not for the last time in the Discourses—the Nietzschean alchemy of binding (only?) apparent opposites, a key trope for understanding the text and Machiavelli’s thought.

We must also consider that in his first act of choosing a fertile site, Machiavelli’s founder sets off a chain reaction of “choices” that are not completely “free” if only because they are “constrained” by the ever-present necessities of founding/(re)founding that require the generation of new, artificial necessities in response. We see that actors are constrained by the past, and the choices made in the past reverberate in the present; the necessities of the present are the product of decisions made in the past, which themselves are in reaction to and the products of past necessities. Making decisions in this context, we see that the original founding establishes a crude sort of path-dependence on a number of levels. Indeed, there are for example the tangible institutions that one founder creates that a later (re)founder must reckon with (which we might think of as part of the latter’s “context”), as well as the types of events which have created the opportunity for subsequent (re)foundings (i.e. “situational” necessities). But there are also

55 This understanding of Machiavelli’s founder/(re)founder is similar to that of Charles Singleton: “In Machiavelli it is only along the way of making, where virtù is consequently the power essentially to make, to impress a form upon matter, durably—or as durably as possible. Virtù is the power of the sculptor, of the forger.” See Charles S. Singleton, “The Perspective of Art,” The Kenyon Review XV (1953): 178.
56 See note 59 for a discussion of this kind of “alchemy.”
intangibles as well, particularly the way something was originally founded and the ways in which it was subsequently (re)founded, i.e. the “logic” of founding/(re)founding: utilizing the “imperfections” or vulnerabilities of the status quo (with the “status quo” in this context being logically analogous to the “natural” necessity/necessities of generic founding) as an opportunity to imitate the creations of the original/generic ordering, of the “way of life,” via innovating with new, “artificial” necessities, i.e. new orders (ordini). In short, Machiavelli is fleshing out a paradoxical relationship that becomes increasingly apparent as the Discourses progresses: necessity, while constraining choice in the present, also provides the basis for choices in the future, and ultimately, for the realization of freedom.\(^{57}\)

But “choices” and “freedom” come at a price, which points us to one final observation about the path dependence of a city founded in the way that Machiavelli argues Rome was founded. Regarding the “choice of site” and the “ordering of laws,” the choice of a “fertile” site and the provision of a proper ordering by a founder set their city on a path of expansion, and this becomes a central dynamic necessity for such cities. As we shall eventually see, it is through their expansion across space that a city creates time for itself, growing its power so as to be able to not only defend itself, but increasingly to survive by dominating others.

**The Ordering of Romulus**

While the first chapter of the Discourses addresses founding generically and with specific examples that illustrate the different types of generic foundings that have occurred (including the “formula” for Rome’s), Machiavelli does not address the particulars of Rome’s founding until chapter nine. With Romulus we see how the generic model of founding which Machiavelli

\(^{57}\) This emphasis upon managing necessity for the realization of political freedom stands in contrast to Philip Pettit’s characterization of republican freedom as “non-domination.” Of course, at different times in Machiavelli’s Rome, freedom happens to include or be caused by political non-domination, but non-domination by itself is insufficient. Only an understanding of the negotiation with and management of necessity can these ideals be realized. See Pettit, *On The People’s Terms*, 5-7.
favors entails channeling “natural” necessity into “artificial” necessity is realized in practice. It is Romulus’ recognition and use of necessity that allowed him to found Rome and create the basis upon which the city could be (re)founded when and as necessity dictated. In certain critical ways, therefore, Romulus’ actions provide the template for imitation by subsequent (re)founders.

In order to make sense of Romulus’ deeds, Machiavelli engages in a considerable amount of moral “brush clearing” first.

...I say that many will perhaps judge it a bad example that a founder of a civil way of life (vivere civile), as was Romulus, should first have killed his brother, then consented to the death of Titus Tatius the Sabine, chosen by him as partner in the kingdom—judging because of this that its citizens might, with the authority of their prince, through ambition and desire to command, be able to offend those who might be opposed to their authority. That opinion would be true if one did not consider what end had induced him to commit such a homicide.58

In this passage, Machiavelli has presented us with the conventional opinion regarding Romulus’ actions as a starting point from which we may cast off in a new direction. In doing so, he is challenging the assumption that actions such as Romulus’ would set a bad example for the public, empowering them to act in any manner they pleased when they had occasion for it. In addition to this, he is undermining if not reversing any abstract image of founding as an orderly, graceful, and moral moment, replacing such a peaceful idyll with a process of concrete actions which are violent and morally despicable. Finally, he is asking us as readers to consider Romulus’ actions in light of his “end,” the content of which is not yet clear.

What is increasingly clear is the paradox at the heart of creating a new order59: deception and violence—all that alienates an individual from others (and perhaps from himself)—are the foundation of a civil way of life. What Machiavelli’s illustration of Romulus’ actions shows us

58 D I.9, 28-29, emphasis and Italian added.
59 This paradox—the inseparability of moral “good” and “evil”—is at the heart of both The Prince and Discourses, and in Machiavelli’s thought generally. This kind of thinking lies somewhat (there are echoes) dormant for over three centuries until Nietzsche formally “resurrects” it, particularly in Beyond Good and Evil. See Friedrich Nietzsche, Beyond Good and Evil, in Basic Writings of Nietzsche, trans. Walter Kaufmann (New York: The Modern Library, 2000).
is how a “civil way of life” (vivere civile) can emerge out of its apparent opposite, uncivil actions. Machiavelli’s seemingly ironic understanding is not accidental: he wants the reader to pause and reflect upon what he has written. By locating ugliness as the source of civility, he has temporarily divorced the reader’s (presumed) conventional morality from their intellect and political judgment, creating space to be filled not only with Machiavelli’s understanding of political reality, but more importantly with the logic of the vantage point which produced it, that of the effectual truth, or judgment rooted in consideration of effects and consequences. But this shift in vantage point requires recognition of that which helps produce effects and consequences, thus why necessity is so central to any adequate understanding of the process of founding (indeed, to any political process). When we consider deeds in light of the various necessities an actor faces in a given context, we come to better understand which courses of action tend to achieve desired consequences. Thus, Machiavelli also moves the reader to develop a sensibility for necessity, that is to say, with an eye toward accounting for and appreciating the necessities involved in the process of founding (as well as politics generally). To develop such a sensibility is in accordance with Machiavelli’s preference for interpreting reality from the standpoint of the verità effettuale.

But why should Machiavelli deem such morally repugnant behavior to be necessary?

This should be taken as a general rule: that it never or rarely happens that any republic or kingdom is ordered well from the beginning or reformed altogether anew outside its old orders unless it is ordered by one individual. Indeed it is necessary that one alone give the mode and that any such ordering depend on his mind. So a prudent orderer of a republic, who has the intent to wish to help not himself but the common good, not for his own succession but for the common fatherland, should contrive to have authority alone; nor will a wise understanding ever reprove anyone for any extraordinary action that he uses to order a kingdom or constitute a republic.60

60 D I.9 29, emphasis added.
Thus the first necessity which stands out in Romulus’ story is the necessity for entering into the realm of the extraordinary: actions which exceed the bounds of the “ordinary.”

“Ordinary” might be thought to mean “within the boundaries of the established orders, or ordini,” and in a sense this is accurate, for as we will see Romulus shatters the order of things as he found them. But beyond this, “extraordinary” actions are not only those which are beyond specific orders, or extra-institutional, but beyond order as such, and are potentially extra-moral. Actions of this magnitude involve the second necessity of founding, violence, and in Romulus’ case this violence was used to satisfy the third necessity of founding for Machiavelli: a founder, and it would seem the initial founder especially, must be alone, as new orders are “never or rarely” created (or old ones refreshed) by many at once. Whatever actions are necessary to achieve these ends—and extraordinary violence is necessary for a successful founding for Machiavelli—are acceptable to him provided they lead to the establishment of a well-ordered political community. Considered from the standpoint of necessity, Romulus’ actions are now converted from moral wrongs (deceit and violence) perpetrated upon Remus and Titus Tatius, to socio-politically necessary actions when the act of founding is properly understood.

We must now consider other effects of Romulus’ extraordinary violence and consider the necessities they suggest. With the multitude in mind, we can now infer the fourth necessity of

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61 For “extraordinary,” see note 14 above.
62 Yet this comes to be undermined or at least severely qualified in chapter four, below. Why? As we shall see, the “ferocious people” created presumably through Romulus’ initial ordering, was channeled into Numa’s ordering of religion. (D I.11, 34) In Numa’s (re)founding, this “religion served...to animate the plebs...” (I.11, 34), i.e. facilitate their later uprising against the patricians and the authority of the Senate and Consuls. It is in their resistance that the “many” help to fully found a fuller version of Roman freedom than that which existed previously. See also note 92 below.
63 At this point, the reader has to be careful to not allow too much in the way of moral sentiments back into their understanding because the reader may be tempted here to consider Romulus’ actions “good,” especially when his actions are considered against the backdrop of subsequent Roman history and political development. Machiavelli may arguably bring the reader to that place, but until then, lest we misunderstand the role of necessity, it is here simply itself and beyond the realm of moral judgments: to found an order, any order, to any particular end (much less a good end), the founder must be alone (by any means necessary) for “it is necessary that one alone give the mode and that any such ordering depend on his mind.” See D I.9, 29.
founding which is itself an effect of the extraordinary violence: the necessity of instilling fear among the many that are to be molded and given form by the founder. The means by which the new order is created are of necessity terrifying “because enough men never agree to a new law that looks to a new order in a city unless they are shown by a necessity that they need to do it.”

That “necessity” is the fear produced by the founder’s violence. For Machiavelli, a founder must not leave anything untouched in that province, so that there is no rank, no order, no state, no wealth there that he who holds it does not know it as from you; and to take as one’s model Philip of Macedon, father of Alexander, who from a small king became prince of Greece with these modes. He who writes of him says that he transferred men from province to province as herdsmen transfer their herds. These modes are very cruel, and enemies to every way of life, not only Christian but human; and any man whatever should flee them and wish to live in private rather than as king with so much ruin to men.

Yet the terribleness of politically leaving no stone unturned are necessary because of the fear they instill among the populace who would either be hesitant or resistant, and it is only this fear which can move human beings to act in ways that are ultimately conducive to virtue and, perhaps, a free way of life. Ultimately, these kinds of actions become consequentially moral because they create the foundation for the future accomplishments of the political community. In the case of Rome, “Romulus deserves excuse and not blame” for his violation of conventional morality, for “(i)t is very suitable that when the deed accuses him, the effect excuses him; and when the effect is good, as was that of Romulus, it will always excuse the deed; for he who is violent to spoil, not he who is violent to mend, should be reproved.”

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64 D I.2, 10-11.
65 D I.26, 61-62.
66 D I.9, 30, emphasis added.
67 It should be noted that “good” in this particular usage is not a moral good, but a political-social good that is a consequence or effect of the deed. The deed has to be evaluated by its effect and, if conducive to a free way of life, is excused by that effect.
68 D I.9, 29.
Machiavelli also believes that Romulus’ actions—especially the creation of a military order—were necessary if Rome as a polity (or any polity for that matter) was to endure, and this is the fifth necessity of founding.\textsuperscript{69} Recall from the generic account of Rome’s founding the “necessity to exercise on those who had to be soldiers,”\textsuperscript{70} as it is this which allows a city to survive long enough to create other civil orders. Romulus fulfilled what Machiavelli had identified in I.1 and while Machiavelli does not delve into specifics at I.9 beyond that “Romulus reserved for himself….commanding the armies when war was decided on,”\textsuperscript{71} we know he is responsible for establishing the military leader as a template for future (re)founders to imitate—and that this is absolutely critical.\textsuperscript{72}

The actions of Romulus, rendered necessary for his end—to be alone so as to found—are amoral. To properly evaluate them—and perhaps their ultimate morality or lack thereof—we must go beyond the “end” of creating and holding authority alone to consider what is ultimately done with such “extraordinary” authority. Machiavelli writes that Romulus’ founding actions ultimately were for “the common good, not for his own succession but for the common fatherland…” As evidence of this, Machiavelli cites Romulus’ creation of “a Senate with which he took counsel and by whose opinion he decided.” This creation, then, satisfies the sixth necessity of founding: leaving one’s authority to “many.” This should be done because such extraordinary authority, used “virtuously” by a founder, can also be used “ambitiously” by one not so virtuous, thus why “(h)e should indeed be so prudent and virtuous that he does not leave the authority he took as an inheritance to another…”\textsuperscript{73} This is also because while

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\textsuperscript{69} Again, this is a judgment from the standpoint of effectual truth, i.e. based upon the consequences after the fact.\\
\textsuperscript{70} \textit{D} I.1, 9, emphasis added.\\
\textsuperscript{71} \textit{D} I.9, 29-30.\\
\textsuperscript{72} \textit{D} I.19, 52-53. But as we shall see, this template is but one among others and is one that while necessary at this juncture (and at times others), may not always be what the times—and thus necessity—calls for.\\
\textsuperscript{73} \textit{D} I.9, 29.
\end{flushleft}
one individual is capable of ordering, the thing itself is ordered to last long not if
it remains on the shoulders of one individual but rather if it remains in the care
of many and its maintenance stays with many for as many are not capable of
ordering a thing because they do not know its good, which is because of the
diverse opinions among them, so when they have come to know it, they do not
agree to abandon it.\textsuperscript{74}

As final proof that when the “deed accuses him, the effect excuses him,” Machiavelli
writes of Romulus’ creation that even after the “expulsion of the Tarquins,”

no ancient order was innovated by the Romans, except that in place of a
perpetual king there were two annual consuls. This testifies that all the first
orders of that city were more conformable to a civil and free way of life (\textit{vivere
civile e libero}) than to an absolute and tyrannical one.\textsuperscript{75}

In the last analysis, then, Romulus created orders that could be built upon and did not
require radical reform, even if the subsequent (re)foundings did radically reform the state
because the necessities that they contained lent themselves to a “free way of life”—something
Romulus had not intended.\textsuperscript{76} While Romulus’ actions initially appeared to be immoral, when
they are run through the amoral sieve of \textit{necessity}, they become effectively moral when viewed
from the vantage point of their consequences, i.e. against the backdrop of the rest of Roman
history that followed. Romulus’ founding created channels that subsequent Roman history could
follow, and would only be deviated from under critical circumstances, i.e. under the force of
necessity.

\textbf{The (Re)Founding of Numa}

Recall that Machiavelli rates Numa higher than Romulus, despite being his successor.
Thus in I.10 he writes that “(a)mong all men praised, the most praised are those who have been
heads and orderers of religions,” followed by “those who have founded either republics or

\textsuperscript{74} D I.9, 29.
\textsuperscript{75} D I.9, 30; Italian translation added.
\textsuperscript{76} See \textit{D} I.2, 14: “For Romulus and all the other kings made many and good laws conforming also to a free way of
life; but…their end was to found a kingdom and not a republic…”
kingdoms.”

Numa falls into the former category because, as Romulus’ successor, “he found a very ferocious people and wished to reduce it to civil obedience with the arts of peace,” choosing to turn “to religion as a thing altogether necessary if he wished to maintain a civilization…”

The establishment of religion is therefore the seventh necessity of founding, but why does Machiavelli see religion as necessary “to maintain a civilization?” Violence—when used as Romulus used it—can create a “break” with the past that creates possibilities and opens the future for their realization. In this sense, violence is necessary for beginning the process of founding, but by itself is insufficient for consolidating what has been founded, regardless of whether it is a kingdom or republic. Something must bind society back together again after violence has torn it asunder, and for Machiavelli the force that binds and consecrates is religion and in Rome specifically, it was the civil religion created by Numa Pompilius. Numa “constituted it (his religious order) so that for many centuries there was never so much fear of God as in that republic, which made easier whatever enterprise the Senate or the great men of Rome might plan to make.” Crucial for Machiavelli was that Numa’s religion made it so that “both of the people of Rome all together and of many Romans by themselves…the citizens feared to break an oath much more than the laws, like those who esteemed the power of God more than that of men…” For example, the power of religion and the fear of breaking an oath made to Scipio (Africanus) which it inspired had a greater effect on “those citizens whom the love of fatherland and its laws did not keep in Italy” after the Roman defeat at Cannae, leading to the continuation of the Second Punic War and the ultimate defeat of Hannibal and Carthage—

77 D I.10, 31.
78 D I.11, 34, emphasis added. “Civilization” here should be understood both as civilization as such and as the specific civilization that had been created in Rome.
79 This “break” has come to be referred to as a “rupture” by some scholars. See especially Marina Sitrin, Everyday Revolutions: Horizontalism and Autonomy in Argentina (New York: Zed Books, 2012), 36-40.
80 D I.11, 34., emphasis added.
sixteen years later. The necessity thus introduced “arose from nothing other than that religion
Numa had introduced in that city.”81

Religion also served numerous other functions in Roman life and political development
as well. According to Machiavelli, religion “served to command armies, to animate the plebs, to
keep men good, to bring shame to the wicked.”82 Religion is also shown to be useful in carrying
out “enterprises” and at stopping the tumults between the few and the many.83 Most important
for Machiavelli, however, is the ability of religion to serve as the foundation for a political
community and to create space for the introduction of new laws and orders, as well as the boost
it provides to military order and discipline.84 In each of these areas, religion is an artificial
necessity that helps the members of the political community meet the unforeseen and, in the face
of the unforeseen, remain steadfastly committed to each other and the community at large. Were
this necessity lacking, Machiavelli’s Romans would have failed to achieve a free way of life, and
the “virtue of the builder”85 (or builders as the case would have it), would go unrecognized.

While Numa’s religious orders had beneficial consequences such as the promotion of
keeping promises, his creation of the Roman religion was less than honest. According to
Machiavelli, Numa “pretended to be intimate with a nymph who counseled him on what he had
to counsel the people.”86 Despite dishonesty where the deed of creating the religion was
concerned, as with Romulus, the effect—good order ultimately conducive to a free way of life—
excused the deed. In addition to this, Machiavelli also asks us to consider Numa’s motivation
(much as he asked us to consider Romulus’): “(i)t all arose because he wished to put new and

81 D I.11, 34.
82 D I.11, 34-35.
83 D I.13, 39.
84 D I.11, 35.
85 D I.1, 8.
86 D I.11, 35, emphasis added.
unaccustomed orders in the city and doubted that his authority would suffice.” Thus Numa had to turn to deception, the eighth necessity of founding.

Why? Consider the necessity Numa was under as the second founder, as the (re)founder: Romulus had already employed violence and an extraordinary authority based upon its usage and had habituated the Roman people to violence. It was therefore left to whoever followed him—Numa—to bind society back together again. Desiring to channel the character of the “ferocious” Romans and realizing that something besides violent means would be necessary if he wished to introduce “civilization,” Numa utilized religion instead. For Numa to have the authority necessary to accomplish this task, only the extraordinary authority of a deity would suffice for channeling the character of the violent populace into something more civil. Machiavelli explains why “recourse to God” is necessary for one who wishes to order something new: “(a)nd truly there was never any orderer of extraordinary laws for a people who did not have recourse to God, because otherwise they would not have been accepted.” This is especially true when that orderer comes on the heels of a violent predecessor like Romulus.

Yet the logic of founding, the necessities of founding, still apply here. Recall that when founding or ordering something “it never or rarely happens that any republic or kingdom is ordered well from the beginning or reformed altogether anew outside its old orders unless it is ordered by one individual. Indeed it is necessary that one alone give the mode and that any such ordering depend on his mind.” Later, Machiavelli supplements this observation/suggestion by telling his reader(s) that it is necessary to have recourse to religion “(f)or a prudent individual knows many goods that do not have in themselves evident reasons with which one can persuade

87 D I.11, 35.
88 D I.11, 35.
89 D I.9, 29.
others.”

When Numa wished to alter the order of things, he could not rely upon others (as he was alone in his authority as king and it is the nature of people for Machiavelli to prefer the status quo and the familiar), and also could not rely upon violence (Romulus had already played that card) to establish his authority. So Numa improvised due to the necessities of his situation: he was forced to rely upon the extraordinary authority that religion provides only now, as the (re)founder, he had to innovate and rely upon deception.

From all of this we see that “violence” and “religion” become, if not interchangeable, at the very least similar in terms of the role that they play in ordering/reordering—they generate solitary authority—and in terms of the effect they can generate—fear. It is the generation of fear, whether induced by violence (a la Romulus) or by God (a la Numa)—that by being a necessity—causes humans to work through it rather than through choice, producing greater virtue. Again, this effect (regardless of its cause) is excused by Machiavelli when it lends itself to the orders ultimately necessary for a free way of life. The only differences are the specific necessities both Romulus and Numa faced, one being the “first” (who can say what came before?), and the other being the second (who had to establish his own authority and govern in the wake of the first).

Numa’s task was made easier “since those times were full of religion and the men with whom he had to labor were crude, they made much easier the carrying out of his plans, since he could easily impress any new form whatever on them.” Again, the “crude” Roman people were crude in part because they had been made “a very ferocious people” by Romulus. Machiavelli has connected the founders of Rome to each other; Romulus’ work has opened the

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90 D I.11, 35.
91 D I.11, 35.
92 D I.11, 34. Cf. note 62 and again take note: this “ferocious” character has not been expelled and will emerge later once Rome is a republic in the form of the “tumults.” See chapter 4 below for a discussion of this.
path for another (Numa) to add to the new—albeit far from complete—edifice, just as “a sculptor will get a beautiful statue more easily from coarse marble than from one badly blocked out by another.” The Romans Numa found were “coarse”—but not “badly blocked out”—“marble.”

Religion is so crucial for Machiavelli’s conception of political order and necessity—both in terms of being necessary for order and for imposing necessity upon people—that he writes that

(e)verything considered, thus, I conclude that the religion introduced by Numa was among the first causes of the happiness of that city. For it caused good orders; good orders make good fortune; and from good fortune arose the happy successes of enterprises.

Religion is the bedrock upon which every other order depends (even, ultimately, the military). Through its demand that people keep faith with each other—that is, keep their word—civic life becomes possible. So long as religion remains intact, the “greatness of republics” is also possible: “(a)s the observance of the divine cult is the cause of the greatness of republics, so disdain for it is the cause of their ruin.” Without religion holding a people together and giving them their form and character, the only device that remains is violence: “(f)or where the fear of God fails, it must be either that the kingdom comes to ruin or that it is sustained by the fear of a prince, which supplies the defects of religion,” presumably through violence. Conversely, to avoid this tyrannical solution, religion must be firmly established and faithfully observed. This strategy was not only successful but necessary for Romulus, because he was faced with establishing an altogether new order. But, as was said above, because the necessity created through violence is destructive, something that binds is necessary, i.e. religion. Furthermore, the “defects of religion” cannot be supplied indefinitely, “(b)ecause princes are of short life, (and) it

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93 Recall this metaphor from P 2, 7.
94 D I.11, 35.
95 D I.11, 35.
must be either that the kingdom will fail soon, as his virtue fails. To supply fear through violence and the credible threat of violence is only a possibility so long as the prince who employs it lives but princes often die prematurely as a result of routinely employing violence. For Machiavelli, therefore, one-person rule through violence is insufficient as a long-term strategy for governance: “(h)ence it arises that kingdoms that depend solely on the virtue of one man are hardly durable, because that virtue fails with the life of that one; and it rarely happens that it is restored by succession…”

Numa, for Machiavelli, deserves more credit for his creation (religion) than Romulus deserves for his (the Senate and military orders), because while both have left something to posterity, Numa’s foundation instilled a new discipline upon the populace and Rome’s institutions through the necessity engendered via the “fear of God.” Numa’s religious necessity, so long as its practices were kept intact, could support Romulus’ institutions (especially the military, see below) that were also necessary for the Roman Republic’s ability to not only survive, but to be flexible and adaptive to the changing times. Because Numa’s orders were not grounded in the inherent instability of worldly violence based upon the whims of one individual, they lived up to Machiavelli’s advice that “it is the safety of a republic or a kingdom to have not one prince who governs prudently while he lives, but one individual who orders it so that it is also maintained when he dies.”

For Machiavelli, Numa is so vital to Rome because he, like Romulus, identified the natural necessity of human nature: humans act better through necessity than through choice, and that fear may be the guarantor of this. Numa is superior to Romulus for Machiavelli because he

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96 D I.11, 35.
97 D I.10, 32.
98 D I.11, 35-36.
99 D I.11, 36.

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replaced the unstable fear of man and his violence with the far more enduring (but by no means permanent) fear of God, performing the transcendental alchemy necessary for keeping Romulus’ orders in effect by augmenting them, albeit in new ways. In so doing, Numa transformed one artificial necessity—the fear of violence from fellow humans as exemplified by Romulus—into another, less violent but ultimately more effective artificial necessity: the fear of God. But Numa has done something else: he has used the power of the extraordinary—peacefully—to expand upon the work that Romulus had created through the extraordinary—violently. This was of necessity, as we have seen, because Romulus’ use of violence lowered its effectiveness for whoever came immediately after him, and Rome ultimately required the “arts of peace”\(^{100}\) in addition to the arts of war. Numa, recognizing this situational necessity while at the same time recognizing the situational necessity for extraordinary authority to rule (to speak nothing of molding the fledgling Roman way of life), replaced the fear of man with the fear of God, and in doing so found a more useful means for accomplishing what a “free way of life” requires (albeit without intending to). Numa found a means by which to channel Romulus’ artificial responses to natural necessities (now themselves becoming almost “natural” for Numa) in new and constructive ways, in the process (re)founding the underlying logic of Romulus’ order: necessity.

**Numa’s Legacy**

Concerned as he is with the effectual truth, Machiavelli is interested in what kinds of effects the fear of God, as a kind of necessity, can have and to what ends it can be put in this world. In this world, religion can be useful in the development of military order and, in an unexpected turn, in cultivating the citizens’ love of freedom. In both I.12 and II.2, Machiavelli compares the ancient Roman religion and Roman Catholicism in his own time to demonstrate this:

\(^{100}\) \textit{D} I.11, 34.
Thinking then whence it can arise that in those ancient times peoples were more lovers of freedom than in these, I believe it arises from the same cause that makes men less strong now, which I believe is the difference between our education and the ancient, founded on the difference between our religion and the ancient. For our religion, having shown the truth and the true way, makes us esteem less the honor of the world, whereas the Gentiles, esteeming it very much and having placed the highest good in it, were more ferocious in their actions.\textsuperscript{101}

Religion educates its flock and disciplines its followers in ways particular to its practices. The “institutions” of both the ancient Roman religion and 16\textsuperscript{th} century Roman Catholicism set the tone for their respective followers, with “the magnificence of their sacrifices as against the humility of ours, where there is some pomp more delicate than magnificent but no ferocious or vigorous action.” The “vigorous action,” Machiavelli tells us, was “the action of the sacrifice, full of blood and ferocity...with a multitude of animals being killed there.”\textsuperscript{102} This spectacle of gore, “being terrible, rendered men similar to itself.”\textsuperscript{103} Additionally, “the ancient religion did not beatify men if they were not full of worldly glory, as were the captains of armies and princes of republics.”\textsuperscript{104} In contrast to the ancient religion,

(o)ur religion has glorified humble and contemplative more than active men. It has then placed the highest good in humility, abjectness, and contempt of things human; the other placed it in greatness of spirit, strength of body, and all other things capable of making men very strong.\textsuperscript{105}

Machiavelli argues that these differences in “education” led the ancients to greatness, whereas for his fellow moderns, “if our religion asks that you have strength in yourself, it wishes you to be capable more of suffering than of doing something strong.”\textsuperscript{106} These differences in religion for Machiavelli “seems to have rendered the world weak and given it in prey to criminal

\textsuperscript{101} D II.2, 131.
\textsuperscript{102} Notice the similarity between the blood sacrifice in the Roman religion to that of Christianity’s, i.e. the sacrifice of Christ. The critical difference, to my mind at least, is not that one sacrifices animals and the other a sole individual human, but that the Roman religion regularly made sacrifices as new endeavors were undertaken (which were frequently compelled by necessity), whereas Christianity’s vision is fixed upon the initial sacrifice as the only one, a one-time, never-to-be-repeated event.
\textsuperscript{103} D II.2, 131, emphasis added.
\textsuperscript{104} D II.2, 131.
\textsuperscript{105} D II.2, 131.
\textsuperscript{106} D II.2, 131, emphasis added.
men, who can manage it securely, seeing that the collectivity of men, so as to go to paradise, think more of enduring their beatings than of avenging them.”\textsuperscript{107} In Machiavelli’s Roman republic, bad behavior on the part of those who held authority is precisely what is not tolerated by the Roman people, and indeed, is central to their creation and constant (re)creation of their free way of life.

Thus religion as a necessity and the necessities which religion imposes are even more vital to a “free way of life” than had been supposed. The Roman religion as constituted by Numa performs another “alchemy” or “channeling” that is critical: the ferocity of the Roman people, rather than being negated, finds in Numa’s religion a new “outlet…by which to vent”\textsuperscript{108} itself ordinarly, i.e. according to and through institutionalized practices and channels where it could be put to positive use for the political community.\textsuperscript{109} This channeling of their nature by Numa follows the same logic as that of generic founding (as well as the logic of Romulus’ particular founding): the “natural” necessity of nature (in Numa’s case the “ferocious” Roman people) is channeled into and through an “artificial” necessity (ferocity created and managed through the “sacrifices” of the Roman religion) that could be more beneficial for the political community. Numa’s religion utilizes the downsides of the “natural” (unregulated ferocity) as an opportunity to draw out the positive latent potential within it (ferocity channeled, i.e. reinforced military order/discipline abroad and a willingness to defend and (re)create the “free way of life” domestically).

For Machiavelli Christianity, like Roman civil religion before it, could also have been used toward such ends, helping to ensure freedom for its flock. Instead, the situation Machiavelli

\textsuperscript{107} D II.2, 131. This aspect of Roman religion will come to bear in the next chapter.
\textsuperscript{108} D I.7, 23.
\textsuperscript{109} For “outlet,” “vent,” “ordinary,” and “extraordinary,” see D I.7, 23-26. While Machiavelli is referencing the need for an “outlet” to “vent” the “humors”—the animus that arises among the people toward the elite or toward a particular individual—it seems to me that the same frame can be used to describe Numa’s accomplishment.
found Italy in arose “without doubt more from the cowardice of the men who have interpreted our religion according to idleness and not according to virtue.” Interpreted “correctly,” Christianity for Machiavelli “permits…the exaltation and defense of the fatherland, and they (the Church hierarchy) would see that it wishes us to love and honor it and to prepare ourselves to be such that we can defend it.” Religion, in other words, is an artificial necessity meant to help the political community navigate new necessities as they arise. There is nothing essential about it for Machiavelli; it is instrumental. Ultimately, it too must be judged from the standpoint of effectual truth, i.e. the consequences it has for a people and their way of life.

**Templates of Imitation**

What Romulus and Numa provided for posterity, besides their tangible accomplishments, were their examples. For Machiavelli, Rome’s future as a kingdom lies in the personality and the “mode of proceeding”\(^ {111}\) of both of these leaders. Romulus, was “very fierce and bellicose” and his mode of proceeding was via war. Conversely, Numa was “quiet and religious” and his mode of proceeding was through “the art of peace.” Together, they provided templates for future Romans to *imitate* according to the necessities which they faced in their own situations and, in imitating them, the opportunity to (re)create their virtue. Indeed, by the time of the third king, Tullus, this was already a necessity. Tullus imitated Romulus’ example, “(f)or in Rome it was necessary that in its first beginnings an orderer of a civil way of life”—such as Numa—“emerge, but it was indeed then *necessary* that the other kings take up again the virtue of Romulus; otherwise that city would have become effeminate and the prey of its neighbors.”\(^ {112}\) The same holds true for Ancus, the fourth king of Rome, who was

\(^{110}\) *D* II.2, 132.

