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Introduction

Francesco Guicciardini (1483–1540) was an eminent historian and moralist, as well as a noted political thinker. His History of Italy has for centuries enjoyed a very high reputation, and his History of Florence has been much studied by recent historians. His Ricordi bears comparison with the work of the best French moralists, such as La Rochefoucauld and Vauvenargues. His strictly political works are mostly fairly short pieces, but have been praised for their grasp and realism. He studied law at the universities of Florence, Ferrara and Padua, and practised law; later, he became an important political figure in Florence, and, especially, in the service of the Medici popes, Leo X and Clement VII, serving as governor of Modena, Reggio Emilia, Parma and Bologna, and as president of Romagna.

Guicciardini wrote the following piece in August 1512, in Logroño, Spain; for several months he had been the Florentine ambassador to the king of Spain. (He gave no title to the piece, and it is sometimes called the Discorso di Logroño.) Like most of his works, it remained unpublished until the late nineteenth century. (None was published during his lifetime; the History of Italy was published between 1561 and 1564, and a version of the Ricordi in 1576.) Nevertheless, the piece is of considerable interest; Guicciardini was an acute and well-informed young man, and in it he analyses the defects of the Florentine popular regime, which had lasted since 1494 (and was about to collapse), and he puts forward various interesting remedies.

At the beginning of chapter 33 of his History of Florence (written 1508–9), Guicciardini discussed the problems inherent in the Florentine system of government. Most public offices were held for very short periods, and he identifies the fundamental problem as the lack of a man or men ‘charged with continually looking after public affairs’—men authorized to carry out an action once it had been decided. Instead the Signoria changed every two months and the Colleges every three and four months. With such a brief term of office, everyone tended to move cautiously and no one felt personally responsible for public affairs.” It was to remedy this problem that the office of permanent gonfalonier of justice was instituted in September 1502. (The first, and only, holder of this office was Piero Soderini.) Both in the History of Florence and in this piece, Guicciardini criticizes Soderini’s conduct severely.

The first section discusses in a general way the military and political problems confronting Florence, and the solutions that he proposes. Then he proceeds to a more detailed consideration of the political and constitutional problems. He identifies the weaknesses of the Great Council, composed of over three thousand members (see n. 19); nevertheless, he approves of this Council, which is the supreme popular body. Next, Guicciardini discusses the office of gonfalonier. He thinks that it should be permanent (in order to provide executive continuity and stability) but that some of its powers should be removed (for a too powerful gonfalonier represents a threat to republican institutions and civic freedom). Then he turns to a body intermediate between the gonfalonier and the Great Council, and recommends the setting up of a Senate similar to that existing in Venice. This is the main constitutional innovation recom-

mended by Guicciardini and reflects his concern that the wisest citizens should control the affairs of the republic. He approved of popular government, but he favoured aristocratic control. He opposes the practice of calling ‘parliaments’ (general assemblies of the people, with open voting), maintaining that, in a well-ordered republic, affairs should be decided by established bodies, in a regular manner, and with secret voting. The last section is concerned with the judicial system, and with punishments and rewards. He concludes that if the reforms that he has recommended are adopted, there would be a notable improvement in the conduct of Florentine affairs. He observes, however, that there are some fundamental social problems that would require more radical solutions (of the kind adopted by Lycurgus in ancient Sparta); but he judges these to be impossible in Florence.

There has been a good deal of discussion about some of the political terms used by Italian Renaissance writers (e.g., stato, libertà); many of these have been indicated in the text (in square brackets) both in this piece and in the one that follows by Paolo Vettori (Chapter 14). Stato has various senses; it denotes ‘government’ and ‘regime’, as well as ‘territories’ or ‘dominions’. And the phrase le cose dello stato denotes ‘affairs of state’ or ‘political matters’, as well as ‘political offences’ and ‘political trials’. (In this piece, Guicciardini does not use the words la politica e politico.) In the few instances in which ‘state’ is used without square brackets, I think stato is implied.

Libertà means both ‘freedom’ and ‘independence’ (see n. 2). When it has been rendered by terms other than ‘freedom’ or ‘freedoms’ (e.g., by ‘civic freedom’, ‘free institutions’), I have added libertà in brackets.

The use of governo is always indicated in brackets. ‘Government’, ‘governing’ and ‘to govern’ usually, but not always, render governo and governare. Other terms always explained thus are ‘regime’, ‘constitution’ and ‘constitutional’ (costituzione, which had various senses, none of which corresponds to ‘constitution’, is not used in this piece).

Magistrato is a very common word. It denotes either a person or a body (in modern Italian, the latter is magistratura); I have usually rendered the former sense as ‘public officer’, ‘officeholder’, ‘holder of public office’ or ‘public office-holder’.

Finally, the Great Council always renders el consiglio grande, and the Council el consiglio, unless otherwise indicated. Guicciardini often uses el popolo and la multitudine when referring to the Great Council (see n. 19), and these instances are always registered. Popolo, however, sometimes means the ‘people’ as a body; for the adjective popolare, see n. 1.

