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0521783321 - Marsilius of Padua: The Defender of the Peace

Edited by Annabel Brett

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# *Discourse I*

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## I

## On the general bearing of the matters to be discussed; the reason for that bearing; and the division of the book

Every realm must desire tranquillity, under which peoples prosper and the profit of the nations is safeguarded. For she is the seemingly mother of good arts. She it is who, multiplying the human race in unending succession, extends its resources and refines its manners. And if a man is perceived not to have sought her, he is marked for ignorant of such great concerns.<sup>1</sup>

In the first of his letters, in the passage just set down, Cassiodorus gave expression to the advantages and fruits of the tranquillity or peace of civil regimes, in order that he might – by using these, as the best fruits, to explain the greatest of all human goods, viz. the sufficiency of this life, which none can achieve without peace and tranquillity – inspire the wills of men to be at peace with each other, and hence tranquillity. His pronouncement was in harmony with the view of the blessed Job, when he said in chapter 22: ‘be at peace: thereby the best fruits shall come unto thee.’<sup>2</sup> It was because of this that Christ, the son of God, decreed that peace should be the sign and messenger of his birth, when he willed that

<sup>1</sup> Cassiodorus, *Variae* I. 1. Cassiodorus was a high-ranking Roman official of the 5th–6th century CE whose writings constitute one of the bridges between the culture of late antiquity and the medieval west. Marsilius’s immediate source is almost certainly his fellow Paduan Geremia da Montagnone’s *Epytome sapientie* (Venice 1505; the work was composed probably between 1300 and 1310 under the title *Compendium moralium notabilium*, ‘a handbook of notable moral sayings’). Under rubrics 11 and 13 of Book II, part 4, *De tranquillitate populorum* (‘On the tranquillity of peoples’) and *De pace et concordia* (‘On peace and concord’), Geremia cites almost all of Marsilius’s chosen quotations in the following paragraphs, including this one from Cassiodorus.

<sup>2</sup> Job 22. 21.

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the heavenly host should sing in one and the same pronouncement: 'Glory to God in the highest, and on earth peace to men of good will.'<sup>3</sup> And for the same reason over and over again he wished peace upon his disciples. So John: 'came Jesus and stood in the midst of the disciples, and saith unto them, Peace be unto you.'<sup>4</sup> Warning these same disciples to preserve peace between themselves, he said in Mark: 'have peace one with another.'<sup>5</sup> And he did not merely teach them to have it among themselves, but to wish it upon others – hence Matthew: 'And when ye come into an house, salute it, saying: Peace unto this house.'<sup>6</sup> This, again, was the inheritance which he left to his disciples by testament, when the time of his passion and death had come, when he said in John 14: 'Peace I leave you, my peace I give unto you.'<sup>7</sup> Following his example the apostles, as his true heirs and imitators, wished peace upon those to whom, in their letters, they addressed evangelical lessons and advice; knowing that the fruits of peace are the best; as we took from Job and explained further through Cassiodorus.

## 2

Contraries of themselves produce contraries:<sup>8</sup> therefore from discord, the opposite of tranquillity, the worst fruits and disadvantages come upon a civil regime or realm – as is plain to see, and evident to all, from the realm of Italy. For as long as its inhabitants lived together peaceably, they sweetly plucked the fruits previously enumerated; prospering from and in these to the extent that they subjected to themselves the entire habitable world. But when discord and strife arose among them, their realm was troubled with toils and disadvantages of every kind, and was subjected to the sway of hated foreign nations. And in the same way it has once more been torn apart on all sides because of strife, almost to pieces, so that an easy entry now lies open to anyone with the will and power to occupy it. Not that there is anything to wonder at in such an outcome, since as Sallust testifies in his account of Jugurtha, by concord small

<sup>3</sup> Luke 2. 14.    <sup>4</sup> John 20. 19.    <sup>5</sup> Mark 9. 50.    <sup>6</sup> Matthew 10. 12.    <sup>7</sup> John 14. 27.

<sup>8</sup> Probably an implicit reference to Aristotle, *Politics* V, 1307b29, although the context is slightly different: Aristotle argues that if we know what destroys cities we also know what saves them, because contraries produce contraries and destruction is the contrary of safety. Book V is, in general, the book on changes (*metabolai*) of the political order or regime (*politica, politeuma*).