\(^{111}\) For the phrase “mode of proceeding,” see *D* II.3, 134 and especially *D* III.2, 213.

\(^{112}\) *D* I.19, 52-53, emphasis added.
gifted by nature in a mode that enabled him to use peace and endure war. First he set out wanting to hold to the way of peace, but at once he recognized that his neighbors esteemed him little, judging him effeminate. So he thought that if he wished to maintain Rome, he needed to turn to war and be like Romulus, not Numa.\textsuperscript{113}

While Numa’s (re)founding recreates the logic of Romulus’ while at the same time augments it with orders conducive to civility, it could not provide the template necessary in the face of future (and inevitable) external threats. For that, a founder such as Romulus—a king “very fierce and bellicose”—was necessary.\textsuperscript{114} We can now see that Machiavelli is gradually providing us with the elements to reevaluate and contextualize the founding and (re)foundings of the Roman kings. Previously, Numa had appeared to be more important to Machiavelli than Romulus\textsuperscript{115}, yet now it is the latter who seems to be more important. Machiavelli even goes so far as to write that “(f)rom this all,”

princes who hold a state may find an example. For he who is like Numa will hold it or not hold it as the time or fortune turn under him, but he who is like Romulus, and like him comes armed with prudence and with arms, will hold it in every mode unless it is taken from him by an obstinate and excessive force.\textsuperscript{116}

From this it seems that we are to conclude that those who can employ violence are to be esteemed above others because their skill with arms can better withstand the vicissitudes of fortune and even reverse it. But lest we think Machiavelli is contradicting his assessment in I.11 regarding Numa’s superiority over Romulus, he undermines the entire debate about which type of king is better by showing just how precarious kingship is, as it depends upon the character of individual leaders:

And surely one can estimate that if Rome had chanced upon a man for its third king who did not know how to give it back its reputation with arms, it would never, or only with the greatest difficulty, have been able to stand on its feet

\textsuperscript{113} D I.19, 53.  
\textsuperscript{114} D I.19, 52.  
\textsuperscript{115} D I.11, 35. See also D I.10, 31 where Machiavelli writes that “heads and orders of religion” are, “(a)mong all men praised, the most praised,” followed by “those who have founded either republics or kingdoms.”  
\textsuperscript{116} D I.19, 53.
later or to produce the effects it produced. So while it lived under the kings, it bore the dangers of being ruined under a king either weak or malevolent.\footnote{D I.19, 53.}

Connected to this yet more than it, however, Machiavelli is showing us that Rome also depended upon the right order of kings, and this is the ninth necessity of founding. He informs us that “if two, one after the other, are of great virtue, one often sees that they do very great things and that with fame they rise up to heaven.”\footnote{D I.19, 52.} The “virtue of Romulus was so much that it could give space to Numa Pompilius to enable him to rule Rome for many years with the art of peace.”\footnote{D I.19, 53, emphasis added.} Without Romulus, there could not have been a Numa but, as we have also seen, Romulus’ kind of virtue, while necessary, was by itself insufficient to keep Rome afloat for very long, much less indefinitely. Long-term success also necessitated the kind of virtue of a Numa as well so as to further realize the potential within Romulus’ work, albeit in new ways and hence, “(re)found” what was created.\footnote{That Numa’s creation was vital for Roman greatness is made clear by Machiavelli at D I.12, 36-37: “Those princes or those republics that wish to maintain themselves uncorrupt have above everything else to maintain the ceremonies of their religion uncorrupt and hold them always in veneration; for one can have no greater indication of the ruin of a province than to see the divine cult disdained. This is easy to understand once it is known what the religion where a man is born is founded on, for every religion has the foundation of its life on some principle of its own.”} That Rome had both of these leaders in the right order—one to found in one mode, the other to succeed him and to (re)found in another—should itself be considered extraordinarily fortunate.

Kingship, whether it is having the right king at the right time or having the right order of them, necessarily subjects a political community to greater levels of chance than perhaps it ought to be. In undermining the notion of kingship by showing its limits, Machiavelli creates space for us as readers to consider alternatives to it. In contrast to a kingdom, in a republic the likelihood of drawing upon the virtue that the times call for—and thus the proper order of leaders who can “produce the effects it (Rome) produced”—is far greater because authority and “command”
come “not by inheritance or by deception or by violent ambition but by free votes” and “this virtuous succession will always exist in every well-ordered republic.”\textsuperscript{121}

Before proceeding to a discussion of Rome as a republic in the coming chapters, there is something else Machiavelli is showing us about kingship and monarchy, another possible necessity that has been gradually coming into view, and it is one which is disconcerting and poses a problem for democratic theory. While for the reasons just given above a kingdom for Machiavelli is limited and limiting, \textit{it is also enabling}. To understand this, we have to remind ourselves of Machiavelli’s vantage point, that of effectual truth so as to meet the necessities of founding and (re)founding states. Machiavelli is concerned with Rome as a kingdom only insofar as it provides customs, orders, laws, and modes necessary for when it eventually becomes a republic and creates a “free way of life.” Machiavelli’s interpretation of Livy suggests that certain elements which are necessary for the free way of life are far more easily and likely to be realized in a kingdom than in a republic because they require \textit{extraordinary} means. While violence such as Romulus’ proved to be necessary to establish Rome as a kingdom, his kind of extraordinary violence in a republic—violence beyond the boundaries of the \textit{ordini}, violence that is extralegal—would never be permissible.\textsuperscript{122} Thus we should ask: How can Romulus’ actions as the first king of Rome, beyond what they produced (which in all likelihood would never be produced in a republic but were nevertheless necessary for it) still serve as an example for later Romans \textit{while} living under the republic?

The problem in all of this is that there is a natural tendency to think of “kingdom” and “republic” as mutually exclusive entities. But it is this distinction which Machiavelli undermines

\textsuperscript{121} \textit{D} I.20, 54, emphasis added.
\textsuperscript{122} There is an important distinction here: “extraordinary” as in “spectacular” and “extralegal” is \textit{not} the same as “extraordinary” and being “spectacular” \textit{and} within the boundaries of the \textit{ordini}. This will become clearer as the essay progresses.
and in a certain sense reverses (i.e. they are not mutually exclusive) when he writes that “(f)or
Romulus and all the other kings made many and good laws conforming also to a free way of
life.” 123 From this quote alone we see that “kingdom” and “republic” are not necessarily as
opposed as we thought them to be. As we shall see in the next chapter, when Rome became a
republic and transitioned from singular kings to dual consuls, “those who expelled them expelled
from Rome the name and not the kingly power…” 124 We might consider this kind of thinking to
be part of the “developmental” understanding of politics that Machiavelli seems to be
elaborating, for kingship at an earlier moment in a political community’s history in this type of
formulation is critical for it in its republican phase. But it is critical not only for the tangible
orders and “laws” it establishes, but also for the practices and “customs” which the “matter”—
the people and their political culture—internalizes as its own. 125 As we shall eventually see, both
Romulus and Numa provide templates of imitation for future Romans who challenged the
individuals and forces of inevitable (and thus necessary) corruption. In so doing, such
individuals (re)founded Rome through either their extraordinary “executions” or through their
extraordinary “examples,” 126 performing “those alterations...for safety that lead them back
toward their beginnings.” 127 Both Romulus’ and Numa’s types of kingship provide types of
virtue—those of war and of peace—that are ultimately just as necessary for a republic as for a
kingdom.

Conclusion

123 D I.2, 14.
124 D I.2, 14, emphasis added. For Machiavelli’s crucial distinction between “names” and “forces” see D I.34, 74.
125 D I.3, 15. Here Machiavelli conceptually sets “customs” and “law” apart from each other: “Where a thing works
well on its own without the law, the law is not necessary; but when some good custom is lacking, at once the law is
necessary.” In D I.18, 49, he links them: “For as good customs have need of laws to maintain themselves, so laws
have need of good customs so as to be observed.”
126 D III.1, 210.
127 D III.1, 209.
In generic founding, would-be founders select and embrace the “natural” necessity of a “fertile” space because of the potential inherent in it to utilize and healthily channel the “natural” necessity of generic human nature. But to do so effectively, a founder must solve for the pitfalls of fertility, especially “idleness.” It is this shortcoming that provides the *occasione* for a founder to demonstrate their virtue and imitate nature by “artificially” reproducing the necessities of the “sterile” space within the “fertile” one. This process allows for the potential inherent in the fertile site to be “channeled” in new directions while avoiding its pitfalls. This process of prudently selecting and embracing the necessity of (fertile) space is what gave the Romans the time to develop their political community. This is also the logic of particular founding that both Romulus and Numa and subsequent (re)founders employ: they utilize the opportunities provided by the challenges of their respective initial situations (which we might now think of as *spaces*) to channel the best that the order has to offer by creating “artificial” necessities to bring it about. These “artificial” necessities are *imitations* of the logic of the pre-existing order, and help the political community meet new, unforeseen necessities and take the community in new directions (e.g. Numa moving in a “civil” direction away from Romulus’ “bellicose” one), giving the community time.

But when we look at the particulars of Romulus’ and Numa’s particular foundings/(re)foundings, we see precisely how this creative alchemy is accomplished. Most decisively, both had recourse to what Machiavelli calls the “extraordinary,” the realm that lies beyond the “ordinary,” normal, routine, and customary, so as to establish their respective extraordinary authorities. It is only through extraordinary “modes” such as those employed by Romulus and Numa that time can be “begun” if founding an altogether new order (to the extent to which that is truly possible), or “restarted” if (re)founding an already existing order. In both
cases, time is created and fresh life given. The reason for this is because the extraordinary, like nature, contains necessity within itself, and its employment is the very means by which the ordinary (an almost “artificial” extraordinary) is created. While the ordinary is in a sense an imitation of the extraordinary, it channels the necessity of the extraordinary in “safer” ways, thereby normalizing it. But it is the extraordinary which is creative and through which all foundings and (re)foundings are possible. In short, the two are not so opposed after all, as the “ordinary” requires the “extraordinary.” Indeed, the two are causally linked.

But what effect does the use of the extraordinary, of generating a startling necessity that leaves the populace “stupefied,”\textsuperscript{128} actually have? While Romulus and Numa used it differently—due to the different situational necessities which they faced—the extraordinary in both cases had the same effect: it instilled fear in the populace. It is this “fear” which for humans “lead them back toward their beginnings,”\textsuperscript{129} i.e. back to the necessity which all living things instinctively feel: the desire to survive. That this fear is a necessity for Machiavelli should come as no surprise, because “men work either by necessity or by choice, and…there is greater virtue to be seen where choice has less authority”\textsuperscript{130} and “enough men never agree to a new law that looks to a new order in a city unless they are shown by a necessity that they need to do it.”\textsuperscript{131}

In much the same way that in generic founding nature is innovated upon through the imitation of one part of it so as to bring out the potential of another part (e.g. imitating the logic of a “sterile” site through an artificial necessity/order so as to realize the potential power of a “fertile” one), a founder/(re)founder imitates this process when s/he utilizes extraordinary modes (artificial

\textsuperscript{128} P 7, 28.  
\textsuperscript{129} D III.1, 209.  
\textsuperscript{130} D I.1, 8.  
\textsuperscript{131} D I.2, 10-11.
necessity) to bring out the latent potential of human nature and political existence. In both cases, necessity is being used to beget necessity.
Chapter III: Temporality and Founding

Introduction

In the previous chapter I showed how there was no single “founder” of Rome, that Romulus’ founding shaped the context and possibilities in which Numa could execute his, but that both shared the same logic of using extraordinary means to generate fear amongst the populace so as to create new ordini. Yet what both founders were really doing was enacting the logic of (generic) founding Machiavelli establishes in I.1: utilizing the various “natural” necessities (particularly those of space and the human character as Machiavelli understood it) as opportunities to produce “artificial” necessities that could constructively channel the latent potentials of nature (spatial and human) while combatting their negative effects. Machiavelli ultimately settles upon a political ordering capable of expansion, as this is the only way for the political community to generate enough power to defend itself and achieve “greatness.”

Yet managing the necessities of space and human nature point us to another “natural” necessity, that of time. While time for Machiavelli is implicitly involved in the processes of founding and (re)founding—in a sense it is causal for no individual can foresee every future circumstance that time brings, thus necessitating a (re)founding—the conventional republican model did not treat it this way. Instead, as we shall soon see, the epitome of this model, Sparta with Lycurgus as its founder, establishes a “perfection of order”—the mixed regime or polity—at the very beginning of Sparta’s history, precluding the need for any future alterations. It is this model of republican “perfection” which Machiavelli challenges, undermines, and ultimately reverses, in the process creating a new model of “perfection,” rooted in what the conventional view held to be imperfection: the disorderly “accidents,” tumults, and class conflict of the Roman

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1 D I.1, 8.
2 D I.2, 11.
3 D I.2,
republic. Along the way we shall also see the role and function of the natural necessity of time, and gain a deeper understanding of Rome’s own progress toward a new kind of “perfect”

republic, one which is developmental and *dynamic*, and thus able to absorb and utilize the “accidents” that arise in time. So, besides exploring cyclicity, perfection, accidents, and dynamism, I also illustrate the process of (re)founding undertaken by Brutus which led to the creation of the Roman republic.

**Sparta and Rome: Static and Dynamic Types**

As we briefly saw in the previous chapter, *cyclicity*, the cyclical nature of time and reality, is critical to Machiavelli’s thought and is a central theme of of I.2, “Of How Many Species Are Republics, and Which Was the Roman Republic.” Only by understanding it can we understand the process of founding, but we cannot make sense of it without understanding the contrast Machiavelli draws between Sparta and Rome. In doing so, we will have developed a comparative framework for evaluating the effects of cyclicity on cities.

Machiavelli immediately focuses upon cities “that had a beginning far from all external servitude and were at once governed by their own will, either as a republic or a principality.” These cities “have had diverse laws and orders, as they have had diverse beginnings,” reminding us that “beginnings” (e.g. “sterile” or “fertile”) are connected to “laws and orders.” But this beginning is also dependent upon *how* and *when* it was accomplished, “(f)or some were given laws by one alone and at a stroke, either in their beginning or after not much time, like those that were given by Lycurgus to the Spartans,” and Machiavelli tells us that such a “republic can be called happy whose lot is to get one man so prudent that he gives it laws ordered so that it can live securely under them without needing to correct them.” Indeed, Machiavelli writes “that

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4 *D* I.2, 10.
Sparta observed them for more than eight hundred years without corrupting them or without any dangerous tumult.”

To understand what Machiavelli is doing, it is critical to note that Sparta was the ideal in Antiquity and, along with the Venetian model, was influential in Machiavelli’s own time as well. In order to proceed in an intellectually divergent direction, he had to engage with Sparta’s reputation (that is, how it was imagined) before he could persuade his audience that it should not be the example worthy of imitation. In this ideal formulation, when a city is ordered by one alone and all at once (“at a stroke”), it can by observing this order avoid corruption, escape social conflict (“dangerous tumult”), and enjoy a long life (“eight hundred years”) and ultimately, be “happy.” In short, the Spartan model is supposed to be able to solve the “problem” posed by cyclical time—which we will see is that of order decaying/corrupting into disorder—by being ordered perfectly at its inception and through having its orders faithfully adhered to.

But Sparta is not the only kind of free city for Machiavelli, for “some had them (the laws) by chance and at many different times, and according to accidents, as had Rome.” The Roman model is now being explicitly contrasted to the Spartan by Machiavelli, and it is an example of an “unhappy” city, for “that city has some degree of unhappiness that, by not having fallen upon one prudent orderer, is forced of necessity to reorder itself.” Here Machiavelli decisively shows us that necessity played a crucial role in Rome’s development both because of the lack of a Lycurgus-like figure to impose his vision at the founding and because of what filled the vacuum/political space in that character type’s absence—the recurring necessity for a city “to

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5 D 1.2, 10.
6 Part of the conception of “corruption” includes the decline in the observance of the ordiní. Sparta (and republics modeled after it) was designed so as to not be corruptible. In fairness, so was Rome but, as we shall see, the disorder that corruption brings is ironically healthy for a political community like Rome’s—when properly recognized and channeled.
7 D 1.2, 10, emphasis added.
reorder itself,” i.e. the necessity for (re)founding. Because Rome lacked a Lycurgus who could have created necessity at the beginning and satisfied all the demands of “perfection” all at once or “at a stroke,” the Roman Republic was “forced of necessity to reorder itself,” that is, *when the circumstances dictated it.* Here we see two kinds of necessities at work: the “artificially” established order of Lycurgus at Sparta’s beginning, ordered without prompting from the necessities of circumstance, versus the more “naturally” created order(s) by the Romans as the circumstances necessitated over time. The source of and relationship to the initial necessity—natural or artificial—will have decisive effects. Take note of this dichotomy between Sparta and Rome, for Machiavelli is setting up a critical reversal: the Spartan model of ordering the laws is being called into question, becoming problematic if not outright impossible (time passes and new necessities arise for everyone, do they not?), while the Roman model is being developed into the template worthy of imitation because of its realism, that is, its ability to handle time and fortune. It is also worth noting that Rome is not a complete antithesis to Sparta, however, for “(o)f these still more unhappy is that which is the farthest from order, and that one is farthest from it that by its orders is altogether off the right road that might lead it to the perfect and true end.” Here Machiavelli is referring to the Athens of Antiquity and especially to his own native and contemporary Florence. The perfectly disordered city is in an unfortunate position, for “(i)t is almost impossible for those in this degree to repair themselves by any accident whatever,” whereas cities like Rome, even “if they do not have perfect order, have taken a beginning that is

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8 Consider this in light of what Machiavelli contemplates in *P 25:* a political actor constantly capable of adapting to the circumstances.

9 And as we shall later see, Venice and elite-dominated republics generally.

10 *D I.2, 10.*

11 In an ironic rhetorical twist, Rome at this juncture seems to occupy the *via mezzo* or “middle road” between perfect initial order and perfect initial disorder—the very *via mezzo* that Machiavelli so despised. Although Machiavelli’s distaste for the *via mezzo* can be seen throughout the *Discourses,* see for specific examples *D I.6, I.27, I.38, II.6,* and especially II.23. For another take on the *via mezzo,* see see J.H. Whitfield, “Machiavelli and the via di mezzo,” in *Discourses On Machiavelli,* ed. J.H. Whitfield (Cambridge: W. Heffer and Sons, 1969), 37-55.
good and capable of becoming better,” and “can by the occurrence of accidents become perfect.” As we shall soon see, it is through these “accidents” that Rome (on both the rhetorical and practical levels) was exposed to necessity and “fled from the middle way,” leading to its own and far more realistic version of perfection.

The reversal between Sparta and Rome is now taking fuller shape: Machiavelli has begun to radically alter the basis for evaluating perfection by introducing a temporal understanding of it. If the initial static and thus, atemporal perfection which Sparta achieved is not the only kind of perfection (or, perhaps, not perfection at all) then other models (such as the Roman) must be found that can be learned from and imitated. Machiavelli’s Rome no longer represents the “middle way” (via mezzo) between perfect order and perfect disorder but instead represents a realistic assessment or the “effectual truth” of political development historically understood, and thus a new direction for how to think about models worthy of consideration and imitation.

Of course, Machiavelli’s Roman model is not without challenges for it is indeed true that they will never order themselves without danger, because enough men never agree to a new law that looks to a new order in a city unless they are shown by a necessity that they need to do it. Since this necessity cannot come without danger, it is an easy thing for the republic to be ruined before it can be led to a perfection of order.

This passage is among the most important found in the Discourses, because Machiavelli has here established the central pivot of the dynamic republican model he has been constructing: changes to the order of things are difficult and contain “danger,” and are thus are often forced

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12 D 1.2, 10.
13 D II.23, 181.
14 And as we shall increasingly see, this new direction will require a reversal of meaning of the terms “perfection” and “imperfection,” “necessity” and “accident,” “order” and “disorder,” “liberty” and “necessity.”
15 “Order” can here mean both a specific order (as in the Consulate, the Senate, the Tribunate, etc.), or, relatedly, “the order of things,” the “way of life.” For a tremendous discussion of “order,” see Whitfield, “On Machiavelli’s Use of Ordini,” in Discourses On Machiavelli, 141-162.
16 D 1.2, 10-11, emphasis added.
upon people via necessity (which is itself dangerous) rather than via choice or reason. The connotation of “necessity” is ambiguous here because it does not necessarily guarantee a successful outcome, as the danger brought with it can ruin a city “before it can be led to a perfection of order.” But this “danger” is itself a necessity for if a city is to develop and reach its own respective “perfection of order,” it requires the impetus of “danger” to push its citizens in this direction. It is what Machiavelli calls “accidents” that deliver “danger,” and with danger comes “fear,” and fear (as we saw in the last chapter) is a necessity for prompting change that likely would not occur without it, and it is quite often what Machiavelli calls “accidents” that bring danger and thus, necessity itself. The accidenti contain something of the extraordinary within them, and thus why they are useful for reordering—or ruining—a political community. The accidenti are themselves unavoidable (again, who can foresee and plan for every contingency?) and thus necessary, and in turn generate necessity. In this way are dynamic republics like Rome constructed and, because they have been created in the forge of necessity and accident, they become patterned after them and learn how to use them.

In contrast to this stands the static model which represents an attempt to artificially avoid what political life necessarily entails: the constant need to change as fortune does over time, i.e. the emergence of accidents and the permanent need to adapt to them as they arise, and thus the “danger” and the “fear” which accidents bring. The static model, in artificially ordering perfection all at once and at the beginning of its existence, effectively denies the natural necessity of time. In doing so, it denies its citizens the opportunity to learn how to creatively

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17 “Necessity” in this case means “accidents” and/or the necessities generated as a result of accidents.
18 For an excellent study of “accidents,” see McCormick, “Addressing the Political Exception,” 888-900. McCormick rightly emphasizes the role of accidents for Machiavelli, and in doing so focuses on what I have termed a “dynamic” element in Machiavelli’s thought (i.e. pertaining to the processes, or “matter” of perfection, rather than to its form). Yet McCormick is overly concerned with those accidents that are caused from without, or what Machiavelli calls “extrinsic” causes in D I.33, 71. While important, we should note where Machiavelli places his causal emphasis as per I.33: “And accidents such as these arise in a republic more often through an intrinsic than an extrinsic cause.”
innovate in the face of (the inevitable and necessary) accidents because there will never be any to
learn from (so the logic of this model implies; for Machiavelli, reality implies something else).
Without experiencing risk, danger, and fear, citizens never develop the ability to (re)found and in
(re)founding, to begin again and in beginning, create time. In short, for Machiavelli, static
models cannot renew themselves (much like cities that begin in a state of dependence and
servility) and, when time eventually does bring an accident, it will be unable to process it
healthily. In its relationship to the necessity of time, or temporality, the static model is
analogous in terms of the effect it has to the sterile model of cities to the necessity of space, or
spatiality, as both deny the humans the opportunity to manage time and space beyond the
opening moment. For Machiavelli, it is only the Roman model which necessitates that its
citizens be capable of going beyond that moment—through constantly (re)creating it.

**Cyclicity and Political Development**

With Sparta and Rome, the paradigmatic examples of the static and dynamic types of
republics respectively, we see in the former the denial of the necessity of time and accident, and
in the latter, their effective embrace. Static and dynamic republics and the relationship between
necessity and accident must now be situated within Machiavelli’s cyclical conception of time
and generic political development. The cycle of time still proceeds, but it now becomes a
question of which model—that of “denial” or that of “embrace”—is superior in handling it.

Machiavelli first reviews the conventional understandings of regimes\(^\text{19}\), reviewing the
three pure types: “principality, aristocrats, and popular,” or the powers of the one, the few, and
the many, respectively.\(^\text{20}\) But he also recognizes that other conventional understandings see the

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\(^{19}\) As is often the case with Machiavelli, his recounting does not name the potential sources. While Polybius is recognized as the main source, it is worth pointing out that Plato and Aristotle also have cyclical conceptions of time.

\(^{20}\) I.2, 11.
three above as “virtuous” types that can become corrupted and collapse into their opposites: principality becomes tyranny, aristocracy becomes oligarchy, and popular government becomes licentiousness. Machiavelli utilizes this movement among the pure types to develop his own generic accounting of the history of cities, expanding the account to include movement not only within a type but between them: from the state of the one, principality, to its degenerative, tyranny; from a degenerative state of one to a virtuous state of the few, or aristocracy, to its degenerative “government of few”; from this degenerative oligarchy to a virtuous popular regime, to its degenerative, a state of license. Also developed in this account is Machiavelli’s description of the birth of “the knowledge of things honest and good, differing from the pernicious and bad” (morality) and its subsequent codification into “laws and ordering punishments for whoever acted against them,” i.e the “knowledge of justice.”

Perhaps the most important feature to take notice of in his account are the transitions from one state to the next, with the decay and corruption of one type creating an opportunity for a hypothetical actor to found the next. Because of the passage of time, each subsequent generation tends to gradually lose the experience and memories (particularly the fears) of the previous one. For example, those in the cycle who overthrow the prince-turned-tyrant convert the city into an aristocracy and rule well so long as they live. But when “(t)his administration came next to their sons, who, not knowing the variation of fortune, never having encountered evil, and unwilling to rest content with civil equality,” the aristocracy becomes an oligarchy with injuries to the people. We see from this that the “sons,” never having had the experience of “evil,” enter into it. Eventually, their corruption provides the opportunity for the people to overthrow them and, “(s)ince the memory of the prince and of the injuries received from him was still fresh, and since they had unmade the state of the few and did not wish to remake that of the

21 D I.2, 11-12.
prince, they turned to the popular state.” Because the people remember their experience of “evil” at the hands of the prince and the oligarchs, and since this “memory” is “fresh,” they create popular government. It is the loss of memory and/or the lack of experience (which produces new memories) over the course of time which causes corruption.

Ultimately, while enduring the state of “license,” the citizenry, “constrained by necessity, or by the suggestion of some good man, or to escape such license…returned anew to the principality; and from that, degree by degree, they came back toward license, in the modes and for the causes said.” In Machiavelli’s generic cycle, necessity operates as both the cause and effect, as both a series of accidents which necessarily happen and cause the cycle to revolve which in turn provide the occasione for founding/(re)founding, which are in turn predicated upon the imposition of new, artificial, necessities (which are themselves innovations). As we saw in the previous chapter, Machiavelli has bound together apparent opposites and executed another reversal of sorts, in this case linking necessità and accidenti, showing them to be intertwined and interdependent—and thus challenging the notion that they must be at odds.

Perhaps the most important thing to note is that this generic account for the evolution and alteration of regimes is, up to a point, an accurate account of how Machiavelli’s Rome developed as we shall see in subsequent chapters. Rome began with virtuous princes (Romulus and Numa, as well as Tullus Hostilius and Ancus Marcius) who later devolved into tyrants, culminating with the Tarquins and especially Tarquin “the Proud.” Eventually, the Tarquin tyranny was overthrown by Brutus establishing the Roman Republic, which shortly thereafter

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22 D 1.2, 12.
23 D 1.2, 13, emphasis added. As D’Amico points out, “the three forces work together,” and the latter two are perhaps nothing more than “manifestations of necessity,” for “disorder causes suffering and fear, as well as the desire to flee anarchy,” and are “seconded by the good man who can use persuasion on men who want a new order and are prepared to accept it precisely because they have suffered.” Furthermore, this “good man” may not only utilize “persuasion” but also “force,” perhaps the ultimate necessity that humans have at their disposal. See D’Amico, “Order from Disorder: Machiavelli on Cyclicality,” 134.
24 Below I will demonstrate how Machiavelli broke his Roman model away from his generic model.
became intolerable to the plebs and was augmented by the tribunes of the plebs to give them their place in the state. But as the *Discourses* unfolds, we also see how Rome gradually became corrupted, fought off corruption, but nonetheless eventually suffered a return to tyranny. In a certain ironic sense, therefore, Rome did make it through the cycle.

Returning to his generic model of cyclicity, Machiavelli writes that

(i)t is while revolving in this cycle that all republics are governed and govern themselves. But rarely do they return to the same governments, for almost no republic can have so long a life as to be able to pass many times through these changes and remain on its feet. But indeed it happens that in its travails, a republic always lacking in counsel and forces becomes subject to a neighboring state that is ordered better than it; assuming that this were not so, however, a republic would be capable of revolving for an infinite time in these governments.

Machiavelli is now explicit about his cyclical conception of time, and shows us the rarity with which states “return to the same governments” because “almost no republic can have so long a life” so as to see the return of the same form of previous states. But “almost” does not mean “never,” and Machiavelli holds out the hypothetical possibility of a state which could endure these revolutions indefinitely or, as he will show us, halt the cycle of regimes and instead fuse the positive models together into one, apparently “escaping” time and leading us back to the conventional “static” solution discussed in the previous section.

I say thus that all the said modes are pestiferous because of the brevity of life in the three good ones and because of the malignity in the three bad. So those who prudently order laws having recognized this defect, avoiding each of these modes by itself, chose one that shared in all, judging it firmer and more stable.

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25 See the discussion of Caesar from D I.10. Also consider I.37 where Machiavelli discusses the Gracchi, the Agrarian Law, Marius, and Sulla.
26 It is important to recognize the introduction and significance of “motion” in Machiavelli’s thought. As the *Discourses* proceeds, its importance only grows.
27 *D* I.2, 13, emphasis added. It is fair to wonder just how serious Machiavelli was being about a city’s ability to “revolve” indefinitely through the cycle. I would guess that he did not believe that this was possible, any more than he believed that the establishment of a “perfect” order by a lawgiver at a city’s inception could overcome the necessities and accidents of the cycle. Yet there may still be another way of understanding Machiavelli here; continue on.
28 Again, keep in mind that Machiavelli is challenging the conventional, “static” model, and so may also be challenging its conception of and orientation to time.
for the one guards the other, since in one and the same city there are the
principality, the aristocrats, and the popular government.\textsuperscript{29}

The solution would appear, in short, akin to the Aristotelian \textit{polity} or “mixed regime,”
ordered by someone who could “prudently order laws” that would make the republic “firmer and
more stable.” The single best example of this type of founder and regime available for
Machiavelli’s analysis was Lycurgus and Sparta, discussed above. Lycurgus is “(a)mong those
who have deserved most praise for such constitutions,” for he “ordered his laws so as to give
their roles to the kings, the aristocrats, and the people and made a state that lasted more than
eight hundred years, achieving the highest praise for himself and \textit{quiet} in that city.”\textsuperscript{30}

Machiavelli juxtaposes Lycurgus with Solon at Athens, for Solon ordered “only the popular state
there,” and “he made it of such short life that before he died he saw the tyranny of Pisistratus
born there.”\textsuperscript{31} Pisistratus’ “heirs were expelled after forty years and Athens returned to
freedom,”
yet because it took up the popular state again, according to the orders of Solon,
it lasted no more than a hundred years. To maintain it, [Athens] made many
constitutions that had not been considered by Solon, by which the insolence of
the great and the license of the collectivity were repressed. Nonetheless, because
it did not mix them with the power of the principality and with that of the
aristocrats, Athens lived a very short time in respect to Sparta.\textsuperscript{32}

Outwardly, it does appear as if the mixed regime is the solution to the problem of
cyclicity and inevitable corruption, and is the key to the maintenance of a city. Later,
Machiavelli writes that this is in fact the case.\textsuperscript{33} But a closer examination of what Machiavelli
has written will lead us to an opposite conclusion—a reversal—not about the \textit{form} of the mixed

\textsuperscript{29} \textit{D I.2}, 13, emphasis added.
\textsuperscript{30} \textit{D I.2}, 13, emphasis added. \textit{Conventionally speaking}, having “quiet” in a city is a desirable goal. But Machiavelli
was anything but conventional. By way of contrast (and preview), consider \textit{D I.4}, 16, where Machiavelli writes of
“the noises and the cries” arising from the “tumults” in Rome.
\textsuperscript{31} \textit{D I.2}, 13.
\textsuperscript{32} \textit{D I.2}, 13, emphasis added.
\textsuperscript{33} See \textit{D I.5}, 18, where Machiavelli contrasts a republic that wants to \textit{maintain} itself (Sparta) and thus endure for a
greater \textit{duration} of time, with a republic that wishes to \textit{expand} (Rome) and thus endure in memory because of
\textit{greatness} achieved. But, as we shall see, there is more involved than either duration or greatness; survival itself is at
stake.
regime but about how (and thus, when and also why) it comes into being, and the effects this has on the “matter”\textsuperscript{34}—the people and the customs, orders, laws, and modes which together help constitute their political culture.