Guicciardini was a notable stylist, and although it has sometimes been thought that he used imagery very sparingly, similes and metaphors are quite frequent in this piece: many of them relate to food and maladies. I have thought it worthwhile to give indications of most of these images.

For the Italian text see ‘Del modo di ordinare il governo popolare’, in Francesco Guicciardini, Dialogo e discorsi del reggimento di Firenze, ed. R. Palmarocchi (Bari, 1932), pp. 218–59; there are also two annotated editions: Francesco Guicciardini, Opere, ed. E. Lugones Scarano, 3 vols. (Turin, 1970–81), I, pp. 249–96; Francesco Guicciardini, Scritti scelti, ed. L. Bonfigli (Florence, 1924), pp. 49–92. I have added various headings and subheadings in order to clarify the structure of Guicciardini’s arguments. I wish to express my great indebtedness to Paolo L. Rossi and Jill Kaye for commenting on my translation and suggesting many improvements, and to Nicolai Rubinstein, Alison Brown and Francesco Badolo for valuable advice on many points.

How the Popular Government Should Be Reformed

There are two main reasons that make me think that, within not very many years, our city will lose its freedom (libertà) and its dominions (stato), unless it receives great help from God. The first is that there have been so many disasters in Italy, and
because these rulers [questi principi] have been engaged in many battles, it is to be expected that one of them will emerge as a great power, and will aim at subduing the lesser powers [e minori], and perhaps turn Italy into a monarchy. I find this argument especially cogent, considering how much effort was needed to defend Italian freedom [la commune liberta] during the period when there were no foreign rulers in Italy. But now that will be much more difficult, since such great birds of prey are gnawing at her vitals [nelle viscere]. And in these circumstances I think Florence will be in great danger, because we do not have enough forces to defend ourselves; instead, we live unarmed and (compared with the past) our city possesses little wealth, because the trades and commerce that often enabled us to survive are in decline.

The second reason is that our civic life [el vivere . . . civile] is very different from what is appropriate for a good republic, with regard both to our political constitution [la forma del governo] and to our various customs and practices: we have an administration that risks becoming tyrannical or else degenerating into a popular anarchy, for there is a general tendency to injure others, with little respect for, or fear of, the laws and public officers; able and worthy men do not have regular opportunities to demonstrate their qualities, nor are there rewards for those who perform meritorious deeds for our republic; there is an overwhelming ambition in everyone to seize public offices, and an arrogant desire to interfere in all public matters of any importance; the spirits of men are effeminate and enervated, and dedicated to a way of life that is soft and (considering our means) sumptuous; and there is little love of true glory and honour, but much love of possessions and money. All these things cause me to entertain few hopes for our city, but not altogether to despair, because I believe that it is possible to heal [sanare] most of these ills; and even if this would certainly be very difficult, it is by no means impossible.

I certainly cannot envisage one or two individual laws having the desired effect; rather, it is essential to provide an overall solution for our problems, so that everything would be moulded into something appropriate, and to introduce a fundamental reform of our constitution in stages [riformala e ridistinguera tutta], just as one prepares a dish from dough [cose da mangiare di pasta], so that if at the first attempt one does not succeed, one begins again, and works the dough into a new form; or (to use a new simile) do as good physicians do, when they are confronted with the various ills that may afflict a body to such an extent that no one remedy will be effective; they have at hand various medicines for dealing with all the causes of these ills, so as to effect a general recovery of the patient. This is certainly difficult to do and requires a very good physician, but it is by no means impossible. It is indeed true that such remedies are more efficacious with a young man than with an old one, which frightens me, because our city is by now ancient. Nevertheless, I do not despair, provided some magnanimous man applies himself to this task, and wise men were to bring to bear on it the skill and energy that is frequently employed in making money and in evildoing. They should do this with all the more ardour, since great glory will accrue to them precisely because the task is so difficult.

I readily concede that if our city were to be healed [sanare] completely, it would be necessary to make many changes that would be almost impossible to persuade our citizens to accept, because they are not used to them and because our men are too soft. And by trying to do all these things, one might very well achieve nothing at all. Therefore, I would praise anyone who concentrates on doing the less difficult things and who limits himself to doing at first only those things that are within the bounds of possibility. It would be no small achievement to raise to a moderately good condition a city that has sunk so low; indeed, it would be a considerable achievement to make a start, because once the right path is taken, eventually, with the passage of time, we would achieve much greater success than such a modest beginning might seem to promise.

**Military reforms**

First of all, it seems to me essential to bear in mind that our city should have military forces that are at least sufficient for defending itself, and that it should not have to be continually afraid of foreign attacks. It would be of no avail for its internal affairs to be well ordered and rationally conducted, if it could be defeated by foreign forces, and therefore the city must have ample troops to defend it. Here it must be borne in mind that if our city has to be defended by the methods used in the past, it has fewer forces at its disposal than it has ever had, because it has much less wealth than it used to have. The public revenues (of which a great part goes in paying off the public debt) are insufficient; the citizens generally are not wealthy, as they used to be, since the city trades are less flourishing than in the past (for many other places and peoples have developed their commerce and are continuing to do so). And those citizens who are wealthy are not used to being required to help their native city, as was the practice in former times. It would be exceedingly difficult to restore these ancient customs in the present popular regime [questo vivere popolare], and it would be better if the efforts and skills needed to bring about these reforms were to be employed in doing things that are more likely to be successful. Indeed, if our city needed to spend a large sum (say, seventy or eighty thousand ducats a month), it would be impossible to raise it; in fact, it would not be possible to raise a large amount of money quickly.