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things increase, while by discord the greatest collapse.<sup>9</sup> Led astray through discord down the byway of error, its natives are deprived of the sufficient life, unceasingly enduring grave troubles instead of the sought-for peace, the harsh yokes of tyrannies instead of liberty. So they have at the last been made more unhappy than all others who live a civil life, so that their ancestral name, once the guarantor of glory and of safety to those who called upon it, is now thrown in their faces by other nations, to their ignominy.

## 3

Into this darkness, then, have these wretched people been plunged as a result of this discord or strife among themselves. Like sickness in an animal, it can be diagnosed as the indisposition of a civil regime. And even if the basic causes of this illness are several (many of them mutually associated), and almost all of them described by the best of philosophers in his civil science,<sup>10</sup> with the potential to occur in their usual ways; still there nevertheless exists, over and above these, one singular and well-hidden cause, under which the Roman empire has laboured for a long time and labours still. This cause is highly contagious, and equally liable to spread to all other civil orders<sup>11</sup>

<sup>9</sup> Sallust, *Bellum Jugurthinum* (*The War with Jugurtha*) I. 10. Sallust (86–35/4 BCE) was a Roman historian writing in and of the last years of the Roman republic and the crises that beset it. His works and the analyses they contained of corruption and decline were key supports of the pre-humanist Italian republican tradition, which emphasised the paramount need for civic concord if the city is to achieve greatness. The passage Marsilius quotes is ubiquitous in this literature.

<sup>10</sup> Here I have followed Scholz in removing the capital letters and italics in Previt -Orton's text which imply that Marsilius is referring to the title of Aristotle's political work. Marsilius normally refers to it as *Politica* ('the *Politics*' – although even here the capitalisation may be open to question), following Moerbeke's translation. In the final chapter of this discourse (I. 19, 3) he again uses the phrase *civilis scientia*, this time explicitly associating it with the usual reference: '... Book V of his civil science, which we have called the *Politics*', offering more support to Previt -Orton's reading (indeed, Scholz here also capitalises the phrase). However, I do not see that this is decisive. *Civilis scientia* was a term in much broader use than *Politica* (or *politica*). It had been used by Cicero (see below, n. 14) to characterise the political wisdom of the orator; it was also a habitual term for the study of Roman law at the Italian universities (what Marsilius calls *scientia civilium actuum*). Within the scholastic tradition, the adjective *civilis* was used by Grosseteste, at *Nicomachean Ethics* I, 1094a27, to translate *politik * as the architectonic *epist m * (*scientia*, science). It seems more likely, therefore, that by 'civil science' Marsilius is referring to the recognisable body of political knowledge offered by Aristotle rather than to the title of his work.

<sup>11</sup> *Civilitates*: see the Notes on the Translation, above, p. xlii. This chapter uses *regnum* and *civitas* as equivalents throughout.

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and realms and has already, in its rapacity, tried to invade most of them. Neither Aristotle nor any other philosopher of his time or earlier could have recognised the origin and species of this cause. For it is, and was, a certain perverted opinion, which we shall unfold<sup>12</sup> in what follows; assumed by way of occasion from a miraculous effect produced by the supreme cause long after the time of Aristotle, beyond the possibilities of inferior nature and the usual action of causes in things.<sup>13</sup> This opinion, surely sophistic, wearing the mask of the honourable and the beneficial, is utterly inimical to the human race and will in the end, if it is not checked, bring unendurable harm to every civil order and country.

## 4

The fruits of peace and tranquillity, then, are the best, as we said, while those of its contrary, strife, are unendurable harm. For this reason we must desire peace, seek to acquire it when we do not have it, keep it once acquired, and fight off its opposite, strife, with every effort. Individuals who are brothers to each other, and all the more so collective bodies and communities, are moreover bound to help each other towards these goals, from feelings of heavenly charity as much as the bond or right of human society. This is Plato's advice, too, according to Cicero in the first book of *On duties* where he said: 'We are not born for ourselves alone: our country claims for itself one part of our birth, and our friends another.'<sup>14</sup> To which Cicero aptly adds: 'Moreover, as the Stoics believe, while everything produced on earth is created for the use of mankind, men themselves are born for the sake of men. We ought in this to follow nature as our leader, to contribute to the common stock the things that benefit everyone in

<sup>12</sup> The Latin verb is *explicare*, often used in the sense of 'explain', but literally meaning 'to unfold'; Marsilius plays on the pairing *explicare/implicare* at several points throughout his work. Compare his use of the word 'involutions' (*involutiones*) at section 8 below. The arguments of his opponents twist or turn or fold *in*; his own fold or turn *out*. See the Introduction, above, p. xix.