As I showed in the previous chapter, Rome had no single founder or founding, and its most important trait was its ability to adapt by patterning itself after nature, harnessing various naturally-occurring and situational necessities into artificial political order when it was necessary to do so. In contrast to this, Lycurgus artificially chose the mixed regime for Sparta at its outset; the mixed regime was not forced upon the city by ongoing necessity.\textsuperscript{35} Solon chose the (artificial and unnaturally developed) popular regime—a partial regime—and was never able to avoid the pitfalls of partiality and recurrent license that brought dangerous forms of necessity with it. Again appearing to occupy a middle position between these two extremes of apparent perfection and certain imperfection, Rome chose neither; in fact, beyond Romulus’ (relatively) minimal—yet critical—(initial) founding, Rome chose nothing at all but could only respond to the necessities generated by accidents which arose over the course of time.

But let us come to Rome. Notwithstanding that it did not have a Lycurgus to order it in the beginning in a mode that would enable it to live free a long time, nonetheless so many accidents arose in it through the disunion between the plebs and the Senate that what an orderer had not done, chance did. For Romulus and all the other kings made many and good laws conforming also to a free way of life; but because their end was to found a kingdom and not a republic, when that city was left free, many things that were necessary to order in favor of freedom were lacking, not having been ordered by those kings.\textsuperscript{36}

Romulus was not Lycurgus, and thus Rome could not be Sparta. But neither was Romulus like Solon either, and thus Rome was not like Athens. Instead Rome, though it did “not

\begin{footnotes}
\item[34] For the “matter,” see D I.16, 44. See also D I.17, 48. For a fuller discussion, see the next chapter.
\item[35] Here one might argue that Lycurgus himself as a founder was a kind of necessity. Even if that were the case, it does not affect my larger argument about static and dynamic republics as Lycurgus deliberately “chose” the former at the expense of the latter, preventing the ongoing productive force of necessity from entering into the fabric of the political community. So great was his example and practice that subsequent Spartans followed suit, minus the power of innovation which Lycurgus had brought to bear.
\item[36] D I.2, 14, emphasis added.
\end{footnotes}
have perfect order,” took “a beginning that” was “good and capable of becoming better,” and through “the occurrence of accidents” (and the infusion of necessity from each one) was made “perfect.”

This is the point of departure referred to above (“up to a point”); Machiavelli distinguishes Rome from the generic, Athenian/Florentine, and static Spartan/Venetian models, and demonstrates that another path is possible for cities that desire to effectively manage the cycle of order and disorder that ruins them. The conventional, static solution to the problem of time was to “escape” the cycle. To “escape” means to create an atemporal, “static” mixed regime that effectively halts time in place, cementing the political order established at the beginning into place perpetually, regardless of circumstances, perhaps in the belief that an order steadfastly and vigilantly held to would be like a perpetual founding. But by establishing a mixed regime at the founding and thereby settling all political questions, there was no work to be done, nothing thereafter to be achieved, and no (re)founding ever necessary because the very things that would have led to an experience of necessity—the source of all beginnings/foundings/(re)foundings—had been cauterized by this type of “ordering of laws.”

In contrast to the conventional “static” model of republics (i.e. the pre-planned polity/mixed regime), Machiavelli uses Rome to help us reconceive what managing time might mean, in the process challenging the conventional view. Instead of trying to “escape” the cycle by “freezing” it, by halting it, by being its opposite, a city must dive into it, embrace it and

37 D I.2, 10.
38 One of the elements of Machiavelli’s thought that the Cambridge School rightly focuses upon. But as we see, the mixed regime, while necessary for freedom, endurance, and power, is not by itself sufficient for the enjoyment of these goods over time for Machiavelli.
39 D I.1, 8. This chapter may be the most important in the Discourses, as the framework Machiavelli establishes there sets the course of the text. Another question that is beyond the scope here but is worth considering is whether or not the “ordering of laws,” in part understood as how a city relates to the necessity of cyclical time, is itself dependent/contingent upon the “choice of site” or, at the very least, the choice of site makes certain orderings of laws more or less likely. I am inclined toward the latter understanding.
harness the accidents which cause it to revolve. A city must be more like the cycle itself, in the process borrowing time and life from it and, in doing so, in a sense must imitate its logic.  

What is different about Machiavelli’s Rome is not only that his Romans “compressed” the cycle of regimes by expelling “from Rome the name and not the kingly power” in the form of the consuls, and by augmenting that power with the power of the few in the form of the Senate and later augmenting these powers with the power of the people in the form of the tribunes. This would only produce the mixed regime similar to the static Spartan model. What is different about Machiavelli’s Rome is how it compressed the cycle of regimes: the completion of the imperfect regime of principality combined with the aristocrats was accomplished through the “accidents which arose in it” due to the “disunion between the plebs and the Senate.” Unlike the analogous features of the Spartan regime, these elements of the Roman were unplanned, accidental, and arose as necessity (the necessity generated by accidents generally, and the necessity of not being able to avoid the conflict between the few and the many, “the plebs and the Senate” specifically) dictated. Machiavelli illustrates this for us:

> It remained only to give a place to the popular government; hence when the Roman nobility became insolent for the causes that will be told below, the people rose up against it; so as not to lose the whole, it was constrained to yield to the people its part, and on the other side the Senate and the consuls remained with so much authority that they could keep their rank in that republic.

At work here is necessity in some of its different guises: a new necessity, the naturally occurring social-psychological and oppositional humors of the nobility and the people, which in turn at the instance of an accident set off a series of events that produced distinctly political necessities for the different actors. The popular resistance (as I will argue in the next chapter,

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40 To be clear: while a city must “imitate” the logic of the cycle while avoiding its destructive dynamic, that destructive dynamic is the very source and precondition of and possibility for “perfection” which must be embraced.
41 I owe Peter Breiner for providing me with an apt term for describing the Roman phenomenon discussed here.
42 D I.2, 14, emphasis added. See also D I.34, 74, for a distinction between “names” and “forces.”
43 D I.2, 14.
44 D I.2, 14, emphasis added.
itself a necessity) in the face of noble insolence, generated (more than just) a political necessity upon the Senate to “yield to the people its part” “so as not to lose the whole,” because of the necessity of physical survival, to speak nothing of their own need for maintaining both their own authority as well as those of the Consuls. The nobility were not inclined to share authority with the plebs and were instead inclined to use their authority to oppress them. The potential for (unproductive and negative, as opposed to creative) instability was great, and thus, so as to avoid being ruined, the nobility reluctantly began to share authority with the people, producing the much-sought after form of the “mixed regime,” but with a wholly different “matter” because the experience of each development existed not only institutionally but also within the public memory due to the collective experience of fear and necessity.45

Machiavelli summarizes this unique course of development at the end of I.2:

Thus arose the creation of the tribunes of the plebs, after which the state of that republic came to be more stabilized, since all three kinds of government there had their part. Fortune was so favorable to it that although it passed from the government of kings and of aristocrats to that of the people, by the same degrees and for the same causes that have been discoursed of above, nonetheless it never took away all authority from the kingly qualities so as to give authority to the aristocrats, nor did it diminish the authority of the aristocrats altogether so as to give it to the people. But, remaining mixed, it made a perfect republic, to which perfection it came through the disunion of the plebs and the Senate…46

In sum, while Machiavelli’s dynamic model appears to be like that of the static model in terms of form, the reality is quite different. While both possess a mixed regime, the path to each is drastically different because of each model’s relationship to the cycle of time.47 Machiavelli’s

45 Again, keep in mind that this development was not planned but was created by the necessity unleashed by and through “accidents.” This model is the opposite of Lycurgus’, and no commentator that I know of has traced its developmental origins and nature extensively. Outwardly, it may appear to be a mixed regime, fixed in place. But in reality, it is a dynamic intersection of constantly moving actors and forces. Indeed, without this dynamism there would be nothing to animate it, to be constantly in the process of forming/(re)forming it.
46 D I.2, 14. Also take note of the shift in language in this passage: Machiavelli links “perfection” with “disunion” explicitly, and authority with the resistance to authority as well. Furthermore, note the result of these reversals: the compression of political forms by fortune.
47 While the “static” model primarily refers to the relationship of a city to time, we shall see in the coming chapters that the relative “static” and “dynamic” characters of cities also are determined by their relationships to human nature and space as well.
Roman model is different to such a degree that we have to consider that after his reversal of the
conventional wisdom pertaining to political development and “perfection” that he may no longer
be discoursing upon the same things as conventional, classical republican theory.  

“Perfection of Order”: From Kingdom to Elite Republic

As we know from the previous chapter, Rome was founded by Romulus as a kingdom, not as a republic. We now also know that Rome did not transition from being a kingdom into a mixed regime-type of republic, but became an aristocratic or elite republic first, albeit one which retained the “kingly power.” This it did through an accident which arose that Brutus used as an opportunity to (re)found Rome. This aristocratic, elite-controlled republic lasted briefly and as with the transition from kingdom to elite republic, an accident arose which gave the opportunity to the popular element—the Roman people or “plebs”—to seize their share of power and authority in Rome, creating the mixed regime.

As was the case with Numa whose (re)founding could not be understood without first understanding the context under which he labored (i.e. the works and legacy of Romulus), we cannot understand the plebeian (re)founding and Rome’s “perfection of order” without first understanding the (re)founding of Brutus and the context that this establishes. The remainder of this chapter therefore examines the work of Brutus and the process of (re)founding which he conducted. We will see that while his was an imitation of both Romulus’ and Numa’s respective works, Brutus also innovated in the face of the necessities which he faced but they had not.

The (Re)Founding of Brutus

48 For a similar point, see McCormick, “Machiavelli against Republicanism,” 617 where he argues Machiavelli is interpreting “Roman representative institutions in more democratic ways” and ‘(a)lthough these practices and institutions may seem superficially consonant with republicanism…the latter had always prescribed a much more narrow role for the populace in republics or “mixed regimes”—at least too narrow to warrant association with Machiavelli…’
49 D I.2, 14.
Brutus’ example represents many things for Machiavelli, but none more than the fact that (re)founding is a dynamic process rather than a static moment. Within this process Brutus’ work represents a (re)founding which imitates the examples of Romulus and Numa but leads Rome not back in the cycle toward principality but forward toward being an aristocratic republic. Brutus utilizes an extraordinary accident as well as extraordinary modes at different points in this process to instill fear in both Tarquin as well as the Roman populace—both the nobility and the plebs. The (re)founding of Brutus also represents a political expansion of sorts as he of necessity had to rely upon his fellow nobles and the people to remove Tarquin. But Brutus’ example also teaches us something further about (re)founding, something not touched upon by Machiavelli in regards to the work of Romulus and Numa: the need to protect the newly established order from its enemies.

To understand these necessities as they manifested for Brutus during this process, we have to take note of the lead up to and the historical moment in which Brutus lived or, put simply, the context. Throughout this discussion, take note of the ways in which Roman history and political development appears to reflect the generic cycle of states Machiavelli established while at the same time challenging the notion that the cycle is unidirectional, introducing a newer, fuller sense of contingency and accident. We have already explored the kings as far as Ancus in the previous chapter, and it is with his descendants that the narrative of Rome’s political development picks up again for Machiavelli. By this time in Roman history, the principality has begun to gradually degenerate into a tyranny. Thus Machiavelli can write “I judge that it was necessary,”

either that the kings be extinguished in Rome or that Rome in a very short time become weak and of no value. For considering how much corruption those kings had come to, if two or three such had followed in succession, and the corruption that was in them had begun to spread through the members, as soon as the members had been corrupted it would have been impossible ever to reform it.
But since they lost the head when the trunk was sound, they could easily be brought to live free and ordered.\textsuperscript{50}

While the kings after Romulus had been elected for a time by the Senate according to Machiavelli, this practice degenerated after Ancus into a cycle of assassination and revenge by the heirs of the assassinated.\textsuperscript{51} This pattern of usurpation mirrors the description of the generic cycle of states described above, reflecting the corruption of principality as it degenerates into tyranny. Under the conditions of principality this should not come as a surprise (indeed, for Machiavelli it itself is a necessity), for “every prince can be warned that he never lives secure in his principality as long as those who have been despoiled of it are living” and that “every power can be reminded that old injuries are never suppressed by new benefits, and so much the less as the new benefit is less than the injury was.”\textsuperscript{52} Thus we see in Rome that king after king found themselves “deceived” when they allowed the heirs of their predecessor to live.

And one sees that Tarquin Priscus was deceived because it appeared to him that he possessed the kingdom lawfully, since it had been given to him by the people and confirmed by the Senate. Nor did he believe that there could be so much indignation in the sons of Ancus that they would not have to be content with what contented all Rome. Servius Tullius deceived himself in believing he could win over the sons of Tarquin with new compensations…Without doubt, Servius Tullius was hardly prudent to believe that the sons of Tarquin\textsuperscript{53} would be patient to be the sons-in-law of him over whom they judged they ought to be king.\textsuperscript{54}

Indeed,

\textit{(t)his appetite for reigning is so great that it enters the breasts of not only those who expect the kingdom but also those who do not expect it, as it was in the wife of young Tarquin\textsuperscript{55}, the daughter of Servius. Moved by this rage, against all paternal piety, she moved her husband against her father to take away from him his life and the kingdom—so much more did she esteem it to be queen than daughter of a king.}\textsuperscript{56}

\textsuperscript{50} \textit{I.17, 47, emphasis added.}

\textsuperscript{51} \textit{III.4, 215.}

\textsuperscript{52} \textit{III.4, 216. Cf. P 7, 33: “And whoever believes that among great personages new benefits will make old injuries be forgotten deceives himself.” Mansfield in note 18 also notes this similarity.}

\textsuperscript{53} Tarquin Priscus.

\textsuperscript{54} \textit{III.4, 215-216, emphasis added. The emphasis draws attention to the language Machiavelli employs which in turn reflects the “humors” (umori) that exist in kingdoms. In the next chapter we shall explore how these humors operate in republics, and how they functioned in Rome.}

\textsuperscript{55} Before he became “Superbus.”

\textsuperscript{56} \textit{III.4, 216, emphasis added. See note 48 regarding my emphasis on Machiavelli’s language of the “humors.”}
What we see in these passages is the dangerous instability found in all principalities as they descend into tyranny: “indignation” on the part of the heirs of the overthrown, and an “appetite for reigning that is so great,” that children are “(m)oved by…rage” against their parents. It is these forces\(^{57}\) that drive the actors who overthrow Servius and begin the reign of Tarquin Superbus, or “Tarquin the Proud,” the last king of Rome.\(^{58}\) While his predecessors may have lost their power “through not knowing how to secure themselves against those from who they had usurped it” (i.e. against the heirs of the overthrown), “(w)hen Tarquin the Proud had killed Servius Tullius…there were no heirs remaining of him,” and “he came to possess the kingdom securely, since he did not have to fear those things that had offended his predecessors.”\(^{59}\)

While “fear” has been central to the analysis of the process of (re)founding as a necessary experience for the populace to feel, we see here that for Machiavelli it also has a role to play in the experience and judgment of those who hold power—something which will again become operative and critical in the next chapter as well. Because Tarquin lacked fear, Machiavelli appears to be suggesting that Tarquin acted differently than had he healthily feared the consequences of his actions. Lacking fear, Tarquin began to deviate from “the ancient orders of the other kings”\(^{60}\) when “he had taken away all authority from the Senate and adapted it for himself” by conducting public “business” privately “in his palace.” With regards to the people/plebs, Tarquin “excited the plebs against himself, tiring it out in mechanical things all

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\(^{57}\) The “humors.”

\(^{58}\) D III.4, 216.

\(^{59}\) D III.4, 216.

\(^{60}\) D III.4, 216.
alien to what his predecessors had put them to work in.”

Tarquin “having filled Rome with cruel and proud examples,”

\begin{quote}
\textit{had already disposed the spirits of all Romans to rebellion whenever they would have opportunity for it. If the accident of Lucretia had not come, as soon as another had arisen it would have brought the same effect.}
\end{quote}

The infamous “rape of Lucretia” was the immediate accident which caused Tarquin’s downfall, but “he was expelled not because his son Sextus had raped Lucretia but because he had broken the laws of the kingdom and governed it tyrannically…” In short,

\begin{quote}
if Tarquin had lived like the other kings and Sextus his son had made that error, Brutus and Collatinus would have had recourse to Tarquin and not to the Roman people for vengeance against Sextus.
\end{quote}

With both the context—the initial situational necessities faced by Brutus and the accident which when taken together empowered him to act—established, we can now understand his (re)founding and how it both parallels the examples of Romulus and Numa, or imitates them, while simultaneously deviates from them, or innovates upon them. Both kinds of actions are necessary for successful (re)founding because on a certain level, there are dynamics inherent (i.e. necessary) in the process of (re)founding which cannot be avoided, yet at the same time each (re)founding contains features unique to it, i.e. the context in which the process occurs including the works of previous (re)founders. The parallels—the imitations—therefore often include—indeed often have to include—novelties—the innovations.

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61 D III.4, 217.
62 D III.4, 217, emphasis added.
63 For an excellent work that examines this story in the works of Livy, Machiavelli, and Rousseau, see Matthes, The Rape of Lucretia and the Founding of Republics (University Park, P.A.: The Pennsylvania State University Press, 2000). Matthes’ focus is different than my own, however. While she is concerned with the role that this episode plays comparatively between these authors as well as the role of the story in shaping how republics might understand their origins, I am concerned with it because Machiavelli calls it an “accident”—the very accident which precipitated the creation of the Roman republic.
64 D III.4, 217.
65 D III.4, 217.
First of all, like Romulus and Numa, we see Brutus utilize the power of the extraordinary. Yet rather than rely upon committing an act of violence or deploying religion\textsuperscript{66} to create the opportunity himself for this, Brutus relied upon an “accident,” the infamous rape of Lucretia, to do it for him. While Machiavelli refers to Sextus’ act an “accident,” and accidents contain something of the extraordinary within them because they expose the gap between reality and the ordini meant to manage that reality through channeling it and disrupting the routines of everyday life in the process, this act was indeed a violent one and its direction was from one above down upon one below, from someone in a superior power position down upon someone in an inferior power position. Whether seen as the radically violent act, which it was, or in Machiavellian terms as an “accident,” both phenomena for Machiavelli generate danger and fear and thus, a necessity: it was now not only Brutus who knew that action had to be taken against the Tarquins or their tyranny would continue. It is this combination of danger and the fear which it generates, as well as fear and the necessity which it generates, that together provide the opportunity\textsuperscript{67} for a (re)founder to channel them into new, artificial orders.\textsuperscript{68} Ultimately, this is what Brutus does, but with the rape of Lucretia, we see a change of direction of the channeling: instead of the orderer utilizing an accident to channel danger, fear, and necessity onto the population below so as to reorder it, the orderer and the population together use the accident to channel danger, fear, and necessity above onto the tyrant. This is possible in this situation because of the Tarquins’ misdeeds and the hate they generated from all sectors of Roman

\textsuperscript{66} We will soon see that both religion and violence—in that order—come to be useful tools for Brutus, but were not used directly by him to initiate the process of (re)founding.

\textsuperscript{67} Notice here the fusion of necessity and opportunity.

\textsuperscript{68} As per P 6, 22-23, Brutus is in a rarefied “odor” for Machiavelli with the mythical and quasi-mythical founders: “And as one examines their actions and lives, one does not see that they had anything else from fortune than the opportunity, which gave them the matter enabling them to introduce any form they pleased.”
society. For the first time, we see that the necessity produced from an extraordinary event can be redirected from “below” just as it can from “above” and that this too is creative.

Second, like Numa, Brutus engaged in deception to achieve his end.⁶⁹ Recall that Numa deceived the Roman people when he “pretended to be intimate with a nymph who counseled him on what he had to counsel the people.”⁷⁰ Brutus deceived all—and especially Tarquin—“in his simulation of stupidity.”⁷¹ There are two general levels of situational necessity which for Machiavelli explain why Brutus engaged in this deception: Brutus’ motivations and his “mode of proceeding,”⁷² and within each there are other particular necessities which for Machiavelli must be accounted for and heeded. In terms of Brutus’ motivations, we know from Machiavelli that the “injuries” which motivate humans to conspire and act against a prince “are in property, blood, or in honor,”⁷³ and a corrupted prince—a tyrant—especially tends to offend in each of these modes. Tarquin, as a tyrant, of necessity posed a threat to all and especially to those who possessed property, and this is why Machiavelli cites Livy’s explanation for Brutus’ deception as Brutus was one who wanted “to be able to live more securely and to maintain his patrimony.”⁷⁴ In addition to material motivations, Machiavelli writes regarding conspiracies that “(a)nother cause of it—and a very great one—that makes men conspire against the prince is the desire to free the fatherland that has been seized by him,”⁷⁵ and that this also motivated Brutus’ actions.⁷⁶ Machiavelli has effectively (without intending to?) linked material and ideological motivations,

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⁶⁹ While Numa’s deception is clear, Romulus’ is only implied by Machiavelli. I do not believe it wrong to infer that deception on Romulus’ part occurred, especially where Remus and Titus Tatius were concerned.
⁷⁰ D I.11, 35, emphasis added.
⁷¹ D III.2, 213, emphasis added.
⁷² D III.2, 213.
⁷³ D III.6, 219. Cf. P 17, 67: “But above all, he must abstain from the property of others, because men forget the death of a father more quickly than the loss of a patrimony.”
⁷⁴ D III.2, 213.
⁷⁵ D III.6, 220.
⁷⁶ D III.2, 213.
with the latter potentially growing out of the former.\textsuperscript{77} Regardless of the cause, both capture elements of the underlying insecurity which not only Brutus but the Roman aristocrats generally experienced (as they would be more likely to possess a “patrimony” that Tarquin would seize than would a pleb) and thus why they would personally be motivated to oppose Tarquin.

In terms of his “mode of proceeding,” Machiavelli writes that Brutus’ example is worthy of imitation as Brutus shows “all those who are discontented with a prince” yet another necessity in deposing them: the need to “first measure and first weigh their forces…” If they are powerful enough “they can expose themselves as his enemies and make war on him openly,” and “this way” is “less dangerous and more honorable.” But this is not always (or often) available to a Brutus-like character, and they must of necessity seek with all industry to make themselves friends to him; and to this effect, they should enter on all those ways that they judge to be necessary, following his pleasures and taking delight in all those things they see him delighting in. This familiarity, first, makes you live secure, and without carrying any danger it makes you enjoy the good fortune of that prince together with him and affords you every occasion for satisfying your intent.\textsuperscript{78}

For Machiavelli there is no “middle way” approach to deposing a tyrant, as “some say that with princes one should not wish to stand so close that their ruin includes you, nor so far that you would not be in time to rise above their ruin when they are being ruined.” As was hinted at earlier in this chapter (and will be explored further throughout the project), the “middle way” for Machiavelli is a disastrous mode of proceeding because it is an attempt at removing necessity from the situation—which for Machiavelli is an impossibility. Although “(s)uch a middle way would be the truest if it could be observed,” Machiavelli writes, “I believe that it is impossible,

\textsuperscript{77} By including the ideal cause—the desire to free one’s people—he also opens up new conceptual space for those who desire the free way of life (yet lack a “patrimony” to protect) to contemplate how they might remedy their own situation.
\textsuperscript{78} D III.2, 213, emphasis added.
(and) one must be reduced to the two modes written above—that is, either to distance oneself from or to bind oneself to” the prince. It is “impossible” because whoever does otherwise, if he is a man notable for his quality, lives in continual danger. Nor is it enough to say: “I do not care for anything; I do not desire either honors or useful things; I wish to live quietly and without quarrel!” For these excuses are heard and not accepted; nor can men who have quality choose to abstain even when they choose it truly and without any ambition, because it is not believed of them; so if they wish to abstain, they are not allowed by others to abstain.

In other words, the role that anyone who possesses “quality” in such a situation plays is not entirely up to them, but is (at least) partially decided by the actions of the tyrant who, of necessity (due to their situation, i.e. their position as tyrant and the hatred that that engenders), is suspicious. For Machiavelli, someone in a position of relative weakness and thus unable to be an open enemy, whether they possess motivation to act against the tyrant or not, must engage in deception and trade space for time, moving in close enough (space, conceived of both metaphorically and literally) to utilize the opportunity that may accidentally arise (in time). For someone in Brutus’ position, lacking the force required to be an open enemy, deception becomes a necessity so that he could execute his plan should the opportunity arise.

Third, while he did not did not (initially) engage in any extraordinary violence as had Romulus, Brutus did have recourse to the extraordinary power of God as had Numa. Brutus utilized Numa’s religious ordering

when over the dead Lucretia he was the first among her father and husband and other relatives to draw the knife from the wound and to make the bystanders

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79 D III.2, 213, emphasis added.
80 Does “quality” here really mean “civic virtù?” To my mind it likely does for Machiavelli, and thus why Brutus or an actor in a similar position to his must deceive others to hide/mask it so that they might have the opportunity to act on it. The “similar position” is of course the position of one who is subject to a tyranny but wants to overthrow it (and likely must employ violence) and restore/create liberty.
81 D III.2, 214.
82 For a prince’s “suspicion” albeit in a somewhat different context, see D I.29- I.31. For understanding “when a necessity constrains you to do to the prince that which you see the prince would like to do to you,” see D III.6, 226-227.
swear that they would never endure that in the future anyone should reign in Rome.\textsuperscript{83}

As we know from the previous chapter, religion “well used” helped Rome in many of its endeavors as “the citizens feared to break an oath much more than the laws, like those who esteemed the power of God more than that of men,”\textsuperscript{84} and here we see Brutus using the sanction of God to help solidify his fellow nobles to carry through the “execution.”\textsuperscript{85} As Machiavelli writes, “in such actions there is nothing so necessary to produce as that men firm up their spirits to execute the part that touches them.”\textsuperscript{86} In this episode therefore, Numa’s religious order proves to be indispensable in the process of (re)founding and “recovering freedom.”\textsuperscript{87}

Thus far, Brutus has fairly well imitated the examples of Romulus and Numa, utilizing elements of each to realize his goal. Yet at this moment in the narrative, Brutus was no longer alone, of necessity allying himself with other members of the nobility against the Tarquins. Together with both the nobility and, as we know from above, the plebs (with whom the Tarquins had become hated)\textsuperscript{88}, Brutus’ coalition drove the Tarquins from Rome, establishing the republic with the two consuls holding the “kingly power” and governing alongside the Senate.\textsuperscript{89} While Brutus was the sole initiator of this process of (re)founding\textsuperscript{90}, it is clear from Machiavelli’s narrative that it could not have been accomplished without other members of the nobility and the

\textsuperscript{83} D III.2, 213, emphasis added.
\textsuperscript{84} D I.11, 34.
\textsuperscript{85} For “execution,” see D III.6, 227. Here “execution” refers to “execution of the plan”—and quite possibly of the prince.
\textsuperscript{86} D III.6, 227, emphasis added.
\textsuperscript{87} D III.2, 214.
\textsuperscript{88} See D III.4, 217, where Machiavelli explains that Tarquin had “excited the plebs against himself, tiring it out in mechanical things all alien to what his predecessors had put them to work in.”
\textsuperscript{89} D I.2, 14.
\textsuperscript{90} Throughout the initial phase of the process however, we see that like Romulus and Numa, Brutus acted alone and revealed his plan to no one. The entirety of D III.6 is dedicated to conspiracies, and there is no surer way for Machiavelli to see a conspiracy undermined than by confiding one’s plans to others—a problem Brutus did not face until the “accident” of the rape of Lucretia. Although Machiavelli writes that “(w)ith one individual, it cannot be said that it is a conspiracy, but a firm disposition arisen in one man to kill a prince,” he then proceeds to analyze this type as one among many possible variations of conspiracy. In short, there is a great deal of overlap. See D III.6, 220.
people, and this description of the nobility and plebs as active participants in the process of (re)founding differentiates Brutus’ from those of his predecessors. Again, this widespread opposition to Tarquin could only be achieved according to Machiavelli because of Tarquin’s oppression of both the nobles and plebs, as princes “begin to lose their state at the hour they begin to break the laws and those modes and those customs that are ancient, under which men have lived a long time.”\footnote{D III.5, 217.}

Upon the “expulsion of the Tarquins,”\footnote{D I.16, 44.} the first phase of the process of Brutus’ (re)founding was complete. It is in the second phase where Machiavelli introduces us to a new necessity in the process of (re)founding, one which Numa did not face (his religious ordering checked any would-be usurpers) and Romulus through his extraordinary violence eliminated the need for at or near the very beginning of his reign: the necessity for securing the new order. This need exists for princes, as we have already seen\footnote{D III.4, 215-216.}, but it also exists for republics like the one Brutus established in Rome. Indeed, “after a change of state, either from republic to tyranny or from tyranny to republic, a memorable execution against the enemies of present conditions is necessary.”\footnote{D III.3, 214, emphasis added.} To understand this necessity, we have to understand the context in which it arises, the very one that Brutus and Rome faced “after the expulsion of the Tarquins.”\footnote{D I.16, 44.}

To this end, Machiavelli informs us of “(i)infinite examples read in the remembrances of ancient histories” that “demonstrate how much difficulty there is for a people used to living under a prince to preserve its freedom afterward if by some accident it acquires it, as Rome acquired it after the expulsion of the Tarquins.” Machiavelli likens the people of a newly-freed city to a “brute animal” that despite being “of a ferocious and feral nature, has always been
nourished in prison and in servitude.” The danger for such a people is that they have no experience with freedom and its requirements, knowing only servitude. Rome for Machiavelli does not quite fit this image, as this truly only applies “whenever the matter is corrupt,” i.e. the people and their way of life (customs, orders, laws, and modes). Fortunately, the corruption of the Tarquins had “not expanded very much,” and so at Rome there was “more of the good than of the spoiled.” So although Rome was not corrupt, its situation was a precarious one and the political community faced two interrelated situational necessities which all newly freed states face in that it “makes partisan enemies and not partisan friends.” First,

(All those become its partisan enemies who were prevailing under the tyrannical state, feeding off the riches of the prince; and when the ability to prevail is taken away from them, they cannot live content and are forced, each one, to attempt to take up the tyranny again so as to return to their authority.)

On a certain level, this passage is self-explanatory: those who benefited under the prince/tyrant do not appreciate losing their favorable position and will of necessity oppose those who took their patron away. But a closer analysis suggests that this problem will not go away, as “they cannot live content” and “each one” will be “forced” to recreate the tyranny “so as to return to their authority.” In other words, even if someone tries to return the state back to the tyranny and fails, their failure is only the beginning as others like them will eventually make the attempt. This cycle represents the first necessity and challenge for the newly-established republic. In addition to this,

One does not acquire partisan friends, as I said, because a free way of life proffers honors and rewards through certain honest and determinate causes, and

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96 D I.16, 44. Regarding the corruption of the kings and its spread to the Roman people, see D I.17, 47, quoted above.
97 D I.16, 45.
98 D I.16, 45, emphasis added. Cf. this to the dynamic of P 3, 7-8.
99 But why? Why is this a necessity? As we saw in the discussion of the Roman kings’ relatives above, we are again seeing the natural necessity of human nature in society, i.e. the humors at work. More on the umori in the next chapter where they are the principal focus, albeit at the group/class level.
100 This not only faces new republics, but new principalities as well where we also see, to use Machiavelli’s language from the Discourses, “partisan friends” and “partisan enemies.” See P 3, 7-8.
outside these it neither rewards nor honors anyone; and when one has those honors and those useful things that it appears to him he merits, he does not confess that he has an obligation to those who reward him. Besides this, the common utility that is drawn from a free way of life is not recognized by anyone while it is possessed: this is being able to enjoy one’s things freely, without any suspicion, not fearing for the honor of wives and that of children, not to be afraid for oneself. For no one ever confesses that he has an obligation to one who does not offend him.\footnote{D I.16, 45, emphasis added. Again, cf. P 3 and notice that a prince who takes power faces the same necessities of “partisan friends” and “partisan enemies” that a republic does but has options at his disposal that a republic does not: they can with much greater ease reward friends and ruin enemies and thus, can create “obligation” with far greater ease.}

The “free way of life,” by itself, obligates no one within the political community that enjoys it to itself, and thus fails to produce a necessity for its citizens to respect and maintain it. First, it “proffers honors and rewards” only to those who merit them. Because of this, those who are honored and rewarded rightfully believe that they deserve it, and feel no sense of obligation to the free way of life as a result. Second, the “common utility” that the free way of life produces “is not recognized by anyone while it is possessed” because all are able to share and benefit in and by it, and thus it “does not offend” anyone by being exclusive. As was the case with rewarding, in not offending the citizens who enjoy it the free way of life also does not generate a sense of obligation among them to it. Without obligation and the sense of necessity which it generates, the citizens are not positioned to defend their shared free way of life when the necessity to do so arise.

This then is the situation Rome found itself in once it was freed from the Tarquins: without any experience of freedom, with partisan enemies but without partisan friends, and without any sense of obligation to the free way of life (vivere libero). Taken together, the free way of life under the fledgling republic was utterly defenseless, and any accident could cause it to unravel. This is why for Machiavelli it was a necessity to remedy this situation as rapidly as
possible, and in his remedy Brutus completes the process of (re)founding which began when he began to quietly oppose Tarquin.

If one wishes to remedy these inconveniences and the disorders that the difficulties written above might bring, there is no remedy more powerful, nor more valid, more secure, and more necessary than to kill the sons of Brutus.\textsuperscript{102}

In one fell swoop, Machiavelli employs the example of Brutus to demonstrate how to solve for the problem of partisan enemies and of how to generate an obligation among the citizens so as to create partisan friends. While eliminating any member of the nobility who conspired against the free state would have had the effect of securing it “at the first opportunity,”\textsuperscript{103} Brutus’ “is an example rare in all memories of things,” for “to see the father sit on the tribunals and not only condemn his sons to death but be present at their death” is extraordinary in a way that perhaps not even Romulus’ murder of Remus was. Like Romulus in relation to Remus, Brutus engaged in extraordinary violence by violating an ordinary relationship. Yet unlike Romulus, in a certain critical sense he did so ordinarily, in accordance with the orders and laws and with the goal of protecting rather than creating an order. In other words, Brutus’ violence was both extraordinary and ordinary at one and the same time. How is this possible?

The answer to this hinges on the meanings of “ordinary” and “extraordinary.”\textsuperscript{104} It has often been the case that that which is “ordinary” is in accordance with the ordini, and it is tempting to think of this primarily in terms of the “order of the state,” i.e. “the authority of the people, of the Senate, of the consuls; the mode of soliciting and creating magistrates; and the mode of making the laws.”\textsuperscript{105} But the ordini also refers to the “way of life” of a people, to their

\textsuperscript{102}D I.16, 45, emphasis added.
\textsuperscript{103}D I.16, 46.
\textsuperscript{104}Again, see Whitfield, “On Machiavelli’s Use of Ordini,” in Discourses On Machiavelli, 141-162. See also Benner’s discussion of “Ordinary and Extraordinary Authority,” in Machiavelli’s Ethics, 367-406.
\textsuperscript{105}D I.18, 49.
culture, and this includes their “customs,” something which we know as per Machiavelli are critical for the upholding of the laws and vice-versa. \(^{106}\) Brutus has not violated the *ordini* in any legal sense, as he has punished transgressors against the free state according to its laws. In this sense his actions are “ordinary.” On the other hand, through deploying violence against his sons—however much the laws may have warranted it—Brutus’ actions are “extraordinary” as they violated the ordinary *customs* of the Roman people (indeed, of most everyone).

A bit of recounting is necessary so as to make sense of this. Brutus gave himself *space* through deception, creating the *time* for himself to use the opportunity that the Tarquins’ *extraordinary* misdeeds would eventually create. This mirrors what Romulus had done for Numa, and Numa and the other “good” kings had done for those who came after them. Recall from the previous chapter what Machiavelli had written about this: “I conclude, therefore, with this discourse: that the virtue of Romulus was so much that it could *give space* to Numa Pompilius to enable him to rule Rome *for many years* with the art of peace.”\(^ {107}\) Furthermore, had Brutus not acted against Tarquin, Machiavelli assures us “that Rome in a very short time” would have “become weak and of no value.”\(^ {108}\) But to maintain Rome against a new extraordinary necessity he again had to resort, of necessity, to extraordinary actions himself: the execution of his sons.\(^ {109}\) Brutus used the necessity of the situation—partisan enemies who had conspired against the free state—as an opportunity to generate an artificial necessity, in this case a new *custom* of protecting the *ordini* with tremendous, extraordinary “severity.”\(^ {110}\) This artificial necessity had the effect of generating *fear* and the sense of “obligation” to the free way

\(^{106}\) See *D* I.18, 49: “For as good customs have need of laws to maintain themselves, so laws have need of good customs so as to be observed.”
\(^{107}\) *D* I.19, 53, emphasis added.
\(^{108}\) *D* I.17, 47.
\(^{109}\) The logic of “maintaining” something here is identical to the logic of creating it, a point to which I shall return shortly.
\(^{110}\) *D* III.2, 214. That this “severity” became customary is made clear in *D* III.1, 210 where Machiavelli lists “such executions.”
of life among the citizenry that had been lacking in their collective experience and memory. In this respect Brutus is like Numa, who through his religious ordering created a sense of obligation among Rome’s citizens through the value placed upon oath-keeping, in the process putting Roman society back together after Romulus’ rupture. Yet now we must recognize that there may be more than one way of putting society back together again and creating that very necessary sense of obligation: doing so through violence that is ordinary (according to laws, orders, and modes) yet at the same time extraordinary (smashing the customs). Thus through his employment of violence, Brutus is also like Romulus. Indeed, Brutus’ actions throughout both phases of the (re)founding process—creating and maintaining—were imitations of both Romulus’ and Numa’s examples throughout their respective processes of (re)founding, yet also innovations upon them, in the process (re)founding Rome while simultaneously founding something new and unplanned by Romulus, Numa, and the other kings: a republic.

Conclusion

In this chapter I have argued that political communities succeed or fail not only in how they manage the natural necessity of space, but also that of time. Machiavelli presents us with two types of cities based upon how they manage time: the “static” and “dynamic” models, respectively. The static model, with Sparta as its template and Lycurgus its model founder, solves for the problem of time by “escaping” it through ordering everything perfectly at the outset. This “perfection” is formally realized through the creation of a “mixed regime” that utilizes the power of the one, the few, and the many against each other so as to arrest the cycle of time from generating “accidents” that destabilize the political community. Thus the static regime is a regime that attempts to escape cyclicity by ordering the mixed regime at the very beginning of its life. This kind of “perfection” is purely formal.
In contrast to this is the dynamic model with Rome as its template and with many particular (re)founders and “chance” as its ultimate (metaphorical) founder.\textsuperscript{111} For Machiavelli’s dynamic city, time is not a problem to be solved for by escaping it but is instead to be “embraced” as it presents opportunities for (re)founding through time’s manifestations: the necessary accidents which cause the cycle of regimes to revolve. In Rome’s case, the accidenti allowed for multiple (re)foundings to occur with each new one being added to the previous, ultimately resulting in a “perfection of order,” i.e. the mixed regime. This kind of “dynamic” perfection not only concerns the form of the mixed regime, but the “matter”: the people and their shared way of life and political culture. Because the people have experienced the danger, fear, and necessity which accidents produce, their “way of life” reflects the collective experience and shared memory of these things, thus enabling them to better manage them in the future—experiences and memories which the citizens of the hypothetical static model lack. It is the phenomenon of the accident that ultimately undermines the static Spartan model as unreal if not impossible, reversing what had passed for conventional republican wisdom in favor of the Roman model. Ultimately, while Machiavelli’s mixed regime appears to be like that of the static model, the reality is quite different, so much so that we either have to reconsider the conventional wisdom: the “static” perfection of a Sparta may be unattainable and fails the test of the verità effettuale, of effectual truth, as something that has been “imagined” but has “never been seen or known to exist in truth…”\textsuperscript{112}

I next turned to the (re)founding of Brutus, a process which saw the end of Rome as a kingdom and the beginning of Rome as a republic. While this occurred through an “accident” (the rape of Lucretia), we also saw that the situation which Tarquin (and his family) had

\textsuperscript{111} Recall that at D I.2, 14, Machiavelli tells us that in Rome “what an orderer had not done, chance did.”
\textsuperscript{112} P 15, 61.
generated due to his (their) lack of fear (as Servius had no male heirs who could become “partisan enemies”) is what set the stage for the occurrence of just such an accident to occur that was capable of deposing him. With the Tarquins gone, a situational necessity arose: the emergence of “partisan enemies” but not of “partisan friends.” Once the sons of Brutus emerged as “partisan enemies,” Brutus himself cemented the foundation of the Roman republic in place through their execution. This cauterization of the Tarquin tyranny\textsuperscript{113} was as much a part of Brutus’ (re)founding as was the actual driving-out of the Tarquins and had the \textit{effect} of creating an “obligation,” a kind of necessity, between the people and the free way of life of the Roman republic.

Brutus’ (re)founding, while in many respects resembling those of Romulus and Numa and thus an imitation of theirs, also represented something novel: the creation of the free way of life of a republic out of kingship. Admittedly, this was not yet as developed as it would eventually become once the plebs forced their way into the political community as fuller members as well as the new laws and orders which resulted from their conflict with the patricians, but it was a beginning. What Brutus’ (re)founding again demonstrated was the necessity of the extraordinary (in this case, initially an extraordinary \textit{event}, the “accident” that was the rape of Lucretia) which “ruptures” the existing order, of deception (to place himself in the position to take advantage of just such an “accident”), of using religion (utilizing Numa’s religious oath to create a necessity among his fellow nobles to act against tyranny), and of generating \textit{fear} which together show us the different “component parts” of the process that is (re)founding.

\textsuperscript{113} The tyrannical impulse or “humor” was of course not permanently removed, for as time passes the desire of a powerful individual to rule alone inevitably reemerges for Machiavelli.
Yet the character of this (re)founding is in some ways critically different than those of Romulus and Numa. Brutus was (re)founding in the wake of their work and had to function within the field which they helped establish, thus offering him the ability to imitate their examples and utilize their creations (e.g. Numa’s religious oaths). But it is a question of position and direction that differentiates Brutus’s work from theirs, and which challenges conventional conceptions of founding. Founding had been understood as the work of one alone at a particular historical moment that forms the “beginning” of a political community. This solitary individual imposes their form upon the matter (the people and their pre-existing way of life), shaping the political community and its institutions. Founding is thus a moment whereby someone from above imposes their will upon those below them. The Brutus episode provides a new possibility of what positions and directions (re)founding can originate from and head toward: from below to those above them.\footnote{Above and below are positions and, as such, are spatial categories.} This will become increasingly important as Rome’s free way of life develops. But this is far from the only novel feature found in Brutus’ (re)founding.

Recall from the discussion of Romulus in the previous chapter that

\footnote{D 1.9, 29, emphasis added.}

This passage, interestingly enough, addresses the founding of kingdoms and republics and should thus capture both a Romulus and a Brutus (adding support to my argument that there is a logic of founding/(re)founding for Machiavelli running throughout the text). While it is true that Brutus is the main character and leader in this particular (re)founding, making the “ordering
depend on his mind” and his alone, the episode is the first time in the *Discourses* where Machiavelli even makes mention of anyone else as being part of that process: Brutus’ fellow nobles and the Roman plebs. In a critical sense, then, Brutus was not alone as he depended upon his fellow nobles and the plebeians who together had been oppressed by Tarquin and desired to see an end not only to his rule, but to kingship as such.116 This last part—Brutus compelling his fellow nobles to “swear that they would never endure that in the future anyone should reign in Rome”117—“depend(ed) on his mind,” but it is only because of the participation and support of the wider nobility and the plebs that made it politically necessary to move Rome toward becoming a republic instead of maintaining it as a monarchy. The experience and memory of fear—that is, of the Roman nobility’s and plebeians’ fear of the Tarquins—made it so that keeping a monarchy was a political impossibility for Brutus. In short, while Brutus may have given “form” to the “matter,” for the first time in the *Discourses* that “matter” is not inert and this too is a necessity for reaching Machiavelli’s dynamic “perfection of order.”

In addition to these things, Machiavelli has introduced us to another necessity of founding/(re)founding: there will be those who oppose it, i.e. “partisan enemies.” As was written above, based upon Machiavelli’s description Romulus wiped out his would-be enemies at the outset of his reign, precluding the need to eliminate partisan enemies, and although Machiavelli makes no mention of it, we can imagine from what Machiavelli has written that Numa deceived his—or made it difficult if not impossible to act against him—through the manner in which he introduced his religion.118 Yet this situational necessity of having to have partisan enemies is precisely what solidifies the foundations of Rome: it allowed Brutus another opportunity for the

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116 But the respective motivations of the patricians and plebeians were arguably different, as we shall see in the next chapter when we explore the “humors.”
117 D III.2, 213.
118 Numa’s conversing with a “nymph,” his direct involvement with the supernatural—believed by the people—effectively made him untouchable.
extraordinary action capable of cauterizing the monarchical wound. The nightmarish spectacle of killing one’s own sons (arguably a more extreme action than Romulus’ murder of Remus), although done “ordinarily” (that is, in accordance with the ordini as Brutus had authority for it as consul), so violated the customs of Rome in defense of the ordini that those who would be tempted in the future to try to revolve the cycle backwards (that is, countercyclically) toward monarchy would have an example to remember and give them pause. As for everyday citizens, they now would be obligated to the free way of life of the republic, as they too witnessed the execution and saw firsthand that it could “offend” them should they offend it. In sum, the execution of the sons of Brutus generates new necessities119 that allow the nascent Roman republic to maintain itself.

But what does it mean for a republic to “maintain” itself? While this question is central in the next chapter, we have a “head start” in understanding and answering it. We have seen that time is constantly moving, manifesting itself through accidents and the cycle of regimes, and that new necessities constantly arise as a result of this movement. For the “static” model, “maintenance” is the preservation of what the founder created. Doing this is a matter of carbon-copying the original order, yet we have seen that this model is not tenable because of new accidents and new necessities (both of which arise together in time) that are extraordinary and unassimilable to the original ordering, as a result wrecking it. For this reason, we must re-think the concept of “maintenance” as it is used in the Discourses. I have argued that a “dynamic” republic is closer to reality because it accepts and embraces the accidental character of political life and channels it into new customs, orders, laws, and modes that together form and renew the free way of life. The experience of this process—fear-inducing as it is—is what generates

119 But not only necessities; the Sons of Brutus situation also generates opportunities as well for the creation/(re)creation of liberty. Again notice the fusion of “necessity” and “opportunity,” very similar to the ironic pairing of “necessity” and “choice.”
memory, and these two phenomena fade as time progresses unless constantly refreshed. To compel the citizens to relive this type of experience periodically and to refresh this type of memory is really what is meant by “maintenance,” and it is this which “compresses” time, fusing together the old with the new, the ordinary and the extraordinary. This is precisely what Brutus does when he orders and presides over the execution of his sons. This extraordinary violence, done in an ordinary way, both “maintains” and “creates” at the same time, preserving what the kings had initiated while at the same time augmenting their work. This process I have been calling “(re)founding,” and it is this which proves to be the ultimate necessity for both greatness and survival.
Chapter IV: Human Nature and Founding

Introduction

In the previous chapter we saw how “accidents”—those disruptive manifestations of time which cause the cycle of regimes to revolve—figured into Machiavelli’s conception of Rome’s political development and were central to what I termed a “dynamic” republican model. A dynamic republic must be able to utilize the various (and necessary) accidents which arise in time as opportunities to direct the necessity which they produce into new, artificial necessities capable of managing them. This process I have referred to as “channeling” necessity. In terms of Roman history, the “accident” which ended the reign of the kings in Rome was the rape of Lucretia. That event enabled the frustrations and fears of the Roman nobility and plebs, under the leadership of Brutus, to be channeled into the expulsion of the Tarquins from Rome and the establishment of the republic.

The initial republican ordering was not fully “mixed” (as it only contained formal elements of the one and the few), and was politically controlled by the nobility. But while not “perfect,” in its development Rome “did not deviate from the right way that could lead them to perfection.” The “right way,” we learned in the concluding section of I.2, was one littered with accidents:

Notwithstanding that it did not have a Lycurgus to order it in the beginning in a mode that would enable it to live free a long time, so many accidents arose in it through the disunion between the plebs and the Senate that what an orderer had not done, chance did.

In this passage, Machiavelli has complicated our understanding of the accidenti: no longer are they solely the occurrences of necessary and inevitable time, but they also have a human, political cause as well: “the disunion between the plebs and the Senate.” Disunion, for

\[1\] D I.2, 13.
\[2\] D I.2, 14.
\[3\] D I.2, 14, emphasis added.
Machiavelli, produces accidents, and accidents are opportunities to “perfect” the order through (re)founding. While accidents are inevitable and thus in a sense predictable, “chance” enters into this in the sense that specific accidents are “chance events” because the timing and specific character of their occurrence is unknown and because there is no guarantee that a city will have the disunion which produces them or the political actors who are able to seize the opportunity to (re)found. Yet without disunion, dynamic “perfection,” as Machiavelli understands it, is not possible as it is the engine of the very accidents which I have argued must be embraced by the political community so that it may (re)found itself. Disunion is a necessary chance to take for any city that desires to develop into a “perfect” republic.

In the first part of this chapter I explore “disunion” and how it came to be, for Machiavelli, not only a force for generating the accidents which led to Rome’s formal “perfection,” but also the force which perfected the “matter,” the people and their collective way of life and political culture formed through the experiences, memories, and the very institutions produced through political disunion. This “matter” was the very “stuff” of the “free way of life,” and for centuries created and (re)created it. But what is behind all of this? While disunion for Machiavelli drove the accidents, we have to inquire into what drove the disunion. For Machiavelli, the answer is the “humors” (umori). These psycho-social forces are a “natural” necessity of human nature—more specifically, human nature as it manifests itself in political society. As the humors are a type of natural necessity, they must, if the natural necessities of space and time are any indication, be embraced by the political community to (re)found itself. In other words, the humors must be used as opportunities to channel the necessities which they produce into new, artificial necessities. The task then is to recover the causes as to why and the mechanisms through which the humors in Rome produced disunion that generated the accidents
that ultimately resulted in formal “perfection”—the political inclusion of the plebs which created the mixed regime.

The second part of the chapter is an exploration of the next particular (re)founding of Rome, that of the plebeians. As I did in the previous two chapters, I explore the context in which this process occurred, isolating the elements which are necessary for it. But I also look to what is different and innovative about it, particularly its radically popular character. Ultimately, the plebeian (re)founding is in a certain sense in a class of its own, as it is the culmination of all previous (re)foundings which have formed the people who here through their own efforts of popular direct action “perfect” Rome. This, alongside the creation of the tribunes and the mixed regime, provides a fuller sense of what Machiavelli means by “perfection.” Indeed, it is the template of the plebeian (re)founding—popular direct action—that forms the collective memory and recurring experience of creating and (re)creating liberty in Machiavelli’s Roman republic. This, in turn, is why the Roman republic after the plebeian (re)founding is Machiavelli’s exemplar for all future republics to imitate.

The Umori

In chapter 2, I wrote of a generic human nature that Machiavelli cites which needs to be considered at the time of the initial founding when the “choice of site” is under consideration. We learned there that “men work either by necessity or by choice, and…there is greater virtue to be seen where choice has less authority,” and ‘humans are not “content to live off their own” and

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4 The single best, most in-depth accounting of the humors in Machiavelli’s thought can be found in Anthony Parel, The Machiavellian Cosmos (New Haven: Yale University Press, 1992), 101-152, especially 101-112 and 122-139. While I tend to agree with Parel’s analysis on multiple points and arrive at some of the same general conclusions, our respective modes of proceeding are different: he relies upon what he understands as Machiavelli’s intellectual context and the worldview which grew out of it, finding features of these in his thought, whereas I rely solely upon Machiavelli’s texts (both The Prince and the Discourses) to develop my interpretation.

5 D I.1, 8.
“wish to seek to command others.”6 As I pointed out then, the (unsaid) problem for Machiavelli was that there is no pure human nature to be observed and analyzed apart from what can be discerned from human action in society. Thus the vast majority of Machiavelli’s descriptions of humanity are, in actuality, a description of us as members of political communities. Yet this does not make our nature any less “natural” or any less necessary for that reason. Instead, there is a “natural” necessity of our living together in society: the “humors” (umori), or those forces or drives which animate and motivate human beings in society. The humors are remarkably consistent; what changes are the responses political communities develop in the face of them. We already caught a glimpse of what the humors can look like in the previous chapter in the discussion of the lead up to and process of Brutus’ (re)founding with the discussion of those “despoiled”7 of their inheritance. There we saw the “indignation in the sons of Ancus” and that the “appetite for reigning is so great that it enters the breasts of not only those who expect the kingdom but also those who do not expect it, as it was in the wife of young Tarquin, the daughter of Servius” who, “moved by this rage, against all paternal piety,” conspired against her own father.8 From all of this, we see that the humors depend at least in part upon one’s situation—the state of having been “despoiled.”9 In sum, those in the position of having been “despoiled” of what they believed to have rightfully been their inheritance—in this case, the highest political authority—can be expected to act as the sons of Ancus did.10

But consider that this “appetite” which is provoked by having been “despoiled” does not evaporate in a newly-created republic, as those who would have benefitted under the

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6 D I.1, 8.
7 See the title of D III.4, 215: “A Prince Does Not Live Secure in a Principality While Those Who Have Been Despoiled of It Are Living.”
8 D III.4, 216, emphasis added.
9 Note that the characters in question were all members of the same class, i.e. the Roman nobility, a factor which will become increasingly relevant for Machiavelli as part of what defines “situation.”
10 One might even consider this a “situational” necessity for the despoiled.
principality/kingdom/tyranny believe themselves to have been “despoiled” of their inheritance of
easy living and the ability to do what they want, as was (somewhat more abstractly) the case of
the sons of Brutus. Indeed, we might consider the sons of Brutus to be the republican analogue
to the monarchical sons of Ancus as they too believed themselves to have been “despoiled” of
their “inheritance.” The similarity of their respective situations effectively produced the same
humor—the desire to rule and oppress. If this is the case, then the same or at least similar
“appetites” and “humors” exist regardless of regime-type.\textsuperscript{11}

Perhaps most importantly for our discussion of the humors is that they also exist on a
level beyond the individual and his/her \textit{individual situation}. For Machiavelli, what is decisive is
how the humors depend upon \textit{social station}, or \textit{class}, defining the socio-political situations and
positions of those who collectively comprise it. “(I)n every republic,” Machiavelli writes, “are
two diverse humors, that of the people and that of the great,\textsuperscript{12} and \textit{(w)ithout doubt,”}

if one considers the end of the nobles and of the ignobles, one will see great
desire to dominate in the former, and in the latter only desire not to be
dominated; and, in consequence, a greater will to live free, being less able to
hope to usurp it\textsuperscript{13} than are the great.\textsuperscript{14}

Machiavelli’s conception of each class is therefore \textit{relational}; each can only be defined in
terms of the other. In terms of acting on the humors, what is most critical is the fact that it is the
nobility who most frequently initiate the process for Machiavelli. It is the nobility’s desire to
“dominate” which finds its outlet, or “vent,”\textsuperscript{15} on the plebeians, as he describes in an example

\textsuperscript{11} There is evidence of this in \textit{P} 9, 39: “I say that one ascends to this principality either with the support of the
people or with the support of the great. For in every city these two diverse humors are found, which arises from this:
that the people desire neither to be commanded nor oppressed by the great, and the great desire to command and
oppress the people. From these two diverse appetites one of three effects occurs in cities: principality or liberty or
license.”
\textsuperscript{12} \textit{D} I.4, 16, emphasis added.
\textsuperscript{13} By “it” Machiavelli means the “public freedom.” See \textit{D} I.4, 16 for this phrase.
\textsuperscript{14} \textit{D} I.5, 18. In our discussion of the “guard of freedom” we will dissect this passage and its implications further.
\textsuperscript{15} For “vent,” see \textit{D} I.4, 17 and \textit{D} I.7, 23-24. While Machiavelli uses the term “vent” to describe the release of the
plebeian/popular humor in I.4, in I.7 he employs the term again in such a way that while it is still mainly focused on
the plebs, there is room for its application to the humor of the nobility as well. He writes of “an outlet (is) given by
from Rome: “as soon as the Tarquins were dead and fear fled from the nobles, they began to spit out that poison against the plebs that they had held in their breasts, and they offended it in all the modes they could.”\textsuperscript{16} It is the nobility’s disposition toward the plebeians that “activates” the humor of the latter to defend themselves.\textsuperscript{17} For Machiavelli, the plebs are therefore primarily reactive and defensive.\textsuperscript{18} But under the proper conditions, this dynamic can produce good effects, as it is the nobility’s oppression which produces among the plebs “a greater will to live free,” and since the people are “less able to hope to usurp”\textsuperscript{19} the “public freedom”\textsuperscript{20} by creating a prince who would defend them from the onslaught of the nobility, their best option is to protect the “common utility that is drawn from a free way of life.”\textsuperscript{21} Nonetheless, the risk is always lurking for Machiavelli that either the desire of the nobility to dominate or of the plebs to not be dominated could become so great that either class could create a prince to advance their interest (either through oppression or defense) on their behalf\textsuperscript{22}, and this is part of the reason why it was so important in the previous chapter for Brutus to create an “obligation” to the free way of life so as to help insure against this possibility.

It is critical to take note of the fact that in positing the nobility as the instigators of class conflict in republican Rome, Machiavelli is executing another reversal of the conventional republican wisdom which understood the nobility as the force of stability and the plebs as

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\textsuperscript{16} \textit{D} I.3, 15, emphasis added.
\textsuperscript{17} This \textit{necessity}—of the nobles’ attack upon the plebs and the latter’s resistance—might be what Machiavelli referred to as “combat through necessity” at \textit{D} I.37, 78. Of course, it is a necessity induced by each group’s respective humor.

\textsuperscript{18} McCormick has pointed to this relationship between the nobility and plebs as well. See John P. McCormick, “Tempering the Grandi’s Appetite to Oppress,” 13, 21.

\textsuperscript{19} \textit{D} I.5, 18.

\textsuperscript{20} \textit{D} I.4, 16.

\textsuperscript{21} \textit{D} I.16, 45.

\textsuperscript{22} Again, see \textit{P} 9, 39, cited above. We also see in Machiavelli’s discussion of the Decemvirate in \textit{D} I.35, I.40-I.46, the risk of one side or the other, the nobles or the people—or both simultaneously—seeking the elimination of the other: the opportunity, or \textit{occasione}, for a tyrant (like Appius Claudius) to emerge and seize upon the situation.
disruptive of all order. Machiavelli executes this reversal by focusing upon the necessity of the humors, and thus the necessity for the respective motivations of each class, judging each side by the effects they have upon liberty. Lest there be any lingering doubt, some of the best evidence Machiavelli provides to this end can be found in I.5, “Where the Guard of Freedom May Be Settled More Securely, in the People or in the Great; and Which Has Greater Cause for Tumult, He Who Wishes to Acquire or He Who Wishes to Maintain.”23 “For those who have prudently constituted a republic,” Machiavelli writes, “among the most necessary things ordered by them has been to constitute a guard for freedom, and according as this is well placed, that free way of life lasts more or less.”24 As there are “in every republic…great and popular men,” the question is with whom the “guard” should be placed.25 From here forward, Machiavelli engages in a series of “subsumings” of this question by challenging the way in which the question and categories being dealt with are framed and conceptualized by reframing the question and rethinking the categories. Ultimately, this kind of Russian-doll rhetorical move done repeatedly has the effect of reversing the conventional wisdom about which class is better at guarding freedom.26

In order to answer the question of where to place the guard, Machiavelli turns to a comparison of republican Rome to Sparta of antiquity as well as to contemporary Venice. With the latter two, the “guard for freedom” had “been put in the hands of the nobles; but with the Romans it was put in the hands of the plebs.”27 Yet what are the criteria for determining which

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23 D I.5, 17.
24 D I.5, 17. Notice that here he is speaking to those who have “prudently constituted a republic.” Does he mean a Lycurgus-like figure—the very antithesis of the dynamic, developmental model he has constructed? I do not think so, for while he does discuss Sparta in this chapter, he also discusses Rome, and no one precisely ordered this in Rome as he tells it. It would seem to be more of a rhetorical opening to the chapter than anything else.
25 D I.5, 17.
26 And this in turn is linked to his reversal of the conventional wisdom regarding which class is more frequently the source of tumult.
27 D I.5, 17.
is better? “If one goes back to the *reasons,*” Machiavelli writes, “there is something to say on every side; *but if one comes to their end, one takes the side of the nobles because the freedom of Sparta and Venice had a longer life than that of Rome.*” Reasons can be found for either the nobles or plebs as the better choice, but when judged from the standpoint of effectual truth—the standpoint from which Machiavelli claims to judge—the nobles make for a better guard because the consequences of their having this role in Sparta and Venice led to “a longer life than that of Rome.” As we have already been told by Machiavelli, Sparta lasted “for more than eight hundred years,” and Venice had enjoyed a “long idleness” from its inception “after the decline of the Roman Empire” up to the present. In other words, if the end goal is *duration,* then it would seem that placing the guard with the nobility would be best.