<sup>13</sup> A difficult sentence in the Latin: I think it is preferable to read it without the comma placed by Previté-Orton after *sumpta*.

<sup>14</sup> Cicero, *De officiis* (*On Duties*), I. 22. Marcus Tullius Cicero (106–43 BCE), orator, philosopher and politician, was one of the most influential writers of antiquity, and his work *On Duties* was widely read in the middle ages (as in other periods) as a source of moral and political wisdom. I have adapted the translation from *Cicero: On Duties*, ed. and tr. M. T. Griffin and E. M. Atkins (Cambridge: Cambridge University Press, 1991), pp. 9–10; all subsequent references to the work are from this volume.

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common.’<sup>15</sup> And because it would be no small advantage, on the contrary a necessity, to unpick the sophism of the abovementioned singular cause of strife, which threatens no little harm to all communities, therefore anyone who has the will and the ability to perceive the common advantage is duty-bound to devote attentive care and painstaking labour to this end. For this much is plain, that there is no way this plague can be avoided, nor its baleful effect excised completely from realms or civil orders.

## 5

Neither should anyone neglect this charge through fear or apathy or in any other spirit of malice, II Timothy 1: ‘For God hath not given us the spirit of fear; but of power, and of love’<sup>16</sup> – the power and love, I say, to make manifest the truth; hence the Apostle adds in the same place: ‘Be not thou therefore ashamed of the testimony of our Lord.’<sup>17</sup> But this was the testimony of the truth, and it was to bear witness to this that Christ said he had come into the world, John 18: ‘To this end was I born, and for this cause came I into the world, that I should bear witness unto the truth,’<sup>18</sup> sc. the truth that leads the human race to eternal salvation. After his example, therefore, any man whom the Giver of graces has more fully endowed with an understanding of these matters is to that extent more obliged to devote himself to the teaching of this truth, by which the abovementioned plague of civil regimes might be abolished from the human race and especially Christians: the truth, I say, which leads to the salvation of civil life and conduces not a little to eternal salvation as well. A man with this knowledge and ability sins gravely, as if by ingratitude, if he neglects this task; witness James in his Epistle General, chapter 4, where he said: ‘To him that knoweth to do good, and doeth it not, to him it is sin.’<sup>19</sup> For this common enemy of the human race will not be completely eradicated, nor the baleful fruits that it has so far produced wither, unless the evil of its cause or root is first exposed and convicted. Only by this route, and no other, can the coercive power of

<sup>15</sup> *Ibid.*    <sup>16</sup> II Timothy 1. 7.

<sup>17</sup> *Ibid.* 8. According to the convention of the time, ‘the Apostle’ is always the Apostle to the Gentiles, St Paul.

<sup>18</sup> John 18. 37.    <sup>19</sup> James 4. 17.

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princes safely proceed finally to drive the dishonourable sponsors and obstinate defenders of this evil from the field.

## 6

And so, attentive and obedient to the advice of Christ, the saints and the philosophers given above, I, a son of Antenor,<sup>20</sup> acting from any understanding of these matters that may have been granted me by grace, and from a spirit too of confidence furnished me from above (as James attests in the first chapter of his Epistle General: 'Every good gift and every perfect gift, cometh down from above from the Father of lights');<sup>21</sup> of reverence for the Giver, ardour to make known the truth, fervent love for brothers and country, pity and compassion for the oppressed; to recall the oppressors from the byway of error, and to spur on those who allow these things to happen when they should and can prevent them; and with an especial regard for you, most noble Ludwig,<sup>22</sup> emperor of the Romans, as the minister of God<sup>23</sup> who will give this work the ending it hopes for from outside:<sup>24</sup> in whom as if by some special and ancient right of blood, and not less by your singularly heroic temperament and shining virtue, the desire to extirpate heresies, to support and safeguard the catholic truth and every other discipline of study, to excise vice and further the study of the virtues, to put an end to quarrels and to spread and nourish peace and tranquillity everywhere, is ingrained and confirmed; I have, after a period of painstaking and intense examination, committed to writing the sum of the thoughts that follow, judging that they may give some help to your watchful majesty in its care to provide against the said errors and other contingencies, and for every other public utility.

<sup>20</sup> After Antenor, a Trojan mentioned in Virgil's *Aeneid* I 242–9, who managed to escape the fall of Troy and found the city of Padua.

<sup>21</sup> James I. 17.