While he has seemed to foreclose the possibility of further discussion on the question by posting the nobility as the guard of freedom almost immediately with Sparta and Venice as examples of the superiority of this position, Machiavelli nonetheless proceeds through the “*reasons.*” In doing so, he casts doubt on whether or not duration is, by itself, a desirable—or realistic—goal for a republic. Beginning with the Romans, he tells us that “one should put on guard over a thing those who have less appetite for usurping it.” Because the nobles possess a “great desire to dominate” and the plebs a “desire not to be dominated,” the latter possess a greater will to live free, being less able to hope to usurp than are the great. So when those who are popular are posted as the guard of freedom, it is reasonable

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28 *D* I.5, 18, emphasis added.
29 *D* I.2, 10.
30 *D* I.1, 7.
31 Yet as we shall eventually see, the positing of duration as the ultimate goal for a republic is deeply problematic for Machiavelli.
32 For Machiavelli, the overarching question of the *Discourses* is not what endured in the past but what should be imitated in the future. All of Machiavelli’s reversals of conventional republican wisdom—and thus the rejection of its models, Sparta and Venice—grow out of this question.
33 *D* I.5, 18.
34 Words such as “hope,” like “appetite” and “ambition,” are all humoral terms for Machiavelli.
that they have more care for it, and since they are not able to seize it, they do not permit others to seize it.\textsuperscript{35}

For Machiavelli, the plebs are animated in such a way that because they cannot (and do not desire to) unilaterally take authority, they will fight against those individual nobles and the nobility as a class who, we can infer, have a greater “appetite for usurping it.” On the other hand, those who argue in favor of placing the guard of freedom with the nobility claim that in doing so “they satisfy their ambition more…through having this stick in hand,” leading to their greater contentment. In addition to this, those who make such claims argue that in giving this authority to the nobles it removes

a quality of authority from the restless spirits of the plebs that is the cause of infinite dissensions and scandals in a republic and is apt to reduce the nobility to a certain desperation that with time produces bad effects. They give as an example of this the same Rome, where because the tribunes of the plebs had this authority in their hands it was not enough for them to have one plebeian consul, but they wished to have both. From this, they wished for the censorship, the praetor, and all the other ranks of command of the city; nor was this enough for them, since, taken by the same fury, they later began to adore those men who they saw were apt to beat down the nobility, from which came the power of Marius and the ruin of Rome.\textsuperscript{36}

It may seem strange that I have included passages like the one just cited as part of my argument that Machiavelli held the nobility to be the humoral provocateurs. But we must keep in mind that passages such as this function for Machiavelli as spaces where he can posit the conventional wisdom for his readers. By laying out these arguments, he positions himself to subsume them by digging beneath the question to find what underlies it, effectively reversing them. In a categorical sleight of hand, he reframes the question of which class should be placed as the guard of freedom, the nobles or the plebs, to posing it in terms of “which humor of men is more hurtful in a republic, that which desires to maintain honor already acquired or that which

\textsuperscript{35} D I.5, 18.
\textsuperscript{36} D I.5, 18.
desires to acquire what it does not have.”\textsuperscript{37} As I demonstrated above, each “class” for Machiavelli is an outward expression of certain “humors,” and for this reason he has not left his analysis of the nobles and plebs behind, but has instead merely subsumed an overt class analysis (which of course it still functions as) within a related humoral one, excavating the drives of each group more directly. Later, after he recounts the story of Menenius the plebeian dictator and of the nobility’s attacks upon him so as to illustrate for the reader the dynamic between these humors (and classes), he poses the problem again as a question of who is “more ambitious, he who wishes to maintain or he who wishes to acquire; for either one \textit{appetite} or the other can be the cause of very great tumults.”\textsuperscript{38} The problem is now recast in terms of “ambition” (again subsuming a more general humoral analysis within a more specific one) and this is critical, for it is this trait which will be stronger in either those who desire to “maintain” or in those who wish to “acquire,” setting off social conflict in the form of “tumult.” Machiavelli answers that nonetheless they are most often caused by him who possesses, because the fear of losing generates in him the same wishes that are in those who desire to acquire; for it does not appear to men that they possess securely what a man has unless he acquires something else new. There is this besides: that since they possess much, they are able to make an alteration with greater power and greater motion.\textsuperscript{39}

This is a multi-tiered answer that Machiavelli has provided us. He assigns primary responsibility for tumult to those who already possess while simultaneously dissolving the distinction between those who “possess” and those who “desire to acquire” as “the fear of losing generates in” the former “the same wishes” of the latter. The reason for this dissolution is that “it does not appear to men that they possess securely what a man has unless he acquires

\textsuperscript{37} \textit{D} I.5, 18, emphasis added. Peter Breiner has rightly suggested that we note the tense Machiavelli employs here (and, presumably, at other such moments in the \textit{Discourses}): the present tense. In doing so, Machiavelli is no longer solely reflecting upon the past—including Rome’s—but is instead giving advice to future would-be founders/(re)founders. This tense-shift also compels the reader to step out of solely considering the past and forces them to think about their own time-frame as well as possible future(s).

\textsuperscript{38} \textit{D} I.5, 19, emphasis added.

\textsuperscript{39} \textit{D} I.5, 19, emphasis added.
something else new.” But if the desires are now effectively equivalent, how can Machiavelli assign the responsibility for social conflict to those who possess (presumably the nobles) any more than he can to those who do not (presumably the plebs)?

Machiavelli makes this move by looking at the intertwined political and humoral consequences of possession and non-possession, respectively. Regarding the possessors, “(s)ince they possess much, they are able to make an alteration with greater power and greater motion.” That is, those who possess those things which are to be possessed have, (presumably) as a result, the “power” necessary to “maintain” what they already have and to “acquire” more of it. Put simply, those who have more power have greater resources and means to more easily augment it. Furthermore, when Machiavelli describes the “power” and ability to set things into “motion” of those who already possess as “greater,” the description is relative to those who do not possess and who, due to their lack of possession, cannot easily alter the order of things.

Finally, we see the humoral component in his depictions of the possessors and non-possessors, respectively. The possessors’

*incorrect and ambitious behavior inflames in the breasts of whoever does not possess the wish to possess so as to avenge themselves against them by despoiling them or to be able also themselves to enter into those riches and those honors that they see being used badly by others.*

If we look closely at Machiavelli’s construction of this dynamic, it is the “fear” (there it is again!) of those who possess of the potential “desire to acquire” among those who do not possess that drives them to act so as to “maintain” the status quo. The irony is that they do so by using their ability “to make an alteration with greater power and greater motion,” the very “stick

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40 D I.5, 19.
41 D I.5, 19, emphasis added.
42 D I.5, 18, emphasis added.
in hand"\(^{43}\) that according to the conventional wisdom should satisfy them. More ironic still is that it is the fear of this potential which partially\(^{44}\) leads to “incorrect and ambitious behavior” that “inflames in the breasts of whoever does not possess the wish to possess” either for revenge or to enjoy the same privileges that possession brings, thus making the “desire to acquire” actual. So much for the so-called “restless spirits of the plebs that is the cause of infinite dissensions and scandals in a republic…”\(^{45}\) When viewed in the proper humoral-political light, we see the nobility as the “restless” provocateurs of class conflict.

As has been said, all of these “moves” by Machiavelli have the effect of reversing the conventional republican wisdom that the people/plebeians are the problem to be solved for in a republic by placing the guard of freedom with the nobility. Indeed, Machiavelli has shown us that the opposite is true: the nobility—those who want to maintain that which they already possess—are more “hurtful” and are the problem to be solved for in a republic by placing the guard of freedom with the plebeians! Furthermore, what Machiavelli has shown us—not for the first or the last time—is that those who would hold the nobles up as the guard of freedom and the plebeians as the disruptive and “harmful” ones have a mistaken understanding of the humoral-political chain of causation. As the verità effettuale of humoral-class conflict is precisely the opposite of how they understood it, for Machiavelli these conventionalists make the error of mistaking cause for effect. The Romans, in short, had it right regarding the placement of the guard of freedom. Previous political thinkers had simply misunderstood how to read their actions by focusing upon the character of the classes rather than their motives and effects.

\(^{43}\) D I.5, 18. Although Machiavelli contrasts Rome with elite republics on the question of the “guard of freedom,” he is doing so only after the plebeian uprising and the creation of the tribunate. It is critical to remember that in Rome prior to the plebeian uprising that the nobility did have the “stick in hand” with which to discipline the plebeians.

\(^{44}\) I write “partially” because as one reads the Discourses, one gets the sense that for Machiavelli the nobility’s actions tend toward being inflammatory regardless of their fear of the people’s “desire to acquire.” In short, the nobility’s humor is inflammatory, period.

\(^{45}\) D I.5, 18.
What we can conclude from Machiavelli’s discussion of the *umori* is that they are a “natural” necessity because they arise from human nature in society and thus exist “in every republic”\(^{46}\) and indeed “in every city.”\(^{47}\) Every city therefore has to choose how it is going to deal with them. One possibility is that a city can attempt to create “balanced government”\(^{48}\) between the powers of the one, the few, and the many “in which each of the three elements” would be “able to hold back the others from excess,”\(^{49}\) forming a “tensely-balanced equilibrium which ensured that neither party was able to oppress or ignore the interests of the other.”\(^{50}\) Certainly, it *appears* as though this formal, structural design is what Machiavelli describes when he writes about Rome’s “perfection.”\(^{51}\) The problem with this kind of reading is that the humors of the nobility and of the people continued to struggle against each other long after their initial disunion had produced the mixed regime. Furthermore, this conception of perfection is altogether too mechanistic and too formal a response to the ever changing conflict of humors, and if it were artificially imposed (possibly at the beginning of a hypothetical city), rather than naturally *developed*\(^{52}\), it would return us to the unnatural “static” model of Lycurgus/Sparta—the model Machiavelli has systematically been undermining for its lack of relevance to action in the present. As I wrote in the previous chapter, Sparta possessed the mixed regime from the time of its founding; it never had to develop it according to the natural and necessary accidents of time. If Sparta was “perfect,” it certainly was not perfect in the same way as Machiavelli envisioned Rome to be, as Rome’s “perfection” was achieved through the “accidents” which “arose in it

\(^{46}\) D I.4, 16, emphasis added.

\(^{47}\) P 9, 39, emphasis added.


\(^{51}\) D I.2, 14.

\(^{52}\) What this means will become clearer as the chapter goes on.
through the disunion between the plebs and the Senate” such that “what an orderer had not done, chance did.”53 The other (that is, Roman) option, then, would seem to mean a very different orientation toward the humors. Rather than artificially avoiding them and cutting them off, Machiavelli’s Romans embraced them, utilizing these natural necessities as the opportunity and fuel for producing artificial necessities such as the mixed regime and, indeed, “all the laws that (were) made in favor of freedom” which “arise from their disunion…”54 We therefore have to take Machiavelli at his word and focus on the disunion and resultant accidents which their discord generated.

**Perfection Rightly Understood: Disunion, Accidents, and Tumults**55

At the beginning of the chapter, I showed how for Machiavelli “accidents” were not only a product of the movement of the cycle of time but also a product of politics, in this case, class “disunion” between the nobility and the plebs, itself a product of the humors. If a very human thing such as politics, in the form of disunion, can produce “accidents,” then it should not be surprising that accidents can manifest themselves in a very human, political form: tumult. The “tumults” therefore occupy a special, privileged status for Machiavelli, and his appraisal of them runs “contrary to the opinion of many” who would judge Rome negatively because it was a “tumultuous republic and full of such confusion.” For the conventionalist republican thinkers, were it not for Rome’s “good fortune and military virtue (which) made up for its defects”—like Rome’s tumults—“it would have been inferior to every other republic.”56 Once again, Machiavelli has here posited a conventional argument so that he can undermine and “reverse” it

53 D I.2, 14.
54 D I.4, 16.
56 D I.4, 16.
by showing that such a position mistakes cause for effect (and the wrong effect at that), writing that

I cannot deny that fortune and military were causes of the Roman Empire; but it quite appears to me they are not aware that where the military is good, there must be good order; and too, it rarely occurs that good fortune will not be there.\footnote{D I.4, 16, emphasis added.}

Machiavelli acknowledges his conventional opponents are correct—about the causes of the Roman Empire.\footnote{Which empire? The empire of the Roman republic, or the Roman Empire (the political form post-Caesar)? Here I take Machiavelli to mean the latter because, as I will ultimately demonstrate, the empire of the republic cannot be separated from the disunion and tumults which are his present focus. Indeed, a republican empire and social conflict, as we will see, appear on the political scene together. \textit{The} Roman Empire, for what it is worth, was just an after-effect, a byproduct, of what occurred in the Roman republic. In other words, without the Roman republic, there would be no Roman Empire to speak of.} But the achievement of “military virtue” and enjoyment of “good fortune” are, of necessity, predicated upon something prior to both: “good order.” Two questions arise: first, what is “good order?” and, second, what is the source of “good order?” For the conventionalist, “good order,” understood as balance and equilibrium, is “perfection”: the ordering at the beginning and once-and-for-all (and hence, in a certain sense, both momentary and permanent at the same time) structural form of the mixed regime. “Informally,” or in terms of the matter—the people and their way of life including their political culture—this would necessarily include checking them (the people) and it by placing the “guard of freedom” with the nobility so “they satisfy their ambition more...through having this stick in hand,” beating down “the restless spirit of the plebs”\footnote{D I.5, 18.} who on this view produce tumult and generate disorder (as opposed to “good order”). The source of good order is therefore the prudent founder who orders everything at the time of the founding and makes the nobility the guard of freedom against the people. When viewed from this standpoint, Rome’s “tumults” are understood as “defects” and as signs of a deeper, underlying imperfection.
Machiavelli, as we should by now be able to anticipate, takes the opposite position regarding both the nature and source of “good order,” again reversing the conventional position. He declares (and I quote at length)

that to me it appears that those who damn the tumults between the nobles and the plebs blame those things that were the first cause of keeping Rome free, and that they consider the noises and the cries that would arise in such tumults more than the good effects that they engendered. They do not consider that in every republic are two diverse humors, that of the people and that of the great, and that all the laws that are made in favor of freedom arise from their disunion, as can easily be seen to have occurred in Rome. For from the Tarquins to the Gracchi, which was more than three hundred years, the tumults of Rome rarely engendered exile and very rarely blood. Neither can these tumults, therefore, be judged harmful nor a republic divided that in so much time sent no more than eight or ten citizens into exile because of its differences, and killed very few of them, and condemned not many more to fines of money. Nor can one in any mode, with reason, call a republic disordered where there are so many examples of virtue; for good examples arise from good education, good education from good laws, and good laws from those tumults that many inconsiderately damn. For whoever examines their end well will find that they have engendered not any exile or violence unfavorable to the common good but laws and orders in benefit of public freedom.\footnote{D I.4, 16, emphasis added.}

For Machiavelli, the source of conventionally understood “good order” is to be found in what the conventionalist understands as Rome’s “defects,” the disorder of the tumults.\footnote{Thus it is curious how Pocock can downplay and largely ignore class conflict yet speak of “dynamic virtù” produced via military discipline and religion. See Pocock, Machiavellian Moment, viii.} In other words, what might conventionally be viewed as Rome’s “imperfection” (“tumult”) becomes for Machiavelli the very source of conventional “perfection” (“good order” in the form of the mixed regime)! Indeed, in I.2, I.3, and I.4 we see that it is the plebeian uprising via tumults against the nobility’s domination that produced the tribunes of the plebs, the very component missing from the Roman state whose (forced) inclusion gave “a place to popular government” and “made a perfect republic.”\footnote{D I.2, 14. The specifics of this uprising and its aftermath will be explored later this chapter.} In terms of the “good effects” that “such tumults…engendered,” we are told they consist in “good laws” which in turn produces “good education,” which in turn produces “so many examples of virtue.” The tumults may have generated “noises and cries,” but they “rarely
engendered exile and very rarely blood,” and such a republic cannot then be called “disordered,” for this so-called “disorder” was productive of “laws and orders in benefit of public freedom.”

In all of this Machiavelli has continued to build upon his radically altered understanding of republican “perfection.” It no longer lays solely in Rome’s form but also and more importantly in its matter, in this case the willingness of the people to engage in tumult to resist the nobility’s attempts at usurping their freedom. In Machiavelli’s reformulation, therefore, the “tumults” were not a sign of “disorder,” but were a sign of new, artificial order being created through popular direct action. His characterization of such action again challenges the conventional position and should remind us that the people were in fact engaged in the process of (re)founding explored in previous chapters.

If anyone said the modes were extraordinary and almost wild, to see the people together crying out against the Senate, the Senate against the people, running tumultuously through the streets, closing shops, the whole plebs leaving Rome—all of which things frighten whoever does no other than read of them—I say that every city ought to have its modes with which the people can vent its ambition, and especially those cities that wish to avail themselves of the people in important things. Among these the city of Rome had this mode: that when the people wished to obtain a law, either they did one of the things said above or they refused to enroll their names to go to war, so that to placate them there was need to satisfy them in some part. The conventional critique of tumult is therefore accurate: the tumults were “extraordinary and almost wild.” But this is no objection for Machiavelli, as it is their “extraordinary” character which makes them productive of the ordinary “laws” and “orders” Machiavelli mentions above. These kinds of actions—street protests, strikes (both from work and from the life of the city), as well as the refusal to serve in the military—were all so many ways by “which the people can vent its ambition,” i.e. what I have termed “channeling,” and such vents (or channels) are vital in “especially those cities that wish to avail themselves of the people in important things”—a point which will become critically salient in the next chapter. It is their “extraordinary” character

63 Again, for Machiavelli this is something that the nobility’s humor drove them toward.
64 D I.4, 16-17, emphasis added.
which is crucial, for as we know from the previous chapters, the extraordinary is creative and the source of the ordinary. In other words, what is conventionally considered to be “extraordinary” becomes the cause of the “ordinary” and indeed the cause of anything remotely resembling conventional “order.”

But what is being given “vent,” or channeled? At an even deeper and more fundamental level, the tumults are the result of the natural necessity of the “two diverse humors” (which the conventional position does not “consider”) being given “vent” and, in being given vent, the ability to be channeled into new artificial orders. The “natural” order is that of discord and disunion between the humors, and these were not tamped down or avoided in some way by the Romans; instead the Romans embraced and utilized them! To repeat: “disunion” with its resultant tumult is the natural state of affairs once the “diverse humors” are properly understood and allowed to naturally interact; anything other than that reflects an artificial, unnatural, and unhealthy development.

To be fair, Machiavelli gives some consideration to the possibility that trusting the people may be a mistake. Yet again shifting the frame of the desires of the nobles and the people, he writes that this is not likely, for “(t)he desires of free people are rarely pernicious to freedom because they arise either from being oppressed or from suspicion that they may be oppressed.” Should they be wrong, the people have “the remedy of assemblies”—public meetings—“where some good man gets up who in orating demonstrates to them how they deceive themselves.” Citing Tully, Machiavelli writes that “though peoples…are ignorant, they are capable of truth

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65 But the “extraordinary,” conventionally understood, is also an effect of that “order” which it had at a previous point in time produced, and once we see founding/(re)founding as a continuous, ongoing process, this becomes clear.

66 D I.4, 17, emphasis added. Notice that here Machiavelli is not just speaking of “the people” as such, but “free people.” Plying all of the nuances this distinction is beyond the scope here, but it is worth pointing out that “free” would also imply “non-corrupt” as well for it is only a non-corrupt people who are capable of creating and (re)creating freedom for themselves in Machiavelli’s political universe.
and easily yield when the truth is told them by a man worthy of faith.” Throughout this part of his analysis, Machiavelli is specifically discussing “free people,” and links their motivations to their natural, healthy, humorally-derived origins. There therefore could hypothetically be unfree people, but their lack of freedom would be linked with their lack of connection to their natural humoral disposition. Without this, the drive to be free is weakened or extinguished. Freedom, for Machiavelli, is directly linked to an unblocked connection between the people and their humor.

At this point, I want to briefly return to “perfection.” Part of Machiavelli’s reversal of the conventional republican wisdom regarding “perfection” consists of his demonstration that the desired conventional republican effects—especially the mixed regime—were products of the conventionally undesired “defects” of the Roman republic, the tumults, or imperfections. But these so-called imperfections could only have occurred if the plebs were politically active and included within the political community—a point Machiavelli alludes to when he writes of “those cities that wish to avail themselves of the people in important things.” That reversal implies another: because even after the creation of the tribunes who were “ordered…with so much eminence and reputation that they could ever after be intermediaries between the plebs and the Senate and prevent the insolence of the nobles,” the tumults did not cease, but continued when dictated by necessity, that is, when dictated by the natural necessity of humoral discord. The focus upon “perfection” must therefore shift from its form (the institutions comprising the mixed regime with the nobility as its steward), to the matter—the practices of the people, i.e. the

67 DI.4, 17.
68 I think part of this connection is a political culture and way of life that allows space for indignation and the resultant desire for “avenging” (D II.2, 131) the wrongs done to oneself. Here again Numa’s religion comes into play. See chapter 2 and D I.11, I.12, and D II.2.
69 DI.4, 17.
70 D I.3, 15.
71 Later we will explore humoral discord: empire.
tumults which produced political/class disunion, tumults, and accidents. In his ultimate reversal, Machiavelli has turned our attention from the static and momentary form of “perfection” to the dynamic matter which “perfects” in an ongoing manner. Within this new type of “perfection,” in a very critical way there is no distinction between “good order” and its source, a controlled popular disorder; they are one and the same.

**The Plebeian (Re)founding**

With the natural necessity of the humors and the consequences of their utilization and channeling established, we can now concentrate on the next (re)founding of Rome which “(m)ade the Republic (m)ore (p)erfect” and further challenges the static notion of “perfection” discussed in the previous section: the *first* plebeian uprising against the nobility. Part of demonstrating this requires showing through Machiavelli’s empirical history precisely how, in concrete terms, the Romans used the natural necessity of humoral discord and the resulting political disunion that produced the *extraordinary* tumults. These tumults were the engine of Rome’s “perfection” not only because of their effects on the form and matter of Rome (the structure of the state as well as the way of life and political culture formed out of the customs, orders, laws, and modes), but because they also represent the continuation of the process of (re)founding. In viewing tumult this way, we once again can see how a natural necessity like the

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72 *D* I.3, 15. Being “more perfect” implies that there is no end state of true “perfection.” See the discussion from the previous section.

73 *D* I.2, 14, and *D* I.3, 15.

74 By “empirical history” I mean Machiavelli’s use of Livy’s history, and oftentimes, as Mansfield’s footnotes indicate, Machiavelli’s mistaken or intentional re-writing of that history. I am of the thought that Machiavelli utilizes the “history” so as to illustrate a concept or phenomenon so as to give life to it, to see it in “real” time to trace its unfolding. Because of this, the empirical history matters far less than Machiavelli’s usage of it to illustrate the lessons, concepts, and phenomena he wants to impart. While I am inclined to believe that his usage of Livy is deliberate even where it is not completely faithful to the text, it makes no difference, as it is Machiavelli’s teaching that matters.
humors can provide both the “fuel” and opportunity for (re)founding.\textsuperscript{75} To understand this process, we have to ask what it is about the \textit{tumult} produced by humoral discord and the resultant political/class disunion that became for Machiavelli so politically effectual?

In I.3, “What Accidents Made the Tribunes of the Plebs be Created in Rome, Which Made the Republic More Perfect,” Machiavelli begins the process of answering this question by establishing some general maxims and then by exploring their application to the specific, historical context of Rome between Brutus’ (re)founding and their own. Machiavelli begins by writing that

\begin{quote}
As all those demonstrate who reason on a civil way of life, and as every history is full of examples, it is necessary to whoever disposes a republic and orders laws in it to presuppose that all men are bad, and that they always have to use the malignity of their spirit whenever they have a free opportunity for it. When any malignity remains hidden for a time, this proceeds from a hidden cause, which is not recognized because no contrary experience has been seen. But time, which they say is the father of every truth, exposes it later.\textsuperscript{76}
\end{quote}

Take note of the initial recipient of this advice: “whoever disposes a republic and orders laws in it,” i.e. a founder of a republic. Again, this could not be advice solely for a Lycurgus-like character, because such a type of founder would preclude any (re)founding—a violation of the necessity which (re)founding represents (the natural necessity of cyclical time and the recurrence of accidents it generates which require channeling). If that is accurate, we can infer that the advice is useful beyond those in a position to found or order republic, but it is also useful for those who, having cause and the opportunity for it, i.e. an “accident,” are able to (re)found/(re)order a “free way of life.”

\textsuperscript{75} It is both the “fuel” and the “opportunity” because the humors both generate tumult, and tumult feeds the humors. Furthermore, “tumults” are a form of \textit{accident}, and as such are opportunities for (re)founding as well. In addition to all of this, we must always set concepts like the “humors” and “tumults” against the backdrop of cyclical time and accident \textit{and the reverse}. Ultimately, where one is located within the cycle will change how they conceive of the humors and tumults.

\textsuperscript{76} \textit{D} I.3, 15, emphasis added.
With the recipient of the advice now taken into account, we can actually consider the necessities contained within it. The first necessity for “whoever disposes a republic and orders laws in it” is to assume that “all men are “bad,” and the second necessity is to assume that if given a “free opportunity,” people will act on this badness. Furthermore, if “any malignity remains hidden,” it is due to a “hidden cause” that cannot yet be “recognized because no contrary experience has been seen,” but time will ultimately reveal the truth. Thus a third and fourth necessity in this chain: not only should we assume that all people are bad, but that if they happen to be “good,” we should assume that this is the product of the times, of the circumstances imposing a necessity upon them to act well, and thus, if the circumstances were to change and the necessity to act well lifted (possibly due to an accident that inevitably and thus necessarily arises in cyclical time) the “malignity” beneath would surface.

Given what we already know about the nature of the humors as well as the classes they comprise, it is not difficult to figure out who Machiavelli is really talking about in this chapter. While he does speak of “all men,” the more likely to possess “malignity” in “their spirit” and have the political power and ability to use it are the nobles. All that is necessary—and it is a necessity—is the passage of time and the inevitable generation of an accident to release this humor (“the malignity of their spirit”) and reveal the “hidden cause” for its being “hidden for a time.” To this end, Machiavelli writes that

(i)t appeared that in Rome there was a very great union between the plebs and the Senate after the Tarquins were expelled, and that the nobles had put away that pride of theirs, and taken on a popular spirit, and were tolerable to anyone, however mean. This deception remained concealed, nor did one see the cause of it while the Tarquins lived. Fearing them, and having fear that if the plebs were treated badly it would not take their side, the nobility behaved humanely toward them...

77 D I.3, 15, emphasis added.
To understand the context which this passage describes, we have to appreciate the situational necessities, or those specific to a particular type of situation/circumstance, that form it. Without telling us explicitly, Machiavelli again presents us with the struggle between the possessor of power and those whom they dispossessed (who believe it to rightfully be their own) to get it, and this can only be understood in situ, that is, in the particular political context that is the consequence of the actions driven by the motives of those in these positions: the struggle between the newly-empowered nobility and the dispossessed but still alive Tarquins. Recall from our discussion of the lead up to Brutus’ (re)founding in the last chapter that Machiavelli writes that “every prince can be warned that he never lives secure in his principality as long as those who have been despoiled of it are living.”\(^78\) We now again see that this advice was just as applicable to Brutus and his fellow nobles “while the Tarquins lived.” This type of situation dictates certain necessities for both the new possessors of power as well as for the dispossessed, just as they did in the last chapter for both the “sons of Ancus” and Tarquin Priscus, as well as for his son “Tarquin the Proud” and Servius Tullius.\(^79\) So long as “the Tarquins lived,” the nobility of necessity had to assume that they would attempt to regain power and thus feared\(^80\) them. Just as it required the help of the plebeians to ultimately drive the Tarquins out, so too the nobles would of necessity (and one which will become clear in the next chapter) require the plebeians to defend them and the fledgling republic, and feared that if they treated them other than “humanely” that the plebs “would not take their side.” These necessities—and nothing else—generated the fear which led to the “very great” humoral and political “union” between the

\(^{78}\) D III.4, 216.

\(^{79}\) D III.4, 215. In a certain sense, this situation applies to the sons of Brutus who had expected to continue to enjoy their privileges under the Tarquins vis-à-vis their father who had dashed that hope. Yet as we saw, the “sons of Brutus”-type also fits into the “partisan enemies” category as well. I feel that they fit into both. See D III.3, 214-215.

\(^{80}\) See also the discussion of Brutus’ material motivations in D III.2, 213 and my analysis of them in the previous chapter to develop a sense of why the nobles had reason to be afraid of the Tarquins.
nobility and people “after the Tarquins were expelled,” and because we understand the natural necessity of the humors, that is, their reality, we are able to see why such “union” was unnatural and thus artificial, and this is why Machiavelli begins the sentence with “appeared.” Thus it should come as no surprise that

as soon as the Tarquins were dead and fear fled from the nobles, they began to spit out that poison against the plebs that they had held in their breasts, and they offended it in all the modes they could.  

While Machiavelli attributes the shattering of these appearances in favor of reality to “time, which they say is the father of every truth, (and) exposes it later,” we see that it is not solely the work of this natural necessity, but also of the natural necessity of the humors. In other words, the natural necessity of cyclical time produced an “accident”—the death of the Tarquins—which led to the lifting of fear from the nobility and provided them with a “free opportunity” to “vent” the “malignity of their spirit,” or their humor. In “venting” their humor, the nobles “spit out that posing against the plebs which they had held in their breasts, and they offended it in all the modes they could.” The humoral language could not be any clearer or more powerful, and neither could Machiavelli’s opinion regarding which class provoked the plebeian uprising. It was not the “restless spirit of the plebs,” but the will to dominate them amongst the nobles, manifested as abuses, which compelled the plebs to defend themselves and their freedom.

We can glean further insight still by again recalling the lead up to Brutus’ (re)founding, where we can see the similarity between that situation and this one: “(w)hen Tarquin the Proud had killed Servius Tullius…there were no heirs remaining of him,” and “he came to possess the kingdom securely, since he did not have to fear those things that had offended his predecessors.”

81 D I.3, 15, emphasis added.
82 D I.5, 18.
83 D III.4, 216.
had been usurped, Tarquin felt empowered to act as he pleased toward both the Roman nobility and plebs and felt obligation to neither. Likewise the Roman nobility, lacking fear upon the death of the Tarquins, the Roman nobility felt empowered to act as they pleased toward the plebs, feeling no obligation to them.

As he has before and continues to do throughout the *Discourses*, Machiavelli returns us to the beginning of the text to make sense of the Romans’ solution to this problem of a lack of fear on the part of the nobility, writing that

(s)uch a thing is testimony to what I said above, that *men never work any good unless through necessity, but where choice abounds and one can make use of license, at once everything is full of confusion and disorder*. Therefore it is said that hunger and poverty make men industrious, and the laws make them good. Where a thing works well on its own without the law, the law is not necessary; but when some good custom[^84] is lacking, at once the law is necessary[^85].

By re-invoking the necessity-choice dichotomy, Machiavelli is not only returning us to I.1, but to the beginning of Rome itself—the generic founding of Rome where we learned of the underlying logic of founding and (re)founding. In doing so, he brings the reader’s mind back to the logic (and necessity) of (re)founding[^86]: because necessity-choice is always lurking, it must constantly be renegotiated as the circumstances dictate. Yet it should also be recalled from our discussion of I.1 in chapter two that while necessity and choice form a mutually exclusive binary for Machiavelli at that point, they can also be complimentary under the right conditions[^87]. It would seem, then, that part of the alchemy of (re)founding is to use the antagonism between these two terms to dissolve their animosity such that necessity *creates* choice, i.e. where necessity, properly channeled, provides the conditions for future choices.

[^84]: Consider that here “custom” is primary, and “law” (the force upon which Skinner places much of his attention) is, while important, secondary. For Skinner on “law,” see “Machiavelli on the Maintenance of Liberty,” 3-15.

[^85]: *D* I.3, 15, emphasis added.

[^86]: Note that the title of the opening chapter of Book III is “If One Wishes a Sect or a Republic to Live Long, It Is Necessary to Draw It Back Often toward Its Beginning.” See *D* III.1, 209. This rhetorical and logical movement occurs again and again throughout the *Discourses*, a movement we have already seen in the previous chapters, and a movement which is the essence of (re)founding—and of reading the text itself.

[^87]: That is to say, at a different point in the cycle.
Therefore when the Tarquins, who had kept the nobility in check with fear of themselves, were missing, it was fitting to think of a new order that would have the same effect as the Tarquins had had when they were alive. Therefore, after many confusions, noises, and dangers of scandals that arose between the plebs and nobility, they arrived at the creation of the tribunes for the security of the plebs. They ordered them with so much eminence and reputation that they could ever after be intermediaries between the plebs and the Senate and prevent the insolence of the nobles.  

The nobility, their fear dissolved upon the death of the Tarquins, began to vent their true humor upon the plebs, a direct causal outcome of the motives that define them as nobles, and through their “insolence” had so destabilized Rome that it became necessary to find a replacement for the Tarquins “that would have the same effect” as “when they were alive.” While not every effect has the same cause for Machiavelli, when it comes to the prevention of “bad” behavior so as to create the opportunity for the subsequent production of beneficial effects, fear once again proves to be necessary. As we learned in the previous two chapters, it is fear which produces the necessity to not act “badly” and in doing so to act in such a way that produces positive effects.

The question is what, exactly, produced the fear which reined in the “insolence of the nobles”? While Machiavelli on the one hand is clearly bringing us to the tribunes of the plebs who “could ever after be intermediaries between the plebs and the Senate,” there is an intermediate step which led to their creation: the tumults that in I.4 Machiavelli, while criticizing the conventional criticism of tumult, nonetheless upholds their conventional characterization as “extraordinary.” As was the case with the founding/(re)foundings of Romulus, Numa, “and the others” as well as that of Brutus, it is only the force and power of the extraordinary which generates the “danger” without which humans “will never order themselves...because enough men never agree to a new law that looks to a new order in a city unless they are shown by a

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88 D I.3, 15, emphasis added.
89 And, presumably, any sense of obligation that they felt toward the plebs.
90 D I.4, 16.
91 D I.1, 9.
necessity that they need to do it.”92 The extraordinary tumults produced “danger,” “danger” produced “fear,” and the nobility, “so as not to lose the whole, was constrained to yield to the people its part…”93 But as we already know, the disunion between the nobility and the people did not cease upon the creation of the tribunes and indeed “the controversies between the people and the Senate…continued until the time of the Gracchi,”94 a time which lasted “more than three hundred years…”95 The tribunes represented the institutionalization of the plebs into the Roman state, and thus an ordinary authority and power. While we will soon see how important this institutionalization was for Machiavelli, we should at the same time recall the shift in emphasis from the form of the Roman state (here the tribunes) to the matter which created it and gave it its power: the customary practice of engaging in extraordinary tumult, defined as the popular refusal to behave in a “civil” manner (popular street protest), the refusal to work (strikes), and the refusal to serve in the army (draft resistance) when the system failed to prevent the “insolence of the nobles.”96 Indeed, the fact that the plebeian practice of engaging in tumult effectively becomes customary is what is ultimately decisive (read: necessary) for Rome’s ongoing “perfection,” as this practice existed outside of the formal institutions of the Roman state and beyond the direct reach of the nobility. While we should recognize the importance of the formal, “static” elements of “perfection” such as the tribunes as a stabilizing ordine, we should never

92 D I.2, 10-11. The “danger” is not only for the nobility, posed by the plebs, but is twofold, for it is the bad behavior and “insolence” of the nobility which is a “danger” to the plebs in the first place. Furthermore, the situation for the plebeians, without their contestation of it, is dangerous for themselves as well. We can only recognize this when we recall Machiavelli’s challenge to and reversal of the viewpoint that without thinking favors the nobility over the people, thereby shifting the vantage point from above looking down (that is, from an elite perspective, so common to conventional republican optics), to looking up from below (from the perspective of the people, of the plebs). On vantage point, see P, Dedicatory Letter, 4.
93 D I.2, 14, emphasis added.
94 D I.6, 20.
95 D I.4, 16.
96 D I.3, 15.
lose sight of the informal, “dynamic” processes which produced and continuously reproduced new *ordini* as necessity dictated.

At this point, if we again use Brutus’ (re)founding as a template for interpreting the plebeians’, we can see that there is another looming *situational* necessity after the creation of the tribunes, what I referred to in the previous chapter as “the need to secure the new order,” or *maintaining* that which has been created. Again, the advice Machiavelli gave to would-be princes that also applied to those who would establish a republic (such as a noble-dominated one like Brutus’ Rome), equally applies to how the popular element must understand their situation: “every prince can be warned that he never lives secure in his principality as long as those who have been despoiled of it are living.”97 Yet this occurs in a very different context with the plebeians vis-à-vis the nobility than it did between Brutus and the nobles vis-à-vis the Tarquins. The difference now, of course, is that the “despoiled” had not been exiled from the city, nor had they been killed. To the contrary, the “despoiled” lived in the midst of the newest possessors of power! But the plebs did not possess all of the power, and we must remember that the nobles, “so as not to lose the whole, were constrained to yield to the people its part, and on the other side the Senate and the consuls remained with so much authority that they could keep their rank in that republic.”98 While this may have helped prevent much of the nobility from a “certain desperation,”99 they nevertheless understood themselves as having been “despoiled” by the people, of having lost their status in the sense that some of their privileges—particularly the ability to treat the plebs however they desired—had now been severely curtailed. This diminution, combined with their natural humoral inclination, ensured that the conflict between these classes was far from over—a combination of situational and natural necessity.

97 *D* III.4, 216.
98 *D* I.2, 14, emphasis added.
99 *D* I.5, 18.
Another frame from Brutus’ (re)founding that could be applied to the plebeian was the problem found in every newly freed state, which is that it “makes partisan enemies and not partisan friends.” According to Machiavelli,

(a)ll those become its partisan enemies who were prevailing under the tyrannical state, feeding off the riches of the prince; and when the ability to prevail is taken away from them, they cannot live content and are forced, each one, to attempt to take up the tyranny again so as to return to their authority.

Of course, Rome had been freed by Brutus from the Tarquins, but as far as the plebs were concerned, they had not been freed from the tyranny of the nobles once the nobility’s fear of the Tarquins had been lifted. If we consider the underlying thrust of Machiavelli’s advice, it is applicable whenever a new order of any kind is created, and is quite similar to the thrust of his discussion of those who have been “despoiled” of their power (see above). Here we see that when those who have benefitted under the old order (but who did not hold power themselves), have had the “ability to prevail…taken away from them,” it is they who grow “restless” and “cannot live content,” compelling “each one” to try to turn the cycle back towards how things were under the old order. In this case however, the “they” is the nobility, and this is perfectly consistent with Machiavelli’s depiction of their humoral disposition as a class. In a certain sense, therefore, the necessity of the emergence of partisan enemies applies to the process of the plebeian (re)founding on both the political and humoral levels.

Where “partisan friends” were concerned, the problem that their absence posed for Brutus also applies for the plebeian (re)founding as well.
While the plebs’ collective action had just created the tribunes and produced a freer way of life for them than what had existed before, this only produced a condition that they believed they deserved anyway. Nonetheless, the plebeians were not that far removed from the experience of not possessing “the common utility that is drawn from a free way of life” and consequently still possessed the memory of its absence. Beyond this, the plebeians through their extraordinary mode of tumult had created the institutional protector of their freedom, the tribunes. The plebs, relatively speaking, could therefore be counted on to have a greater sense of “obligation” to the free way of life than the nobles, especially given what we now know about their respective humoral dispositions (which we did not know in the previous chapter). It is safe to infer that Machiavelli’s advice, while using such terms as “anyone” and phrases such as “no one,” is nevertheless mainly (if not almost exclusively) directed at the nobility whose humor would prevent them from being content with the degree of equality that the free way of life contains when the people are the foundation of it.

Here then was the situation facing the plebeians as part of their (re)founding: with the confluence of the necessity of having to reckon with the “despoiled” in their midst and with the necessity for “partisan enemies” after any such changes, all that was lacking was the opportunity to channel these necessities productively, just as had been the case for Brutus. When the opportunity arose, these necessities could be solved for by satisfying another to which they were connected: “after a change of state, either from republic to tyranny or from tyranny to republic, a memorable execution\textsuperscript{105} against the enemies of present conditions is necessary.”\textsuperscript{106} In addition

\textsuperscript{105} I am reading “execution” in a wider sense than just the public killing of an individual who acts against the political community. In addition to this more obvious meaning, Machiavelli seems to also mean by “execution” the taking of an action against one who acts against the political community, including the “fines” and “exiles” he mentions at D I.4, 16.
to solving the problem of the “despoiled”/“partisan enemies,” this would also serve, as it did for Brutus during his (re)founding, to simultaneously create “partisan friends” through creating the fear (especially amongst the nobility) and ultimately the “obligation” to the free way of life.

Given these situational necessities, all that was required was the emergence of a “partisan enemy” to provide the opportunity for a “memorable execution against the enemies of present conditions.” Just as was the case with the ill humor of the nobility emerging after the death of the Tarquins, here again the natural necessity of “time, which they say is the father of every truth,” would “exposes it later,” with the “it” being the “partisan enemy” (and the ill humor) who, as it happened, was “Coriolanus.”

Citing Livy, Machiavelli writes that

**(t)here he says that the Roman nobility had become angered against the plebs because the plebs appeared to it to have too much authority through the creation of the tribunes, who defended it. Meanwhile Rome, as it happened, had come into a great scarcity of provisions and the Senate had sent for grain in Sicily. Coriolanus, enemy of the popular faction, counseled that the time had come when, by keeping it famished and not distributing the grain, they could punish the plebs and take from it the authority that it had taken to the prejudice of the nobility.**

In this passage, Machiavelli first provides us with context which allows us to imagine the humors at work: the nobility frustrated with the new power of the plebeians through their creation of the tribunes of the plebs and the humor which this generates amongst the nobles, i.e. the “fear to lose what they have acquired,” which is power and privilege. Next, we are given the larger context within which the first plays out and which effectively operates as a kind of “accident”: “a great scarcity of provisions.” Enter the type of political actor, in this case the “partisan enemy” Coriolanus, “enemy of the popular faction,” who “counseled that the time had

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106 *D* III.3, 214, emphasis added. Again, while the shift from an elite-dominated republic to a mixed regime that included a vibrant popular element was not technically a shift from a formal tyranny to republic, the effectual truth is that insofar as the plebeians were concerned, it effectively was that as their condition, to repeat, had become one of servitude before they rebelled and created the tribunes.

107 *D* I.3, 15.

108 *D* I.7, 24.

109 *D* I.7, 24.

110 *D* I.5, 19.
come” to once again dominate the plebs by “keeping it famished and not distributing the grain” so that they would relinquish the tribunes of the plebs in exchange for it. Just as the humor of the nobles drives them to try and dominate the people, the humor of the people drives them to resist this domination.

When that judgment came to the ears of the people, it aroused such indignation against Coriolanus that as he emerged from the Senate they would have killed him in a tumult, had the tribunes not summoned him to appear and defend his cause.¹¹¹

The contingency that exists in this situation is great: the “opportunity” exists for Coriolanus and those who would usurp the public freedom to do so, but also for those who would defend it and complete the process of the plebeian (re)founding. The plebs, as we know, prevailed; the questions are how and why. As was the case with Brutus’ action against his sons, the plebeians’ response to Coriolanus was a fusion of the ordinary and the extraordinary, and it is the contours of this fusion which prove decisive for Rome’s freedom and (re)founding.

The response to Coriolanus’ attempted usurpation was “ordinary” because the punishment meted out to him (which we learn in a later chapter was exile¹¹²) was conducted through the tribunes—a formal, public authority—by levying a formal “accusation” against him.¹¹³ Machiavelli stresses just how important this function is for a free way of life: “(t)o those who are posted in a city as guard of its freedom one cannot give a more useful and necessary authority than that of being able to accuse citizens to the people, or to some magistrate or council, when they sin in anything against the free state.”¹¹⁴ This power was entrusted to the tribunes of the plebs¹¹⁵, and it

¹¹¹ D I.7, 24, emphasis added.
¹¹² D I.29, 66.
¹¹⁴ D I.7, 23, emphasis added.
¹¹⁵ D I.6, 23.
produces two very useful effects for a republic. The first is that for fear of being accused citizens do not attempt things against the state; and when attempting them, they are crushed instantly and without respect. The other is that an outlet is given by which to vent, in some mode against some citizen, those humors that grow up in cities… \[116\]

This power, entrusted to the tribunes, represents a reversal of conventional republican wisdom, which as we saw above entrusted the guard of freedom to the nobility. With Coriolanus’ example, Machiavelli more clearly illustrates why this responsibility must be placed with the people, for it is the nobles (driven by their humor) who will forever attempt to usurp power and put an end to the free way of life. Whereas Brutus’ execution of his sons made an example of and for those who would return the fledgling republic back to the Tarquin tyranny (a threat which only lasted as long as the Tarquins lived), the plebeian accusation and exile of Coriolanus, while it may have made an example of him for the other nobles, represented an ordinary mode of dealing with the perpetual problem that was the nobles’ humor: to dominate and repress the people. Because it was perpetual and could never be solved for, an ordinary mode that could mirror its perpetuity was in order.

What is even more interesting for our purposes is the question of what happens when an ordinary mode (such as accusation) is lacking or found wanting (hypothetically speaking, this might mean its placement with the nobles and not the people, or perhaps a lackadasical Tribunate). For Machiavelli, the people’s humor of not wanting to be dominated does not evaporate into the institutional ether (or lack thereof depending), but the stakes of the struggle between the classes is raised as the people, now oppressed and finding no ordinary solution, are compelled by the necessity of their humor to find an extraordinary one: “…and when these humors do not have an outlet by which they may be vented ordinarily, they have recourse to extraordinary modes that bring a whole republic to ruin.” Indeed, “when these ordinary modes

\[116\] D I.7, 23-24, emphasis added.
are not there, one has recourse to extraordinary ones, and without doubt these produce much worse effects than the former.”¹¹⁷ To understand these effects, Machiavelli asks us to consider how much ill would have resulted to the Roman republic if he¹¹⁸ had been killed in a tumult; for from that arises offense by private individuals against private individuals, which offense generates fear; fear seeks for defense; for defense they procure partisans; from partisans arise the parties in cities; from parties their ruin.¹¹⁹

Rome avoided this downward spiral—at this juncture in its history—“since the affair was governed through whoever had authority for it” (the tribunes of the plebs) and “all those ills came to be taken away that could have arisen if it were governed with private authority.”¹²⁰ The key here is trying to understand what is meant by “extraordinary.” Up to this point, I have focused upon Machiavelli’s connotation of “extraordinary” as meaning a disruptive and creative force, although he has also employed it in the sense of meaning extra-institutional or extralegal; its “goodness” or “badness” hinges upon whether or not the effects of the extraordinary action (however understood) are beneficial for the “common good.”¹²¹ The answer in this case and always for developing a sense of what Machiavelli means by his language is to examine the context in which the term floats, as well as what floats alongside it. It seems that the connotation of the term in I.7 revolves around Machiavelli’s distinction between “private forces” (or, serving the same function, “foreign forces”), and “public forces and orders, which have their particular limits and do not lead beyond to something that may ruin the republic.” Indeed, it is the former “which are the ones that ruin a free way of life.”¹²² It is therefore safe, I think, to understand his use of “extraordinary” in this chapter (I.7) and discussion as implying an action that is outside of the established order, and not in favor of the “common good.” There is thus no contradiction

¹¹⁷ D I.7, 24, emphasis added.
¹¹⁸ Coriolanus.
¹¹⁹ D I.7, 24.
¹²⁰ D I.7, 24.
¹²¹ D I.9, 29.
¹²² D I.7, 24, emphasis added.
between the argument put forth about the creative power of the extraordinary and Machiavelli’s use of the term here. Indeed, the “extraordinary” means employed by the plebs to create and (re)create liberty eventually becomes ordinary, and it is at this point that the term “extraordinary” refers to those actions taken to undermine such liberty.

The benefit when “a citizen is crushed ordinarily” is that “there follows little or no disorder in the republic, even though he has been done a wrong.” While in a general sense “disorder” becomes the basis and in a certain sense cause of order—remembering that for Machiavelli everything is cyclical and ultimately reverses, with causes becoming effects, and effects, causes—the kind of disorder and dynamic of disorder Machiavelli is describing here is most dangerous for the very reason that it is not being channeled toward ends conducive to the common good, i.e. producing artificial necessities to this end. The potential is there that they could, in that they could provide the opportunity for a (re)founder to channel them in this healthy way, but the potential also exists that they can destroy the political community. This is again why Machiavelli writes that for humans “it is indeed true that they will never order themselves without danger,” and that this “danger” is prompted by a (hypothetical) “necessity” (with “danger” being a requisite effect of such a necessity), and thus why “it is an easy thing for the republic to be ruined before it can be led to a perfection of order.” What matters is that since “disorders” such as Coriolanus’ attempt at usurpation inevitably arise because of the umori, such so-called disorders have need of being channeled, and as such require a “vent” to do so. If a “vent” is not there or has not been created through a prior disorder or extraordinary accident or event, the situation becomes substantially more dangerous.

Nonetheless, there is something “extraordinary” about the ordinary punishment of Coriolanus, and this again takes us back to the (re)founding of Brutus where we saw how the

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123 D I.2, 10-11.
execution of his sons was both ordinary and extraordinary at the same time. As was the case then, the punishment was according to the ordinis, that is, by who had authority for it, or the order, in the mode prescribed by law. Formally speaking, it was therefore “ordinary.” But in a very real sense, the punishment of a member of the nobility by a representative of the plebs violated all customs and practices, shattering the idea and sense of entitlement that the nobility had possessed. In effect, Coriolanus’ punishment created an experience for the nobility which generated a memory they would not soon forget: the ordinis applied as much to them as to the people, class be damned. Furthermore, it re-taught another valuable political lesson to the nobility, and one which seems to be recurring where their conflict with the plebs was concerned: “so as not to lose the whole, it was constrained to yield to the people its part.” In this case, it was better for them to allow for a member of their class to be punished ordinarily than to have that individual torn to pieces in a tumult and the situation spiral out of control, potentially ending the republic. The fear of the institutionalized power of the plebs was now real for the nobility, and this, for the time being, cauterized the wound: the supply of would-be usurpers from amongst the nobles. But their humor—the desire to dominate and oppress the people—never goes away and is always lurking, constantly probing for avenues through which it can try to usurp power. Because it is a permanent disposition, it becomes a necessity if the free way of life is to be maintained to constantly be willing and able to combat it. The process of the plebeian (re)founding therefore can never, in a certain sense, end.

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124 D I.2, 14.
125 Recall that with Brutus part of his motivation for conspiring against the Tarquins was “to be able to live more securely and to maintain his patrimony.” (D III.2, 213) Given the concern that nobles like Brutus had for their “property” (the fear of losing it was listed by Machiavelli at D III.6, 219 as a leading cause of engaging in conspiracies against the prince) or for their “patrimony,” we might apply these insights in our consideration of the nobles’ motivations when they gave in and acceded to the plebeians demands: they feared expropriation.
126 But again, to combat it “in a way ordered by the laws,” thus Machiavelli’s emphasis upon the tribunes of the plebs who can punish and organize public vengeance in such a way that it “not lead beyond to something that may ruin the republic,” such as civil war. See D I.7, 24.
Conclusion

In the first part of this chapter I examined the “humors” of the nobility and the people which are naturally antagonistic toward each other. Out of their free play arises “tumult,” the catch-all term Machiavelli uses to describe active, vibrant, class conflict and, where the people are concerned, all manners of their resistance to noble domination. What distinguishes this kind of activity is that it is extraordinary: extra-legal and fear-inducing. This was the force which generated the necessity necessary for Rome’s formal “perfection” and was indeed the engine of it, suggesting a fuller conception of what “perfection” means. Rather than a focus purely upon the formal elements of it, Machiavelli has turned us toward the underlying, creative forces behind it.

In the second part of this chapter, I turned to the next (re)founding of Rome, that of the plebeians. Employing the framework developed for understanding the (re)founding of Brutus (developed from the analysis of the (re)foundings prior to his), I showed the similarities and differences between the two. The plebeian (re)founding, like Brutus’, could be separated into two phases: creation and maintenance. Where “creation” was concerned, many of the same forces were again at work, particularly the power of fear and the extraordinary action that produces it. But as was the case with Brutus’ (re)founding, “maintenance” for the plebeians included the very same logic as “creation”: an extraordinary action that would instill fear among both the “despoiled” as well as among “partisan enemies” so as to stem the flow of them. The difference here was that the “despoiled”—the nobility—lived among the plebs and became “partisan enemies.” Dealing with their presence through extraordinary means had to become ordinary and “normalized,” i.e. done according to some kind of established routine lest the political community head into a downward spiral of private offenses and revenge. Revenge had
to become *ordinary*, and this was done through the tribunes’ power to *accuse*. What was extraordinary about this was that it was used against the nobles—the very group that desired to usurp freedom from the public and oppress them and had the ability to do it. By lining up their institutions with the proper humors to activate them when necessary, Machiavelli’s Romans better “stabilized” their republic.

In terms of its *direction*, the plebeian (re)founding parallels, expands upon, and challenges other features that we saw in previous (re)foundings. In the “creation” phase of (re)founding for both Brutus and the plebs, we saw that the *fear* that those “above” had thrust upon those “below” them was *redirected and channeled from those below back upon those above* to oust them from power through extraordinary action. Where the plebeian (re)founding expands upon Brutus’ was that it was obviously more populist in character than his, being directed, so far as Machiavelli tells us, entirely from below. In other words, there was no single “leader” in the plebeian (re)founding as there was in prior ones (including Brutus’). But like Brutus’, the plebeian (re)founding moves us further away from a conception of “founding” accomplished by one alone “from above” and toward a fuller, more participatory account of the *process* of (re)founding which of necessity includes others beyond the “founder” or “(re)founder.” Recall that Machiavelli wrote that

(t)his should be taken as a general rule: that it never or rarely happens that any republic or kingdom is ordered well from the beginning or reformed altogether anew outside its old orders unless it is ordered by one individual.128

Yet if we contrast this maxim with the favorable treatment he has given popular tumults as well as the creative power of such actions, then Machiavelli’s Romans must have fit into the

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127 D 1.2, 14. “Better” stabilized does not mean “perfectly” stabilized for that would only transform the Roman model into either the Spartan or Venetian ones.
128 D 1.9, 29.
“rarely” category. To this end in III.1 Machiavelli, writing of those things which “drew the Roman republic back toward its beginning” and in so doing (re)founded the political community, writes that “this good emerges in republics either through the virtue of a man or through the virtue of an order. As to this last…were the tribunes of the plebs, the censors, and all the other laws that went against the ambition and the insolence of men.” While Machiavelli here praises the tribunes and the censors, perhaps his most favored Roman institutions, he also applauds in I.3 and I.4 the means by which at least the tribunes were created: popular tumult.

Beyond formal “perfection,” in the Discourses I have argued that there is an informal, dynamic conception of “perfection” at work, and if we think of “the virtue of an order” beyond a formal rendering and understand “order” in the more general sense to include the practices of the people, we have to reevaluate these quotes. Did popular tumult not go “against the ambition and insolence of men?” Furthermore, when we consider that “(s)uch orders have need of being brought to life by the virtue of a citizen who rushes spiritedly to execute them against the power of those who transgress them,” what else is popular tumult, given what we know about the people’s humor, besides that writ large?

Perhaps this reading is undermined if we revisit I.9, the source for Machiavelli’s maxim regarding the “necessity” of founding/(re)founding alone. Later (and late) in that chapter, Machiavelli writes that

if one individual is capable of ordering, the thing itself is ordered to last long not if it remains on the shoulders of one individual but rather if it remains in the care of many and its maintenance stays with many. For as many are not capable of ordering a thing because they do not know its good, which is because of the

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129 “Rarely” does not mean “never,” lest Machiavelli’s Rome become as an exemplar just as inaccessible as Sparta and Venice are impractical. It is precisely because Rome is the outlier that it is interesting to Machiavelli as a template worthy of imitation.
130 D III.1, 210, emphasis added.
131 For the censorship, see D I.49, 100-101, and D III.49, 309-310 for his discussion of Fabius the censor.
132 D III.1, 210, emphasis added.

130
diverse opinions among them, so when they have come to know it, they do not agree to abandon it.\textsuperscript{133}

Yet recall that the distinction between “creation” and “maintenance” has collapsed; the practices of “maintenance” depend upon the habits learned during the shocks and birth pangs of “creation.” Furthermore, the implication in this passage is that “ordering” shapes and molds the “matter,” the way of life of the people who would “maintain” the “ordering.” When the dynamic, cyclical nature of time and the humors is factored in, the idea of a plebeian (re)founding, a (re)founding by the “many,” becomes not only possible but necessary if Rome’s history was any indicator. Indeed, the plebeian (re)founding described in this chapter is an excellent vantage point from which to view the intersection of two of the three “natural” necessities, \textit{temporality} and \textit{human nature}. It remains now only to demonstrate that the third, \textit{spatiality}, has like the other two been present throughout.

\textsuperscript{133} \textit{D} I.9, 29, emphasis added.
Chapter V: Empire—The Fuel of (Re)Founding

Introduction

In the previous three chapters, I have explored the natural necessities of space, time, and human nature, respectively, as well as the multiple particular (re)foundings of Rome. It was only through the extraordinary actions found in each of the particular (re)foundings that the opportunities which these natural necessities provide could be channeled into new, artificial necessities (i.e. the ordini or “way of life”). In doing so, subsequent Romans were given the political space to add to the ordini those things which Machiavelli ultimately deems necessary for a successful republic but had been lacking (e.g. Numa’s religious order or the tribunes of the plebs). But it was not only political space that had been created/provided through these extraordinary actions; time had effectively been created as well, as the newly created orders enabled the city to better navigate the cycle of regimes by compressing them and “borrowing” time from each.1 By the end of the previous chapter, we ultimately saw how the last natural necessity, human nature in the form of the humors, came together with time through the phenomena Machiavelli calls accidenti, or “accidents” to cause the cycle of time, of regimes, to revolve. In all of this, we have seen how so-called “disorder,” in the form of the “extraordinary” tumults—a type of “accident”—has become the basis of “order,” of the “ordinary.” In Machiavelli’s Rome, once this reversal occurs, it becomes clear that all along and indeed going forward the constant threat to Roman liberty had been and will continue to be from those “despoiled”2 of their inheritance, i.e. the nobility, taking “extraordinary” actions to take power

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1 As the chapter proceeds, we will see that “borrowing” time from the cycle of regimes is predicated upon something else: the theft of it from friends and foes alike.
2 See the title of D III.4, 215: “A Prince Does Not Live Secure in a Principality While Those Who Have Been Despoiled of It Are Living.”
again (e.g. Coriolanus), causing the cycle to revolve countercyclically. For Machiavelli, the conflict between the two classes will serve to constantly (re)creates Roman liberty.

In this chapter, I want to go full circle and “draw” the project “(b)ack…toward (i)ts (b)eginning,”³ i.e. the natural necessity of space. In the first chapter of the Discourses and in the first chapter (besides the introduction) of this project, space/spatiality (understood as “choice of site”) was critical in determining the future of political communities, with either “sterile” or “fertile” locations as possibilities.⁴ For Machiavelli, a “sterile” space was, ultimately, a non-starter as it failed to account for human nature: “This choice would without doubt be wiser and more useful if men were content to live off their own and did not wish to command others.”⁵ Because humans for Machiavelli are discontent with what they have and do indeed wish to command others, a sterile site-space fails to provide what humans require so as to be better-positioned to survive:

“Therefore, since men cannot secure themselves except with power, it is necessary to avoid this sterility in a country and to settle in the most fertile places, where, since [the city] can expand because of the abundance of the site, it can both defend itself from whoever might assault it and crush anyone who might oppose its greatness.”⁶

This passage is critical as it suggests that the natural necessity of space is not merely a static “site”⁷ that is something to be managed at the very beginning of a city and then forgotten about, but a dynamic “space” which must constantly be engaged with because it implores its inhabitants to constantly grow and expand, and it is this physical expansion across and through space which is constantly setting politics in motion in the Discourses. If its potential is embraced, a fertile space is the “fuel” for the accidents that arise in a republic due because

³ D III.1, 209.
⁴ D I.1, 8.
⁵ D I.1, 8.
⁶ D I.1, 8, emphasis added.
⁷ D I.1, 8.
inhabitants of such a space have more “cause for discord,” helping the “alternating humors that agitate it.” If these are embraced in turn by a (re)founder (or, as was shown in the previous chapter, by (re)founders plural), that republic can create time for itself. In other words, if a republic has a dynamic relationship to space, it will of necessity have a dynamic relationship to time and to the humors as well, and the opportunities for (re)founding will continuously be generated.

In this chapter, I want to demonstrate this connection between space—dynamically-understood—the humors, and time. To do this well, I must show that the realization of the potential of a fertile site is not guaranteed for Machiavelli and is very much contingent upon the “ordering of laws” and the “mode of proceeding” where spatial expansion is concerned. If the “ordering of laws” fails to fully embrace what a fertile space means for Machiavelli—spatial expansion and all that it entails—then political survival is imperiled and the “greatness,” which Rome achieved, will prove elusive. If the wrong “mode of proceeding” is selected, this too will imperil the imperial project and the quest for “greatness.” Had Rome failed on either one or both of these counts, it would not be the exemplar that Machiavelli holds up as worthy of imitation. Because each of the natural necessities is linked to and is a gateway into understanding the others and, for the sake of continuity from the previous chapter, I begin my analysis of spatiality from where we left off in the previous chapter with the umori as they produced alternatively conflict and order within political space.

The “Ordering of Laws”: To Channel or Not To Channel the Humors

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8 D I.1, 8.
9 D I.7, 24.
10 D I.1, 8.
11 D II.1, 127.
Just because the humors are a necessity of socio-political existence in cities for
Machiavelli does not mean that either the causes for their activation are always present, or that
their effects are uniform. To see this, we have to once delve into Machiavelli’s analyses of
Venice, Sparta, and Rome, all of which were discussed in chapter 3 from the standpoint of the
natural necessity of time (recall that I termed the Venetian/Spartan model “static,” and the
Roman model “dynamic”). In this chapter, however, I want to begin the analysis from the
standpoint of the natural necessity of human nature, the umori, and in doing so gain entry to
understanding these cities from the natural necessity of space and, ultimately, the necessity for
expansion. Machiavelli ponders whether or not Rome could have “produced the great effects
that it produced without having such enmities in it,” referring to disunion and tumult. He writes
that

> it has appeared to me a thing worthy of consideration to see whether a state
could have been ordered in Rome that would have removed the aforesaid
controversies. For him who wishes to examine this it is necessary to have
recourse to those republics that have been free for a long while without such
enmities and tumults and to see what state they had and whether it could be
introduced in Rome. For an example among the ancients there is Sparta, among
the moderns Venice, named by me above.  

Venice was organized such that it “did not divide the government by names, but under
one appellation all those who can hold administration are called gentleman.” Machiavelli
attributes this ordering to “chance, more than by the prudence of him who gave them laws” due
to the origins of the city, discussed in I.1 and in chapter two, above. Once “it appeared to them
that there were as many as would be sufficient for a political way of life, they closed to all others
who might come newly to inhabit there the way enabling them to join in the government.”