<sup>22</sup> Ludwig of Bavaria, elected 1314, d. 1347: see the Introduction, above, pp. xii–xiii.

<sup>23</sup> An implicit reference to Romans 13. 4; see below, II. 5, 4.

<sup>24</sup> 'This work' (*hoc opus*) could have the general sense of 'this task' (as Gewirth translates), but here I think has a much more specific sense: Marsilius is inspiring the emperor to 'write', in action, the final discourse or chapter of the *Defensor pacis*. See the Introduction, above, p. xvii. This reading is supported by the verb *optat* which is in the third person singular and therefore cannot have the emperor as its subject, as Gewirth assumes; neither is it easy to see how a general enterprise could constitute a subject with a hope, whereas a specific book could plausibly be personified in that way.

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## 7

It is therefore my purpose, with the help of God, to expose only this singular cause of strife. For it would be superfluous to go over again the number and nature of those identified by Aristotle. But in respect of this one – which Aristotle could not perceive and neither has anyone else after him, who could have done, undertaken to define it – it is our will to lift the veil in such a way that it can hereafter be easily excluded from all realms and civil orders, and once excluded, virtuous princes and subjects can live in tranquillity more securely. And this was that object of desire put forward at the beginning of this work, necessary to all those who ought to enjoy civil felicity, which is it seems the best of all things that humans desire in this world and the final end of human acts.

## 8

I shall therefore divide my proposed undertaking into three discourses. In the first of these I shall demonstrate what I intend by sure methods discovered by human ingenuity, consisting of propositions that are self-evident to any mind not corrupted by nature, custom or perverse affection. In the second I shall corroborate what I shall take myself to have demonstrated with testimonies of the truth founded upon eternity, and also with authoritative passages of the saints, its interpreters, and other approved doctors of the Christian faith, so that this book should stand by itself, needing no extrinsic proof. On the same basis I shall attack the falsehoods opposed to my conclusions and uncover the sophisms of my adversaries, which stand in the way with their involutions. In the third discourse I shall draw a number of conclusions or lessons of the utmost utility, which all citizens – those in the position of prince as much as those who are subject – should heed, and which are evidently certain as a result of what has been previously determined. I shall divide each of these discourses into chapters, and each chapter again into sections, more or fewer according to the length of the chapter. The singular advantage of these divisions will be the ease of locating what readers need to find when they are referred from the later discourses and chapters to earlier ones. This will yield a second advantage, of making the volume shorter. For when it happens that in the later parts of the book we assume some truth (either for itself or for the sake of demonstrating something else) which



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has been adequately proved or established as certain in what has gone before, we shall, without further trifling with the proof, refer the reader back to the discourse, chapter and section where it was given, so that he<sup>25</sup> can easily find the certainty of what he is looking for.

<sup>25</sup> In deference to Marsilius, who could confidently expect his reader to be male and who follows Aristotle in excluding women from citizenship (I. 12, 4) and so presumably from the active and critical readership he is trying to arouse.

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## 2

On the first questions of this book, and on  
defining and determining the meanings  
of this term ‘realm’

As we embark on what we propose, therefore, we wish first to make plain what constitutes the tranquillity and the in tranquillity of a realm or city; and of these, first tranquillity: for if this is not clear we cannot know what constitutes in tranquillity. And since both of these seem to be dispositions of a city or realm<sup>1</sup> (as we suppose from Cassiodorus) we shall without further delay make plain what needs to be clarified, i.e. what a realm or city is and what it is for, so that the description of tranquillity and its opposite will also become clearer.

## 2

So, since we wish (following the order we have set down) to describe the tranquillity of a city or realm, we should be aware – so as to avoid any ambiguity that may arise from the multiplicity of terms – that this term ‘realm’ in one of its significations implies a plurality of cities or provinces contained under one regime. In this sense a realm does not differ from a city in terms of the form of polity,<sup>2</sup> but rather in terms of size. On another understanding of the word, this term ‘realm’ signifies a particular type of polity or temperate regime, which Aristotle calls ‘temperate monarchy’.<sup>3</sup> In this sense there can be a realm in a

<sup>1</sup> *Civitas aut regnum*: see the Notes on the Translation, above, pp. xlii and xlix.

<sup>2</sup> *Politia*: see the Notes on the Translation, above, p. xlvii.

<sup>3</sup> For Marsilius’s more detailed analysis of the different types of polities, see below, I. 8. For the term ‘temperate’ or ‘tempered’, and the notion of ‘tempering’ in general, see below, I. 5, 3 and note.