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12 D I.6, 20.
13 D I.6, 20, emphasis added. I emphasize “chance” here because Rome was also ordered by “chance” (at least in part: “what an orderer had not done, chance did”), as Machiavelli tells us in D I.2, 14. This is in direct contrast to the Spartan case where it was the prudence of Lycurgus that gave Sparta its ordering at the beginning of the city. While Sparta is perhaps the best example of the “static” model I discussed in the previous chapters, the role of “chance” in Venice’s historical political development does not make it “dynamic” as we shall soon see.
Those who came after this point were called “the populace.”\textsuperscript{14} All those who came after the government of gentleman was formed, in finding the state steady and closed off, had neither cause nor occasion to make a tumult. The cause was not there because nothing had been taken from them; the occasion was not there because whoever ruled held them in check and did not put them to work in things in which they could seize authority. Besides this, those who came later to inhabit Venice were not many, nor of such number that there was a disproportion between whoever governed them and those who were governed; for the number of gentleman is either equal or superior to them. So for these causes Venice could order that state and maintain it united.\textsuperscript{15}

Machiavelli has here given us the keys to analyzing the question of when and how the humors are activated so as to generate disunion: we must look for cause, or motivation, and occasion, or opportunity. Venice was ordered such that it provided its citizens with neither. The “populace” could not find “cause” to alter the order because “nothing had been taken from them.” Nor could they find the “occasion” as they were not “put to work in things in which they could seize authority,” which we realize as we read further on in I.6 is a reference to being put to work as soldiers, and thus they lacked the leverage over the political class of the city that participation in a civic militia would have provided. But this not being “put to work” is also a reminder of the underlying logic of the Roman plebs’ support of Brutus and the nobility against Tarquin who “excited the plebs against himself, tiring it out in mechanical things all alien to what his predecessors had put them to work in.”\textsuperscript{16} Additionally, the Venetian population was not very large as those who came after the division into “gentleman” and “populace” were few in number. As a result of this, a “disproportion” between rulers and ruled did not form, and the “gentleman” could “maintain it united.”

In contrast to Venice, Sparta “was governed by a king and by a narrow Senate,” and “could maintain itself for so long a time because they could live united a long time.” This was

\textsuperscript{14} D I.6, 20.
\textsuperscript{15} D I.6, 20-21, emphasis added.
\textsuperscript{16} D III.5, 217.
because the population of Sparta was small as “they blocked the way to those who might come to inhabit it, and the laws of Lycurgus were held in repute.” Because they were “observed,” the laws of Lycurgus “removed all causes of tumult.”\(^{17}\) Indeed,

Lycurgus with his laws made more equality of belongings and less equality of rank; for there was an equal poverty and the plebeians were less ambitious because the ranks of the city were spread among few citizens and were kept at a distance from the plebs; nor did the nobles, by treating them badly, ever give them the desire to hold rank. This was because the Spartan kings, placed in that principality and set down in the middle of the nobility, had no greater remedy for upholding their dignity than to keep the plebs defended from every injury, which made the plebs not fear and not desire rule. Since the plebs neither had nor feared rule, the rivalry that it could have had with the nobility was taken away, as well as the cause of tumults; and they could live united a long time. But two principal things caused this union: one, that there were few inhabitants in Sparta, and because of this they could be governed by few; the other, that since they did not accept foreigners in their republic they had opportunity neither to be corrupted nor to grow so much that it was unendurable by the few who governed it.\(^{18}\)

In Sparta, we see the humors dormant and social concord and union ensured by maintaining “equality of belongings” (wealth), and by ensuring that the plebs neither feared rule nor desired it by protecting them “from every injury” (by the nobles) through the power of the king. The lack of fear amongst the plebs is critical because, as we have seen in each chapter (particularly the previous two), fear produces the kind of necessity which can lead to political change and, under the right conditions, (re)founding. Underlying all of these things was that Sparta, like Venice, possessed a small population as “they did not accept foreigners in their republic” and thus also could not be corrupted by either foreign influences or growth. As for “the few who governed it,” they could do so with ease, especially “because the ranks of the city were spread among few citizens and were kept at a distance from the plebs…”

Now that Machiavelli has drawn out the particular factors from the Venetian and Spartan orderings that produced concord and social union, he can use them as a sort of “baseline” against

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17 Di.6, 21, emphasis added.
18 Di.6, 21, emphasis added.
which he can contrast the ordering of the Roman republic—the very model he holds up as the
example to be imitated. “Considering thus all these things,” he writes,

(o)ne sees that it was necessary for the legislators of Rome to do one of two
tings if they wished Rome to stay quiet like the above-mentioned republics:
either not employ the plebs in war, as did the Venetians, or not open the way to
foreigners, as did the Spartans. *They did both, which gave the plebs strength and
increase and infinite opportunities for tumult.*

The Roman model, in other words, was *precisely the opposite* of the concord/union
model variants found in Venice and Sparta and for this reason is the model worthy of imitation.
First, the Romans used the plebs in war, i.e. “put them to work in things in which they could
seize authority,” which by refusing “to enroll their names to go to war,” the plebs used as
leverage over the nobility. Second, they accepted foreigners, with the implication that the
population of the city potentially not only had diverse cultural influences, but more importantly
that the *plebeian* population itself grew dramatically. Third (and an outgrowth of the large and
growing plebeian population), unlike Venice and Sparta where Machiavelli describes a
politically-manageable proportion between the nobility and the people, we see through the rapid
growth of the plebeian population in Rome a “disproportion” form between rulers and ruled. In
sum: Rome’s possession of a large and growing plebeian population (both in absolute terms as
well as relative to the nobility) *and* one in which the average plebeian male was trained for
combat and employed in war primed the city for class disunion and tumult, which were in turn
the very things necessary for producing a dynamic republic capable of handling the various,
never-ending stream of necessities which arose there. All that was required was the “occasion”
which, as we saw in the previous chapter, was the death of the Tarquins. Their death lifted the

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19 *D I.6, 21, emphasis added.*
20 *D I.4, 17.*
21 Although it is left unsaid by Machiavelli, the fact that the plebs had experienced warfare and knew how to use
arms implies that they could physically threaten the nobility beyond engaging in “tumult,” which served as another
check upon the nobility.
fear that the nobles formerly had of alienating the plebs and allowed them to now act naturally, that is, in accord with their humor (a “great desire to dominate”\textsuperscript{22} the plebs/people), venting it upon the plebs, which in turn caused the latter to \textit{fear} and act naturally and in accord with their humor (“desire not to be dominated”\textsuperscript{23} by the nobility), resisting and rebelling—something that the Venetian and Spartan arrangements precluded.

A driving force for humoral discord and many “intrinsic” accidents\textsuperscript{24}, therefore, was the massive \textit{plebeian} population growth. It is this growth which creates the kind of disproportion between the plebs and nobles that was lacking in Sparta and Venice, and for Machiavelli it is central as to why they failed to experience disunion and tumult. For Machiavelli, understanding “perfection” is not only about the proper conception of free institutions (e.g. the tribunate), but is also about how to produce this disproportion, primarily through expansion and empire. We can begin to make sense of how this occurred by turning to Book II of the \textit{Discourses}, where Machiavelli “discourses of things” that occurred “outside the city.”\textsuperscript{25} In the preface to Book II, Machiavelli writes that while “having spoken in the discourses of the book above of decisions made by the Romans pertaining to the inside of the city, in this [book] we will speak of those that the Roman people made \textit{pertaining to the increase of its empire}.\textsuperscript{26} In other words, Book II deals explicitly with \textit{expansion} or, more accurately, Rome’s “mode of proceeding”\textsuperscript{27} while engaging in its imperial project. Turning to spatial expansion/empire despite the fact that we are here concerned with the population growth that occurred \textit{inside} the city may seem odd but, as we

\textsuperscript{22} \textit{D} I.5, 18.
\textsuperscript{23} \textit{D} I.5, 18.
\textsuperscript{24} But not only these; as we will gradually see, the population growth was also tied to what Machiavelli calls “extrinsic” accidents, or “accidents” caused from beyond the political community (i.e. from external threats). Delving into these was beyond the scope of this project but they pose no challenge to it: the external accidents resulted from spatial expansion, further feeding the process of (re)founding. Again, see \textit{D} I.33, 71.
\textsuperscript{25} \textit{D} II, preface, 125, emphasis added.
\textsuperscript{26} \textit{D} II.1, 127.
shall increasingly see in this chapter, for Machiavelli the two are not separate processes but are instead interdependent, with both acting as a cause for and effect of the other. For Machiavelli, the processes “inside” the city as well as those “outside” of it were intimately connected and occurring simultaneously.

The “Mode of Proceeding”: “…make a people numerous…”

As we now know, a significant part of Rome’s imperial “mode of proceeding” pertained to its domestic population growth. What does this mean? “Those who plan for a city to make a great empire,” Machiavelli instructs, “should contrive with all industry to make it full of inhabitants, for without this abundance of men one will never succeed in making a city great.”

That “abundance” is important for Machiavelli we already know from the first chapter of Book I, where a “fertile” site is a superior choice over a “sterile” one because a city in a fertile space can “expand” because of the “abundance of the site.” What was implicit there is explicit here: the “abundance” of a fertile space is what allows for (literally “feeds”) an “abundance” of “inhabitants.” The process through which this population growth is accomplished is done in two modes: by love and by force. By love through keeping the ways open and secure for foreigners who plan to come to inhabit it so that everyone may inhabit it willingly; by force through undoing the neighboring cities and sending their inhabitants to inhabit your city.

For Machiavelli “love,” or opening the way for foreigners so that they may come “willingly,” is generated through the vivere libero, “the free way of life,” itself both cause and effect of expansion and empire. “It is an easy thing to know whence arises among peoples this affection for the free way of life,” he writes, “for it is seen through experience that cities have

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28 D I.6, 21, emphasis added.
29 D II.3, 133.
30 D I.1, 8.
31 “Force” will be examined in greater detail in the next section.
32 D II.3, 133-134, emphasis added.
33 D II.2, 129-133.
never expanded either in dominion or in riches if they have not been in freedom." As we already know, this freedom is born out of humoral discord and the political disunion and tumult that result. But as we now also know, these are themselves partially products of population growth, which we are learning is itself a product of spatial expansion. "(A)bove all," he continues later,

it is very marvelous to consider how much greatness Rome arrived at after it was freed from its kings. The reason is easy to understand, for it is not the particular good but the common good that makes cities great. And without doubt this common good is not observed if not in republics, since all that is for that purpose is executed and although it may turn out to harm this or that private individual, those for whom the aforesaid does good are so many that they can go ahead with it against the disposition of the few crushed by it.

For Machiavelli, cities that enjoy the free way of life, i.e. "republics," offer protection of the “common good,” or those benefits which all can enjoy. Machiavelli gives a more detailed explanation of what these are and why they might generate the “love” that would attract foreigners to a city that possessed it.

For all towns and provinces that live freely in every part (as was said above) make very great profits. For larger peoples are seen there, because marriages are freer and more desirable to men since each willingly procreates those children he believes he can nourish. He does not fear that his patrimony will be taken away, and he knows not only that they are born free and not slaves, but that they can, through their virtue, become princes. Riches are seen to multiply there in larger number both those that come from agriculture and those that come from the arts. For each willingly multiplies that thing and seeks to acquire those goods he believes he can enjoy once acquired. From which it arises that men in rivalry think of private and public advantages, and both the one and the other come to grow marvelously.

All of these are causes for why a foreigner would want to relocate to a city such as Machiavelli describes here. But beyond this list of “causes” for the “love” for the free way of life, this is also a list of the free way of life’s effects. The “common good” of the free way of

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34 D II.2, 129, emphasis added.
35 D II.2, 129-130, emphasis added.
36 D II.2, 132, emphasis added.
life, the “common utility,” the absence of constant “fear,”\textsuperscript{37} all produce certain effects, and here we are concerned with this one: “\textit{larger peoples are seen there.}”\textsuperscript{38} This is critical because, as was shown above, “without this abundance of men one will never succeed in making a city great.”\textsuperscript{39} Indeed, by “the time of the sixth king eighty thousand men able to bear arms inhabited Rome,”\textsuperscript{40} keeping in mind that that was \textit{before} the city had become a republic (and free) where the real gains and growth were to be had. Machiavelli introduces the metaphor of “the good cultivator” to the reader to describe the underlying logic of Rome’s practices for growing the city:

For the Romans wished to act according to the usage of the good cultivator who, for a plant to thicken and be able to produce and mature its fruits, cuts off the first branches it puts forth, so that they can with time arise there greener and more fruitful, since \textit{the virtue remains in the stem of the plant}.\textsuperscript{41}

The “stem” of the plant is a metaphor for the people, for the plebs of Rome. As we already know per I.6, it is only through having “a people numerous and armed”\textsuperscript{42} that an empire can be constructed, the humors activated, disunion and tumult generated, and channeled in a way that freedom can be realized in practice. We can see “that this mode taken to expand and make an empire was \textit{necessary and good}” by contrasting Rome’s mode to those “of Sparta and of Athens.”\textsuperscript{43} Machiavelli writes that

\begin{quote}
(t)hough they were two republics very armed and ordered with very good laws, nonetheless they were not led to the greatness of the Roman Empire; and Rome seemed more tumultuous and not so well ordered as they. No other cause of this can be brought up than that cited before: \textit{that having thickened the body of its city by those two ways}, Rome could already put in arms two hundred eighty thousand men, and Sparta and Athens never passed beyond twenty thousand
\end{quote}

\textsuperscript{37} There was, of course, sufficient periodic fear to produce the opportunity for (re)founding.
\textsuperscript{38} \textit{D} II.2, 132, emphasis added.
\textsuperscript{39} \textit{D} II.3, 133.
\textsuperscript{40} \textit{D} II.3, 134.
\textsuperscript{41} \textit{D} II.3, 134, emphasis added.
\textsuperscript{42} \textit{D} I.6, 21.
\textsuperscript{43} \textit{D} II.3, 134, emphasis added.
\textsuperscript{44} Through “love” and through “force.”
In this passage, Machiavelli is not only once again critiquing a conventional position, this time the conventional position regarding expansion and empire, but also illustrating to us why Rome is the example that should be imitated. Rome of necessity must have been better ordered than both Sparta and Athens because of “the greatness” to which it was led (but to which they were not) because of the relative size of its population compared to both of theirs’. The “tumultuousness” of Rome was a sign of the process of “perfection” being realized in action through this venting of the humors though now we see that this only could have arisen with a large population such as Rome—but neither Sparta nor Athens—possessed. Thus,

\[(\text{s})\text{ince all our actions imitate nature, it is neither possible nor natural for a thin trunk to support a thick branch. So a small republic cannot seize cities or kingdoms that are sounder or thicker than it. If, however, it seizes one, what happens is as with a tree that has a branch thicker than the stem: it supports it with labor, and every small wind breaks it...This could not happen to Rome since its stem was so thick it could easily support any branch whatever.}\]

Through the metaphor of “the good cultivator,” Machiavelli has once again returned us to his understanding of nature and thus of what is natural. Only a “natural” city like Rome can build an empire that can embrace and utilize the “natural” causal forces that exist—both those arising directly out of nature and those arising out of human society—to achieve the dynamism necessary for (re)founding itself periodically. On the other hand, Machiavelli might seem to be
contradicting himself when he writes that Rome’s greatness “arose not from Rome’s site’s being more benign than theirs, but only from its different mode of proceeding.” Rome is seemingly “natural” and “artificial” at the same time.

This dual-nature returns us (again!) to the beginning of the Discourses and the discussion of “generic” founding in chapter two. Rome was successful because it was closest to nature both through allowing it to shape the city and through its imitation of it, the latter being an artificial act. Rome utilized what the “fertile” site naturally furnished as “matter” to be shaped: “men who are idle and unfit for any virtuous exercise,” and their greater “cause for discord.” These in turn were used as an opportunity to produce an artificial order—“a necessity to exercise on those who had to be soldiers”—which effectively imitated the logic of the “sterile site” “so that through such an order they became better soldiers there than in countries that have naturally been harsh and sterile.” The nature and naturalness of the “fertile” site-space has been intentionally shaped by subsequent generations of (re)founders who utilized the logic of the naturally-occurring “sterile” site to better it, with the latter helping to realize the potential of the former. All of this becomes clearer when we once again recall that for Machiavelli “all our actions imitate nature.” Had Sparta and Athens—of which there is no indication by Machiavelli that they suffered from “sterile” site-spaces—acted as Rome had in terms of their “mode of proceeding” vis-à-vis generating a large population bearing arms, they would have increased their chances of producing the same effects that Rome had enjoyed. Furthermore, if they enjoyed the same effects as Rome had, they too would have been dynamic and worthy of

49 D II.3, 134.
50 D I.1, 8.
51 D I.1, 9.
52 D II.3, 134.
imitation for Machiavelli in both the present and future as opposed to remaining conventional, static ideals.

Before proceeding onto the next section, it is worth posing this question: is Machiavelli, in rejecting the conventional, static models of Sparta and Venice (and now, Athens as well), appealing to the “greatness” achieved by the Romans as the reason to follow that model or is he suggesting that Rome be imitated because of its ability to successfully manage the unavoidable necessity of expansion and empire-building? Perhaps it is a bit of both: “greatness” as Machiavelli understood it may very well be an effect of embracing and utilizing the various necessities which a city such as Rome had to embrace and utilize in the pursuit of empire—itself a necessity for him. “Greatness” on this reading itself becomes a byproduct of the processes which lead to and allow for expansion, rather than some idealized version of civic virtue which should be imitated, a la the conventional Spartan and Venetian models.

The “Mode of Proceeding”: “…make a people numerous and armed…”

We cannot adequately grasp Machiavelli’s emphasis on the growth in the plebeian population and the acceptance of foreigners without also looking to their simultaneous employment in Rome’s armies—the very armies that gradually conquered and expropriated space “through undoing the neighboring cities and sending their inhabitants to inhabit” with “undoing” clearly meaning the use of “force.” “Force,” as we know, is one of the two ways to grow the population of a city along with “love.” I want to suggest, however, that these two modes are not at odds with each other but are complementary, with “love” making it easier for those displaced by “force” to join the political community. “Love”—or “affection,” an

53 D I.6, 21, emphasis added: “A people numerous and armed so as to make a great empire…”
54 D II.3, 134.
55 While Machiavelli argued in The Prince that “it is much safer to be feared than loved,” “love” (for the prince) and “fear” (of the prince) are not necessarily antagonistic, particularly when “fear” does not generate hatred. In perhaps a
outgrowth of the free way of life—also helps enable the use of “force” for spatial expansion and for the relocation of defeated enemies/foreigners to the city as “it is seen through experience that cities have never expanded either in dominion or in riches if they have not been in freedom.”

In short, the “love” (generated by the “free way of life”/“freedom”) and “force” work together to grow the city.

How was that “force” organized? The answer lies in the second component of the Roman “mode of proceeding” which has been referred to briefly but not explored until now: Rome’s decision to “employ of the plebs in war.” Their employment is absolutely critical for understanding the Roman mode, because as we know it is because of this that the plebs were able to gain political concessions from the nobility by refusing to be employed in war. Without going into too much depth, we can see how the Romans did this for Machiavelli.

Machiavelli writes that the Romans made their wars, as the French say, short and massive; since they came into the field with big armies, all the wars they had with the Latins, Samnites, and Tuscans were dispatched in a very brief time…For their usage was this: as soon as the war was declared, they came outside with their armies opposite the enemy and at once did battle. Once it was won, the enemy agreed to conditions so that their countryside would not be quite spoiled. The Romans condemned them to a loss of land, which land they converted to private advantage or consigned to a colony that, placed on their frontiers, came to be a guard of the Roman public, who kept that guard without expense. Nor could this mode be more secure, stronger, or more useful. For while the enemies were not in the field, that guard was enough; and if they came outside massively to crush that colony, the Romans also came outside massively and came to a battle with them. When the battle was done and won, having imposed heavier conditions on them, they returned home. Thus they gradually came to acquire reputation over them, and force within themselves.

Two things are occurring in this passage. The first is the nature of Roman warfare: because it was popular in character, it was “short and massive.” But this was only possible

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56 D II.2, 129.
57 D I.6, 21.
58 D II.6, 141, emphasis added.
because the population of the city had already grown considerably (through the acceptance of foreigners). The second is the redistribution of captured land (space) from enemies among the Roman public which, as we shall see, included both the plebs and nobles. But the redistribution of captured land among the plebs—and continued expansion—were only possible because the plebs were already employed in war. Later, as the Romans continued to expand, “necessity kept them more in the field because they made them at a greater distance,” and so as “to be able to make war at length,” they began “the paying of the soldiers,” a practice that “was not necessary when the wars were brief.” Although the pay enabled them to “make their wars longer,” the Romans “never varied from their first order of finishing them quickly, according to the place and the time, nor did they ever vary from sending colonies.”\textsuperscript{59} Thus the population of Rome continued to grow as defeated and displaced foreigners were resettled in Rome, and the physical territory under the Romans’ control grew as they defeated enemies and took their lands. Both were possible due to the employment of the plebs in war.

The Romans’ reliance upon their own soldiers led to another development which for Machiavelli proved decisive: the city grew rich. While initially the spoils of war had been divided up among the soldiers, once they began to be paid the spoils were used “to fatten the public with it so that they would not be constrained to carry on campaigns with taxes from the city. In a little time this order made their treasury very rich.”\textsuperscript{60} Between their practices regarding spoils, “sending colonies” to take conquered lands, and “finishing wars quickly,” the Romans were better positioned “to wear out their enemies at length through defeats, through raids, and through accords made to their own advantage” and “became ever richer and more powerful.”\textsuperscript{61}

\textsuperscript{59} D II.6, 141, emphasis added.
\textsuperscript{60} D II.6, 141-142.
\textsuperscript{61} D II.6, 142.
It is therefore no surprise that in his discussion of whether “money” or “men” is more important for war, Machiavelli chooses the latter, writing that “I say therefore that not gold, as the common opinion cries out, but good soldiers are the sinew of war; for gold is not sufficient to find good soldiers, but good soldiers are quite sufficient to find gold.”\(^{62}\) “Money,” he writes later in the chapter, “is quite necessary in second place, but it is a necessity that good soldiers win it by themselves; for it is as impossible for money to be lacking to good soldiers as for money by itself to find good soldiers.”\(^{63}\) Later, when comparing types of force an army utilizes (infantry, artillery, and cavalry), Machiavelli privileges the infantry, writing that “the foundation and the sinew of the army, and that which should be esteemed more, should be the infantry,”\(^{64}\) because a foot soldier can be “taught to observe order, and that he has to resume it if it is disturbed.”\(^{65}\) Artillery for him is only as useful as those who use it (i.e. trained, virtuous soldiers)\(^{66}\), and where cavalry is concerned, because “it is difficult to make horses observe order, and impossible to reorder them when they are disturbed,” and because the temperament of a horse varies and ultimately “(o)rdered infantry can easily break horse, and only with difficulty be defeated by them.”\(^{67}\)

Ultimately, the plebs in their role as soldiers—and citizens—are the “heart” of a city that wishes to generate power or, as Machiavelli describes it, “have force within themselves.”\(^{68}\) For him, the closer an enemy drew to Rome, the stronger the Romans became (as was the case of Hannibal and the Carthaginians), and “(a)ll this arose from having the heart well armed and taking less account of the extremities,” with the “heart” being the plebs in and around Rome, and

\(^{62}\) \(D\ II.10, 148.\)  
\(^{63}\) \(D\ II.10, 149.\)  
\(^{64}\) \(D\ II.18, 169.\)  
\(^{65}\) \(D\ II.18, 168-169.\)  
\(^{66}\) \(D\ II.17, 168.\)  
\(^{67}\) \(D\ II.18, 169.\)  
\(^{68}\) \(D\ II.6, 141.\)
the “extremities” being the conquered at the edge of the ever-expanding empire.\textsuperscript{69} Thus, as the spatial dimension shifted for the Romans—sometimes nearer, sometimes farther—their power relative to the enemy du jour also shifted. By relying upon their “heart”—the plebs—the Romans were able to make war both near and far. By distributing land to the plebs from amongst the conquered, the Romans were able to guard their ever-more-distant borders without expense via their colonies, unlike the corrupt emperors of the later Roman Empire and Machiavelli’s contemporary Florentines, Venetians, and French who all attempted to defend their borders through buying friendships with other powers.\textsuperscript{70}

This element of Rome’s “mode of proceeding,” that is, using the plebs in war, also requires their proper training, i.e. the “education in which you are raised,” and a good one prevents an army comprised of its own people from “becoming insolent in good fortune and abject in bad,” or the reverse. When the education “is weak and vain, it renders you like itself; when it has been otherwise, it renders you also of another fate.”\textsuperscript{71} This returns us almost to the beginning of the \textit{Discourses}, where in I.4 Machiavelli writes

\begin{quote}
Nor can one in any mode, with reason, call a republic disordered where there are so many examples of virtue; for good examples arise from \textit{good education}, good education from good laws, and good laws from those tumults that many inconsiderately damn.\textsuperscript{72}
\end{quote}

\textit{“Good education” partially arose from the practices of the Roman religion}\textsuperscript{73}, the “sight (of which) being terrible, \textit{rendered men similar to itself.”}\textsuperscript{74} But it also arose from “good laws” whose origins are traced by Machiavelli back to “those tumults that many inconsiderately damn”

\begin{footnotes}
\item[69] D II.30, 201.
\item[70] D II.30, 200-201.
\item[71] D III.31, 283.
\item[72] D I.4, 16, emphasis added.
\item[73] See chapter two.
\item[74] D II.2, 131, emphasis added.
\end{footnotes}
and “a good military” which is “the foundation of all states.” In fact, for Machiavelli “at every point in reading this history one sees this necessity appear; and one sees that the military cannot be good unless it is trained, and that it cannot be trained unless it is composed of your subjects.”

It is the interconnection and eventual interdependent causation of “a good military” and “those tumults that many inconsiderately damn” that is central for Machiavelli and his Discourses. The former, being “composed of your subjects,” allowed Rome to expand across space, and this spatial expansion cultivated and activated the umori, the humors (see the comparison of Rome to Sparta and Venice above), and these flared up as they did due to the employment of the plebs in war for the purposes of spatial expansion. Successful spatial expansion necessitates a “good military,” which in turn necessitates the use of the plebs in war, which necessitates the kind of domestic political dynamics that fuel the humors and tumults, and these in turn necessitate further spatial expansion.

The “Mode of Proceeding”—“A people numerous and armed so as to be able to make a great empire…”

For Machiavelli, the long-term successful use of “force” means nothing other than the employment of the plebs in war—and this carries further implications and consequences beyond the internal dynamics of the city like humoral discord, disunion, and tumult. Externally, it means a certain “mode of proceeding” in expanding as well as in making war. Both of these can be thought of as part of the dynamic Roman model which I have argued Machiavelli has been developing throughout the Discourses. In this section, I want to focus upon how the Romans expanded. For him, there are three “modes of expanding”: either through a “league” of “several

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75 D III.31, 283.
76 D III.31. 283, emphasis added.
77 D I.6, 21.
republics together, in which none was before another in either authority or rank; in acquiring
other cities they made them partners” (e.g. the ancient Tuscans or contemporary Swiss)78;
“(a)nother mode is to get partners but not so much that the rank of command, the seat of empire,
and the title of the enterprises do not remain with you, which mode was observed by the
Romans”; and finally, “(t)he third mode is to get not partners but direct subjects as did the
Spartans and Athenians.”79

What is noteworthy about the first mode of expanding through a “league” of equal
“partners” is that “you cannot expand very much with it,” and
two goods follow: one, that you do not easily take a war on your back; the other,
that you easily keep as much as you take. The cause of its inability to expand is
its being a republic that is disunited and placed in various seats, which enables
them to consult and decide only with difficulty. It also makes them not be
desirous of dominating; for since there are many communities to participate in
dominion, they do not esteem such acquisition as much as one republic alone
that hopes to enjoy it entirely. Besides this, they govern themselves through a
council, and they must be slower in every decision than those who inhabit within
one and the same wall. The like mode of proceeding is also seen by experience
to have a fixed limit, of which we have no example that shows it may be passed.
It is to reach twelve or fourteen communities and then not to seek to go further.
For having arrived at a rank that seems to enable them to defend themselves
from everyone, they do not seek larger dominion, both because necessity does
not constrain them to have more power and because they do not see any
usefulness in acquisitions, for the causes said above.80

The problem with this mode then is that it ultimately tends against spatial expansion, the
very thing that grows the population of the city, animates the humors leading to disunion and
tumult, and which together produce the “free way of life”—and necessitate further expansion.
To constantly re-animate the humors and produce the effects which lead to freedom requires
constant, ongoing expansion as well as the will to do so. This “mode of proceeding” ultimately
denies both. Beyond this, Machiavelli cites examples of leagues—the ancient Tuscans in Italy

78 D II.4, 135.
79 D II.4, 136.
80 D II.4, 137, emphasis added.
and the Aetolians in Greece—who were gradually defeated and absorbed by the Romans, a sign of the superiority of the latter’s “mode of proceeding.”

The mode of the “Spartans and the Athenians” who proceeded not by gaining partners “but direct subjects…is entirely useless.” This is the case for Machiavelli because they “acquired dominion they could not keep”\(^81\) for, as we already know, they lacked sufficient numbers of soldiers to do so.\(^82\) These cities, like the leagues mentioned above, were also conquered and absorbed by the Romans. Ultimately, “governing cities by violence, especially those accustomed to living freely, is a difficult and laborious thing. If you are not armed and massive with arms, you can neither command nor rule them. To be like that it is necessary to get partners who aid you and make your city massive with people.”\(^83\)

This final point brings Machiavelli—and us—to the Roman “mode of proceeding” where expansion is directly concerned. Rome “did the one and the other”—made partners and made its “city massive with people”—and “it therefore rose to such excessive power.” As no other city proceeded in this way, Rome “was also alone in becoming powerful.” Rome “got many partners throughout Italy who in many things lived with it under equal laws, and, on the other side, as was said above, it always reserved for itself the seat of empire and the title of command.” But because of this last part, Rome’s “partners came to subjugate themselves by their own labors and blood without perceiving it.” As Rome expanded beyond Italy and the “subjects” they acquired “did not care about being subjects since they were accustomed to living under kings,” and since the Romans were in charge militarily and administratively, they effectively replaced the “kings” insofar as their newly acquired “subjects” were concerned. As a result,

\(^{81}\) D II.4, 136.

\(^{82}\) See the discussion above of D II.3, 133-135 and especially the discussion of “the good cultivator” and the necessity for a “thick stem.”

\(^{83}\) D II.4, 136.
The Roman model does not seek subjects—at least not at first. Instead they initially seek partners who are near-equals: they are only equal between and amongst themselves; abroad, Rome is recognized by the conquered as superior. Later, once the empire is larger, subjects come as a byproduct of this mode of expansion—including those who helped construct it who were formerly near-equals. While the Roman model was unique, we see how it utilized the mode of leagues—in slightly but crucially altered form—to achieve the end of the Spartan/Athenian model of gaining subjects only with this hybrid Roman model, they were able to keep them because of their vastly greater size and numbers.

In simultaneously expanding through space and growing its population through “love” and through “force,” Rome took control of time. By becoming as large as it did both spatially and in terms of its population, and through their mode of relating to their partners as near-equals except where empire was concerned, Rome came to control their partners’ time. When their allies realized they were becoming subjects rather than partners, “they were not in time to remedy it,” as Rome had become too powerful by then. Just as the process of (re)founding created political space for the necessary alterations so that the city could have more time (what I sometimes have referred to as “creating time”), spatially expanding like Rome did likewise “creates” time—by stealing it from its partners (to speak nothing of its enemies!).

84 D II.4, 136-137, emphasis added.
Yet this process—Rome’s theft of time from its partners—occurred while Rome was already in the process of stealing space (and time) from its enemies. Because cities like Rome develop “so much reputation” through their “mode of proceeding” (described above),

every neighboring prince and people is afraid for itself to assault it, and fears it, “and it always happens that none of them will ever assault it if not necessitated to do so. So it will be almost in the choice of that power to make war with whichever of its neighbors it likes, and to quiet the others with its devices. And, partly out of respect for its power, partly deceived by those modes that it used to put them to sleep, those are easily quieted. Those other powers that are distant and do not have business with it care for the thing as a distant affair that does not belong to them. They stay in this error until this fire comes near them; when it has come, they have no remedy to eliminate it unless with their own forces, which then are not enough, since it has become very powerful. 85

Notice in this passage all of the spatial references—“neighboring,” “distant,” and “near”—as well as terms such as the usual suspects “afraid” and “fear.” 86 Also notice that the generation of fear through power and ever-changing proximity (as Rome grew, old neighbors became incorporated and new neighbors physically/territorially reached), acted to “freeze” the distant powers in place and prevent them from taking action against the Romans. Machiavelli uses the Carthaginians as an example of this phenomenon,

who were of great power and great estimation when the Romans combated the Samnites and the Tuscans. For they already held all Africa, they held Sardinia and Sicily, and they had dominion in part of Spain. Their power, together with the distance between their borders and the Roman people, made them never think of assaulting the latter or of succoring the Samnites and the Tuscans; instead they acted rather in their favor, as is done with things that grow, linking up with them and seeking their friendship. Nor did they perceive the error they made before the Romans, having subdued all the peoples between them and the Carthaginians, began to combat them over the empire of Sicily and of Spain. 87

The Carthaginians made the mistake that Machiavelli seems to be warning his readers of throughout the Discourses: they conceptualized and treated space, time, and power as though they were static entities independent of one another. It was true that initially the power of the Carthaginians was great and that a great distance existed between themselves and the Romans.

85 D II.1, 127, emphasis added.
86 “Fear” is of course also central to the plebeians’ motivation for rebelling against the nobility. Drawing this parallel suggests that “fear” is central to all kinds of relations for Machiavelli, both domestic and foreign.
87 D II.1, 127-128, emphasis added.
But as that distance began to change, so too did the power of the Romans vis-à-vis the Carthaginians and, in a manner of speaking, so did the time the latter had available to them to “remedy” their situation. It seems from all of this that time has a way of “speeding-up” or of being “compressed” as the distance between powers decreases, itself a result of the growing power of one, the other, or both. But as we know from the Roman case, power is generated from within through growing the population through “love” and “force,” through the disproportion between rulers and ruled this creates, through the employment of the plebs in war, through the disunion and tumult this generates, through the accidents which produce opportunities for (re)founding, and from the free way of life which this produces. All of these, in turn, are possible only if a city embarks upon spatial expansion, i.e. “empire.” Space, time, and power are all working together dynamically, with each the cause and effect of the others. By illustrating the example of his dynamic Romans, Machiavelli is teaching us to think and understand political reality dynamically—the key to political survival and greatness as he understood these things.

“Expansion” or “Maintenance”?

One question may remain for the unconvinced: is spatial expansion truly a necessity? I have argued throughout this project that Machiavelli is trying to show us what a “dynamic” republic looks like and how, through its dynamism, it can manage the various and never-ending stream of necessities which arise. So, to really answer the question of whether or not spatial expansion is necessary for a political community intent upon surviving and creating/(re)creating its liberty means examining the relationship between such expansion and the dynamism of a city. Such dynamism requires, I have argued, the ability to “embrace” time and the ability to “embrace” the humors, to accept both and allow them to naturally “flow” rather than artificially attempting to “freeze” them in place. Concretely speaking, to understand the political lessons of
Machiavelli’s *Discourses* we need to answer the question of what really determines whether or not a republic is to be “dynamic” like Rome, or “static” like Venice and Sparta for Machiavelli? A clue can be found in I.5 where Machiavelli discusses whether to place the “guard of freedom” with the plebs/people or with the nobility.

In the end, he who subtly examines the whole will draw this conclusion from it: you are reasoning either about a republic that wishes to make an empire, such as Rome, or about one for who it is enough to maintain itself. In the first case, it is necessary for it to do everything as did Rome; in the second, it can imitate Venice and Sparta, for the causes that will be told in the following chapter.  

The themes of “expansion” and “maintenance” in I.5 were already being used to describe the humoral disposition of the plebs and the nobles, respectively, and Machiavelli has now extended those to distinguish between types of republics. There are therefore two kinds of republics: one set upon expanding across space (in a sense, “embracing” it, and subsequently being forced to embrace time and the humors as well), and one set upon maintaining the space it already possesses (and thus attempting to escape time). If we turn to “the following chapter” (I.6 and the source of our understanding of the orderings of Venice, Sparta, and Rome), this distinction between “expansion” and “maintenance” is picked back up by Machiavelli—only to be obliterated by him as a false one.

If the Romans had done as either Venice or Sparta did, the disunion which produced the tumults would have evaporated for the reasons already given above. The question for Machiavelli in this hypothetical scenario—in all scenarios, really—is one of effectual truth, i.e. “what would the effects of an absence of disunion and tumult have been?”

But if the Roman state had come to be quieter, this inconvenience would have followed: that it would also have been weaker because it cut off the way by which it could come to the greatness it achieved, so that if Rome wished to remove the causes of tumults, it removed too the causes of expansion. In all human things he who examines well sees this: that one inconvenience cannot be suppressed without another’s cropping up. Therefore, if you wish to make a people numerous and armed so as to be able to make a great empire, you make

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88 *D I.5, 18*, emphasis added.
it of such a quality that you cannot then manage it in your mode; if you maintain
it either small or unarmed so as to be able to manage it, then if you acquire
dominion you cannot hold it or it becomes so cowardly that you are the prey of
whoever assaults you. And so, in every decision of ours, we should consider
where are the fewer inconveniences and take that for the best policy, because
nothing entirely clean and entirely without suspicion is ever found.\footnote{D I.6, 21-22, emphasis added.}

For the first time, Machiavelli has explicitly linked domestic social conflict to expansion abroad. Indeed, the humoral dynamic between the nobility and the plebs was necessarily activated by spatial expansion, although we are not yet told why by Machiavelli beyond the discussion of the respective humoral dispositions of the nobility and of the plebs. The allowance of foreigners to settle in Rome (expelled by Roman arms, attracted by Roman freedom) which resulted in rapid population growth amongst the plebs, and the use of the plebs in war (of whom many began as foreigners), gave the people the absolute and relative numerical advantage over the nobility and, ultimately, the political leverage they needed to resist the nobles who for their part still possessed property, wealth, status, and formal political power over them. What we ultimately will see is that, as with so many things in the Machiavellian political universe, expansion is not only a cause for unleashing humoral discord, but is also an effect of it. On the other side, humoral discord is both a cause \textit{and} effect of expansion. The two come to form a symbiotic relationship. For our purposes at this point, the general \textit{cause} of disunion and tumult or, more accurately, that which inflames the humors which cause these things, is \textit{spatial expansion}. Returning to the dichotomy of republics that either wish to expand or to maintain themselves in place and the consequences of each being disunion or union, respectively, Machiavelli has made clear that one cannot set out to making empire while trying to “manage it in your mode” (with class “union” dominated by the nobility) because the forces necessary for expansion—great numbers of trained, armed plebs—will eventually resist domination by the nobility.
But is “maintenance” itself even a possibility? Machiavelli spends much of the remainder of I.6 dealing with this question. One who desires to found a republic “would have to examine whether he wished it to expand like Rome in dominion and in power or truly to remain within narrow limits.” Leaving aside the fact that, as has been shown, Rome possessed many (re)founders rather than a single, Lycurgus-type founder, “expansion” (or “acquisition”\(^90\)) and “maintenance” have been presented as alternative choices by Machiavelli. The path of expansion requires ordering “it like Rome,” making “a place for tumults and universal dissensions, as best one can; for without a great number of men, and well armed, a republic can never grow, or, if it grows, maintain itself.”\(^91\) Notice how Machiavelli has collapsed the meanings of “grow” and “maintain” into each other: the things which allow a city to “grow”—“a great number of men, and well armed”—are the very things which allow it to “maintain” that which has grown (again, consider the roles of colonies here).\(^92\) In short, the means for achieving maintenance are available only through the process of expansion. But this is lost on a city that attempts to adhere to pure maintenance which requires ordering “it like Sparta and like Venice,” and “because expansion is poison for such republics, he who orders it should, in all the modes he can, prohibit them from acquiring, because such acquisitions, founded on a weak republic, are its ruin altogether.”\(^93\) “Weak” in this context means lacking sufficient numbers of potential soldiers, armed and prepared to defend the republic and its acquisitions. Sparta, “after it had subjected\(^94\) almost all Greece to itself, showed its weak foundation upon one slightest accident,” when Thebes, and then the rest of Greece, rebelled against it, demonstrating that Sparta was

\(^90\) D I.6, 22; for “acquire,” see II.19, 173.
\(^91\) D I.6, 22.
\(^92\) See D II.3, 134 for the metaphor of the “good cultivator.”
\(^93\) D I.6, 22, emphasis added.
\(^94\) At the risk of over-interpreting Machiavelli’s choice of words, notice that the Spartans “subjected almost all Greece,” an indicator of their “mode of proceeding” which proved “useless.” See D II.4, 136.
unable to hold them. Venice, “having seized a great part of Italy—and the greater part not with war but with money and astuteness—when it had to put its forces to the proof, Venice lost everything in one day.”95

But all of this prompts the next critical question for Machiavelli: is such a prohibition from expanding possible, thus allowing for the “maintenance” model to survive? Theoretically, yes. Machiavelli writes that

I would well believe that to make a republic that would last a long time, the mode would be to order it within like Sparta or like Venice; to settle it in a strong place of such power that nobody would believe he could crush it at once. On the other hand, it would not be so great as to be formidable to its neighbors; and so it could enjoy its state at length. For war is made on a republic for two causes: one, to become master of it; the other, for fear lest it seize you. These two cause the mode said above takes away almost altogether; for if it is difficult to capture it, as I presuppose, since it is well ordered for defense, it will happen rarely, or never, that one can make a plan to acquire it. If it stays within its limits, and it is seen by experience that there is no ambition in it, it will never occur that one will make war for fear of it; and so much the more would this be if there were in it a constitution and laws to prohibit it from expanding.96

Yet once this “imagined”97 republic is run through the sieve of the verità effettuale, Machiavelli obliterates it—and with it the “maintenance” model as well.

Without doubt I believe that if the thing could be held balanced in this mode, it would be the true political way of life (vivere politico) and the true quiet of a city. But since all things of men are in motion and cannot stay steady, they must either rise or fall; and to many things that reason does not bring you, necessity brings you. So when a republic that has been ordered so as to be capable of maintaining itself does not expand, and necessity leads it to expand, this would come to take away its foundations and make it come to ruin sooner. So, on the other hand, if heaven were so kind that it did not have to make war, from that would arise the idleness to make it either effeminate or divided; these two things together, or each by itself, would be the cause of its ruin. Therefore, since one cannot, as I believe, balance this thing, nor maintain this middle way exactly, in ordering a republic there is need to think of the more honorable part and to order it so that if indeed necessity brings you to expand, it can conserve what it has seized.98

In the final analysis, the “maintenance” model, representing that which conventional

“reason” would bring us to conclude (which is none other than the “sterile” model of chapter two

95 D I.6, 22, emphasis added.
96 D I.6, 22-23, emphasis added.
97 P 15, 61.
98 D I.6, 23, emphasis and translation added.
and/or the “static” model of chapter three), cannot survive the test of *necessity* for Machiavelli and thus fails to meet the standards of effectual truth. Things cannot be held “balanced” and thus cannot be maintained because “all things of men are in motion and cannot stay steady”—a necessity of both time and space as well as of the humors. Accidents happen—just look at Machiavelli’s description of Sparta’s conquest of Greece—and a city that was not designed for empire accidentally acquired one which ruined it. If such cities fail to make war and do not expand—neither of which they can successfully do without following the Roman “mode of proceeding” described above—“idleness” settles in, ruining that city. With no equilibrium possible vis-à-vis the external world of a republic, there also cannot be an internal equilibrium or “balance” between the one, the few, and the many or between the nobles and the plebs. All that there exists for Machiavelli is an ever-changing economy of fear internally between classes, externally between cities, and an ever-tightening cord connecting the two. As his discussion of expansion versus maintenance in I.6 draws to a close, Machiavelli writes that

> I believe that it is *necessary* to follow the Roman order and not that of the other republics—for I do not believe one can find a mode between the one and the other—and to tolerate the enmities that arise between the people and the Senate, taking them as an inconvenience *necessary* to arrive at Roman greatness.  

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Later, in Book II, Machiavelli reiterates this point:

> …as I said at another point when I discoursed of the difference there was between ordering to acquire and ordering to maintain, it is *impossible* for a republic to succeed in staying quiet and enjoying its freedom and little borders. For if it will not molest others, it will be molested, and from being molested will arise the wish and the *necessity to acquire*, and if it does not have an enemy outside, it will find one at home, as it appears necessarily happens to all great cities.

The “necessity to acquire” is therefore something that cannot be avoided indefinitely. If it is avoided for a time by a political community that chooses to stay “quiet…enjoying its freedom and little borders,” it will be “molested” by others who have prudently chosen to

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99 *D* I.6, 23, emphasis added.
100 *D* II.19, 173, emphasis added.
embrace the first necessity of the *Discourses*: the necessity of spatial expansion. By “choosing” this necessity, by embracing it, Rome was ultimately compelled to embrace the others, i.e. time and human nature as expressed through the humors.

**Conclusion**

This chapter has served, for the project, as a return “toward (i)ts (b)eginning,”\(^{101}\) that is, back to Machiavelli’s concern with the natural necessity of space and the relationship of a political community to it.\(^{102}\) As we know, expansion is, for Machiavelli, a necessity. But it is only through embracing this necessity that the dynamic interconnection of space and the other natural necessities—time and the humors—can be achieved and the opportunities—i.e. situational necessities—for the various particular (re)foundings be generated. Spatial expansion rightly understood necessitates an enlarged and armed population, creates a disproportion between rulers and ruled, leads to disunion and tumult between the nobles and plebs, and ultimately produces political freedom as Machiavelli understood it. These, in turn, propel spatial expansion outward. In short, spatial expansion generated these dynamics for Machiavelli’s Romans, and these dynamics generated further spatial expansion for them. All of this runs counter to republican conventional wisdom—precisely why Machiavelli holds Rome up as the example that would-be founders and (re)founders should imitate. Because the other cities attempted spatial expansion upon foundations not conducive to it, the necessities and opportunities that inevitably arose for them were either not of the same quality as those which arose for Machiavelli’s Romans or, to the extent that they were the same, those cities were not built to embrace and utilize these *acciデンti* for the purposes of (re)founding—itself a necessity. Whether they lacked the opportunities for it or lacked the ability to act upon opportunities once

\(^{101}\) This is taken from the title of *D* III.1, 209.

\(^{102}\) See *D* I.1 and my analysis of it in chapter two.
they arose, the conventional republican models such as Venice and Sparta simply were not dynamic enough to (re)found themselves in comparison to Machiavelli’s Rome.

There is one further conclusion to be drawn from this chapter, and that is the centrality of the people, of the plebs, for Machiavelli’s thought. It is not hard to see that everything—particularly Rome’s relationship to space, time, and the humors—all revolve around their centrality. Machiavelli’s dynamic republic requires that this be so, for it is their presence in a meaningful way which sets the republic in motion both internally and externally and both creates the opportunities for (re)founding as well as the ability to seize such moments. To this end, Machiavelli writes of Rome that

the foundation of its state was the people of Rome, the Latin name, the other partner towns in Italy, and their colonies, from which they drew so many soldiers that with them they were sufficient to combat and hold the world.”

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\[D\ II.30, 201.\]
Chapter VI: Conclusion

In the previous chapter, we were led “back toward” this project’s “(b)eginnings,”¹ the natural necessity of space. But instead of conceiving space as merely “site,”² the course of this project demonstrates that “site” alone is an insufficient understanding for achieving the effects that Machiavelli praises and would appear to desire; it may serve as a conceptual beginning, but it is not an end. To conceive of space in this way would only lend itself to reproduce the experience of a Venice or Sparta, or what I have termed “static” republics. Instead, to realize the effects of a “dynamic” republic such as Rome’s, “site” must be transformed into “space,” an expansive, flexible understanding.³

This conceptual and practical shift from “site” to “space,” sets other dynamic changes into motion: the natural necessity of “time” ceases to merely be about longevity, but about what happens in time, i.e. what happens during time’s duration. Ironically, time for Machiavelli’s Romans ceases to be primarily about its extension but about its compression. Only by “compressing” time—the dynamic fusion of the cycle of regimes into the mixed regime—can “Roman greatness”⁴ be achieved.

The expansion across space and the compression of time in turn inflame (and are inflamed by) the umori, the humors, the natural necessity of human nature in society. The internal political dynamics which create freedom—disunion and tumult—are byproducts of the process of the physical expansion of Rome’s power, i.e. the creation and expansion of Rome’s

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¹ D III.1, 209.
² D I.1, 8.
³ Such an understanding finds a potential echo in Stuart Elden’s The Birth of Territory, where he writes that “(t)erritory is not simply an object: the outcome of actions conducted toward it or some previously supposedly neutral area. Territory is itself a process, made and remade, shaped and shaping, active and reactive.” See Stuart Elden, The Birth of Territory (Chicago: University of Chicago Press, 2013), 17. This of course hinges upon equating what I have termed “space” with “territory,” a contestable conceptual move. As Elden notes, “the Italian word territorio is not used in Machiavelli,” (247) even though it is a word he would have surely known. (252)
⁴ D I.6, 23.
empire which sets the humors in motion. Of course, this process of spatial expansion relies upon the plebs for Machiavelli, for a city can only successfully expand when it relies upon its own people to both acquire and maintain the empire. Herein lies the birth of Rome’s freedom: by withholding their empire-building services, the plebs are able to force the nobility to make concessions conducive to a free way of life.

Throughout the course of the Discourses, we witness the intertwining, the interconnecting, and inter-causation of these natural necessities. Yet there is a deeper level at which we should be examining the intersection of these natural necessities: together they form the background to the complex process of “particular” founding and (re)founding, as well as to the “situational” necessities contained therein. Indeed, one of the central arguments of this project has been that this is a process and that periodic renewal is impossible without embracing these natural and situational necessities and their interplay. It is only in doing so that a republic can generate the dynamism necessary for (re)founding and managing the accidenti and necessities generated “every day.”

This kind of understanding that Machiavelli develops represents a reversal of the conventional republican wisdom of Machiavelli’s time: “disorder” (e.g. the accidenti) generated by necessity becomes a cause of as well as a part of “order” (itself an “artificial” necessity) just as the “extraordinary” becomes both the source for, and ultimately part of, the “ordinary.” These processes, like the interplay of the natural necessities above, also serve as backdrop against which the particular founding of Romulus and the subsequent (re)foundings by Numa, Brutus, and the plebeians—that, when taken together, form a cumulative process of (re)founding and renewal—occurs. It is in their entry into the realm of the “extraordinary”—the utilization or creation of circumstances beyond ordinary customs, orders, laws, and modes—that these

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5 D III.49, 308. See also D I.49, 100: “nonetheless new necessities in managing that city were always discovered…”
individuals and collectives are able to transform political reality by *channeling* necessity into new forms, i.e. new customs, orders, laws, and modes (the “artificial” necessity mentioned above). Moreover, these (re)foundings use the extraordinary to create “ways of life” that are hybrids: they contain the logic of generic founding (see chapter 2), as well as that of the original particular founding (again, Romulus in chapter 2), yet augment it and transform it. There is a strange combination of both *imitation* and *innovation*, and the roots of the latter lie within the former. The past and the future come together in this process, as extraordinary events—whether accidental or intentional—and generate experiences for people that either remind them of past extraordinary happenings, i.e. “memory,” or create entirely new experiences and new memories. In both cases, the *effect* is the same: the experience of *fear*, and fear, as I have demonstrated throughout this work, produces necessity which in turn produces *virtù*.

It is this *virtù* which enables a political community to embrace the necessities that *fortuna* generates. As I have argued since the beginning of this project, *fortuna* for Machiavelli is not something that can be “solved” nor, I hope by the end of reading this work, *should* it be something that a hypothetical political actor would want to “solve.” Instead, fortune on this reading should be understood as the very grounds for political possibility, as the source not only for what is undesirable—conventionally-understood or otherwise—but also for what is preferable and determined to be “good.” Machiavelli shows us in the *Discourses* that those cities that try to permanently control fortune either through the “choice of site”—Venice—or through the “ordering of laws”—Sparta—what I have termed “sterile” and “static” regime types, respectively—only ensure a brittle political order incapable of handling the *necessities* which *fortune* of *necessity* produces.⁶

⁶ See *D* I.1, 8 for the “choice of site” and the “ordering of laws” as means by which one can evaluate a founder’s *virtù*. 165
While I have focused upon different types of necessities—natural, situational, and artificial—these are all so many component parts of the central necessity of the Discourses: the necessity to (re)founded the political community. This may seem strange, given that (re)founding logically implies a founding prior to it, yet just as there is no such thing for Machiavelli as “human nature” separate from how it manifests in particular societies and contexts (i.e. the humors and their activation—as in Rome—or non-activation—as in Sparta and Venice), there is no “blank slate” of “matter” to be acted upon by any would-be founder and certainly not by any (re)founder. Romulus’ Romans had some sort of culture and politics prior to his “founding” that he, if he wished to found a new order, of necessity had to act upon, even if history has failed to tell us who his template of imitation was (if indeed he had one).\footnote{Although we should remember that Machiavelli writes at D II.3, 134 that “all our actions imitate nature,” suggesting that nature itself is the template for humankind generally. We could extrapolate from this that Romulus’ template is not such a mystery after all when considered in this light. My discussion of “generic” founding and the natural necessity of “space” in chapter 2 (based upon D I.1), already suggests the intimate connection between “nature” and founding/(re)founding, as do my discussions of “natural” necessities in subsequent chapters (chapters 3 and 4, paralleling the structure of the early Discourses, that is, D I.2 and I.3-5, which deal with the natural necessities of “time” and human nature understood as the “humors,” respectively). Chapter 5, which brings all of the natural necessities back together (although focused upon how expansion through “space” does this), parallels D I.6, and together these point back to Machiavelli’s idea that “nature” is what is ultimately imitated.} In a certain sense, therefore, even Romulus’ “founding” is a “(re)founding,” and because of his significance to Roman history, this only underscores why this phenomenon is so important for understanding the Discourses, that every founding is really a (re)founding. Yet, because of the innovation and novelty necessarily involved in this process, every (re)founding has something within itself that has traditionally been associated with conventional founding: a new beginning. In sum, not only is Machiavelli challenging conventional notions of the temporal element of founding—that it is a “process” and not a “moment”—but he has in a sense deconstructed conventional understandings of “beginning.”
The other (re)foundings discussed in this project—Numa’s, Brutus’, and the plebeians’—all reinforce the idea that there never really is a “blank slate” for Machiavelli. Each (re)founding depended upon those that came before it, as these established the context in which the later one could be enacted. In exploring the various imitations and innovations of (re)founding, I showed that a critical necessity of this process is both the identification and management of those who have been “despoiled”\(^8\) of their inheritance, a dynamic we first saw upon Brutus’ expulsion of the Tarquins, and the related creation of “partisan enemies” while simultaneously lacking “partisan friends.”\(^9\) This is the quintessential situational—and political—necessity of (re)founding and thus, of the Discourses.

**Some Disconcerting Implications**

This leads us to consider the question or Roman liberty for Machiavelli, with implications not only for his students but also for democratic theorists as well. With the plebeian (re)founding, this dynamic of struggle between those who have been dispossessed of power—the nobles—and those who have newly acquired it—the plebs—becomes effectively institutionalized by becoming ordinary, and it is this ongoing struggle, fueled as it is by the humors, which creates and (re)creates Roman liberty for the rest of the Discourses. In short, for Machiavelli the nobility will never rest until they can move the ordini countercyclically, that is, back toward either an oligarchic republic (the corrupted version of Brutus’ initially aristocratic republic) or, failing this, creating a prince from among themselves to eliminate plebeian power and, as a consequence, Roman liberty with it.\(^{10}\) Nor, for their part, will Machiavelli’s plebs ever cease resisting such attempts at usurpation by the nobles.

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\(^8\) *D* III.4, 216.  
\(^9\) *D* I.16, 45.  
\(^{10}\) This scenario was temporarily realized during the Decemvirate episode. See *D* I.35 and I.40-46.
Taken by itself, this dynamic of class strife that produces liberty in the Discourses both challenges as well as lends itself to certain arguments in both studies of Machiavelli’s thought as well as in contemporary democratic theory. While Cambridge School-associated scholars acknowledge class conflict in Machiavelli’s thought\(^{11}\), they fail to see how this makes for a more dynamic account of freedom/liberty. The most Pettit offers in this regard, for instance, is an acknowledgment of Machiavelli’s “riotous plebs to exemplify the contestatory disposition required for popular control of government.”\(^{12}\) This lack of appreciation for those “riotous plebs,” or Skinner’s emphasis on the coercive powers of the law as opposed to the power of the plebs to act against and check the nobility\(^{13}\), are precisely why the former’s theory of freedom as “non-domination” and the latter’s “neo-Roman” conception of liberty are insufficient. These accounts of liberty are simply too static, as in, they reflect an accounting of the by-products of class conflict—Pettit’s freedom as “non-domination,” and freedom under the “law” in Skinner’s neo-Roman framework—rather than the causes explored in this project: the natural necessity of human nature in society, i.e. the “humors,” operating within an imperial framework (itself a response to the natural necessities of space and time), that Machiavelli endorses.

For his part, McCormick recognizes the centrality of class conflict and the importance of the people for Machiavelli but, like the I feel, overemphasizes the structural elements of Machiavelli’s Roman republic which promoted it. There is no doubt that the structures matter for Machiavelli, but they are secondary, and the focus upon them and their efficacy effectively obfuscates the other primary, non-structural forces—and necessities—at work in Machiavelli’s thought which produced the structures to begin with. Nonetheless, despite my disagreement with

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\(^{12}\) Pettit, Just Freedom, 132.

the Cambridge School scholars and with McCormick, liberty for Machiavelli sometimes includes or is “non-domination” or freedom under the coercion of the law, or such institutions as the Tribunate (as well as others McCormick discusses). Yet it is more than just these things in the *Discourses*.

Like McCormick, other contemporary democratic theorists capture the conflictual dynamic as critical for liberty, such as Sheldon Wolin, Jacques Rancière, and John Medearis. But by viewing liberty solely as part of this conflictual dynamic, it raptures it out from the larger dynamics of which it is a part of Machiavelli: the endless stream of necessities which arise, many of which are profoundly anti-democratic. Thus, if accurate, Machiavelli’s depiction of reality and the creation and (re)creation of freedom contains moral-ethical and politically problematic implications. To achieve the “flexible” and/or “dynamic” understanding which I have argued Machiavelli develops throughout the *Discourses* and is training us as readers into—and this includes understanding reality from the standpoint of consequences, i.e. “effectual truth”—means allowing space within ourselves to entertain the idea of empire.

“Expansion,” “growth,” “augmentation” (in certain contexts anyway), etc. are all euphemisms for the set of practices and processes which I have examined in this project that culminate in the theft of space and time from others. This runs counter to other values which we may (and I hope that we all do) hold.

This is not the only disconcerting element, however. Behind, or perhaps, beneath empire, at its foundations—at least as Machiavelli has depicted them—lies a very real domestic unfreedom: neither Romulus nor Numa were democrats. The problem here is that many of the practices and sentiments which later proved necessary for Roman freedom could only be created

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and incubated under conditions where it was lacking. For Machiavelli, this authoritarianism was a *necessity* if the kind of freedom that the Roman plebs would eventually create was to be realized.

This returns us to the problem posed later by *empire*, or what we might think of as the channeling of domestic unfreedom outward onto others. For Machiavelli, it was empire abroad that gave the *opportunity* for the Roman plebs to achieve their freedom domestically. Once achieved, this domestic freedom became both a cause for further empire, producing a situation where empire and freedom were able to coexist and become mutually reinforcing forces. Although it was beyond the scope of this project, this practical tension between freedom and unfreedom does not last: Machiavelli’s Roman republic, just like the historical Roman republic, collapses in on itself like a dying star.¹⁷ This tension (both at home and abroad via empire) is one of the central creative forces of the *Discourses* and, I would argue, rises to the level of being a *necessity* for any free way of life as Machiavelli understands it.

The ultimate question in all of this is whether or not freedom depends upon unfreedom, *period:* whether it is the case that an earlier (and this brings back in the question of *temporality*) unfreedom “incubates” the conditions for a later freedom, or that it is the case that unfreedom and freedom can coexist temporally but not *spatially,* with freedom domestically and an empire beyond the city walls. Based on the argument of the *Discourses,* both would seem to be true and are not mutually exclusive. Yet this may be but one possible creative pairing of forces: we have to consider if there are other possibilities that do not rely upon fear, unfreedom, and empire as the sources of *virtù* and freedom both at home and abroad. For Machiavelli the answer would seem to be clear: where humans are concerned, we “work either by necessity or by choice,” and

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¹⁷ See Machiavelli’s analysis of the collapse of the Roman Republic due to the Agrarian Law at *D* 1.37.
“there is greater virtue to be seen where choice has less authority…” In Machiavelli’s version of reality, necessity cannot be dethroned. While we can make “choices,” it is a question of whether or not we “choose” necessity, i.e. choose to embrace what is “necessary,” or have necessity forced upon us by reality. In other words, for Machiavelli, there is no escaping the various necessities which arise naturally, situationally, or by accident, but is instead only a question of how we shall orient ourselves toward them. Machiavelli provides a way for thinking about how to “choose” necessity, of how to embrace it and, in doing so, utilize it for survival and ultimately, for the creation of a free way of life.

At this point, I would like to conclude by returning to the question of fortune and necessity raised in the introduction of this project. By the end of this work, we realize that fortune is never really “solved”—nor can it be solved—because for Machiavelli it is not a problem. Rather, it is a necessity, and one which must be embraced. To embrace fortune means to accept and utilize the necessities that it constantly produces and that come together to produce it. Recall that the first necessity postulated was in the introduction: “all things of men are in motion and cannot stay steady,” and so “they must either rise or fall.” The three kinds of natural necessity focused upon in this project—spatiality, temporality, and human nature as expressed through the humors—are themselves in constant motion and lack any semblance of equilibrium or balance among and between them and this has consequences for Machiavelli’s Romans (and for those readers who would adopt this kind of orientation toward necessity). The same is true for the political actors described by Machiavelli: the fluid, dynamic situations they find themselves in require that the necessities they face be embraced as well: utilized as

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18 D I.1, 8.
19 D I.6, 23.
opportunities to reorder and (re)found the political community. Perhaps Machiavelli implies his faith in this kind of orientation best when he writes

> We could bring up some modern example in confirmation of the things said, but because we do not judge it necessary since this can satisfy anyone whatever, we will omit it. I indeed affirm it anew to be very true, according to what is seen through all the histories, *that men can second fortune but not oppose it, that they can weave its warp but not break it*. They should indeed never give up for, since they do not know its end and it proceeds by oblique and unknown ways, they have always to hope and, since they hope, not to give up in whatever fortune and in whatever travail they may find themselves.\(^{20}\)

\(^{20}\) *D II.29, 199, emphasis added.*
Bibliography