Consequently, there are no grounds for planning on the assumption that our city could maintain for long a large army of paid soldiers and trained officers, as it has often done in the past. And, since we cannot use external forces, we must recognize the need to depend on those made up of our own citizens. Nor is arming its citizens something incompatible with a republican and popular regime [uno vivere di republica e popolare], because if there is a good judicial system and there are appropriate laws, such arms bring benefit to a country, not harm. This stands to reason, and the examples of many ancient republics, such as Rome, Athens and Sparta, bear it out, for by using citizen armies they both defended their independence [libertà] and extended their territories [lo imperio]. Moreover, this practice is by no means unknown in Florence, because we read in our histories that our ancestors, in the period when they had newly gained their freedom, fought all their own battles, and so successfully, that this should uplift the spirits of the men of today rather than depress them. That it should also be easy to persuade and inspire them (if it is done with due
diligence) is shown by the start that has been made, which although promoted in the face of widespread disapproval, with very few in favour and not in a very orderly way, has been accepted to such an extent that it is now approved by everyone.

There are many reasons why using citizen armies is very much more useful than using mercenary armies. Above all, anyone who relies on foreign soldiers risks being deceived by them, and this is especially true of republics, which do not have that affinity with them that a prince has. It is dangerous to confer supreme authority on one man, whereas it causes confusion to confer equal authority on several chiefs; they do not expect to receive the same rewards, and they think that it is right to treat public office as a private business; and even if they should prove loyal, they are not motivated by any real devotion. And apart from achieving a medium of glory (which some of them value and others do not) their interests are not involved; they fight battles when they have to and without displaying any zeal. This would not happen if fellow citizens and subjects were used, because there is no reason to fear being tricked by them, and they certainly would not fight wars slowly or sluggishly in order to draw them out. And since they will be moved by a burning desire for victory (and not by a mere duty to win), who can have any reason to fear that their devotion will be hollow? If our city should suddenly be attacked or if it wanted to undertake some quick expedition, an army could be raised in a few days. This cannot happen if it has to be recruited from distant places or foreign countries. And if a citizen army happens to be defeated, our government [la statità della città] would not fail; indeed, another army would be raised at once. There is no time to do this if one has to raise another army composed of foreign mercenaries. The great importance of this is obvious.

The Romans were able to defend themselves in many wars (especially against Hannibal) only because, after suffering defeats, they were able to regroup their own armies. Carthage was quickly defeated by Scipio because, when its mercenary soldiers were scattered, it lacked an army. As for our own times, who can doubt that, if the Venetians had been able to raise a citizen army after their defeat at Vaià, they would not have lost all their mainland territories [state] within eight days? Their inability to do this reduced them to such straits that, if the emperor had been a man of different calibre, or if the league of their enemies had held firm, this defeat on a single day, and the negligence of one of their mercenary leaders, would have deprived them not only of their territories [el dominio] but also of their freedom.

Dominion [la statità e lo imperio] is nothing else but force [una violenza] exercised over subjects. concealed at times by some honourable name. And wanting to maintain it without armies and without one’s own forces, but with the help of others, is tantamount to wanting to carry out a task within a particular profession without having the appropriate tools. In short, a state that does not possess citizen armies has great difficulty in dominating other states and in defending itself from its enemies. Moreover, if a state uses citizen forces, the upkeep of armies is much less expensive, for even though in wartime they are paid in the same way as other soldiers, in peacetime there is no other expense but that of ordinary wages and maintenance; and what is paid is paid to one’s own citizens. By acting in this way, there is certainly no reason to fear that our territories [paesi] will not be well defended, for Tuscany and our other territories [dominio] enjoy a strong geographical position and are very fertile, enabling their inhabitants to be fed. Therefore, after a start has been made by establishing infantry in our territories [fuori della città], it would be desirable to establish infantry and light cavalry within the city. There is no need to discuss the details of this now, but it will all be easy to do, especially since our city and dominions [citta...e lo stato nostro] are very populous. In order to avoid the danger of factions and discord among the people, it is certain it is necessary for a good system of justice to be provided to restrain them; it is easy enough to pass laws, but ensuring that they are obeyed is harder, as will be explained at length later.

**POLITICAL REFORMS: PRELIMINARY DISCUSSION**

**The Great Council**

When this matter, which is of the utmost importance, is taken in hand, much attention should be paid to our system of government [el governo nostro di drente], and if the right changes are made, there are grounds for expecting a desirable outcome. It is unnecessary to discuss whether rule by one man or by a few or by the many is the best form of government [amministrazione], because freedom is a natural characteristic of our city. Our ancestors lived in freedom, and we have been brought up in it. Moreover, it is not just because our ancestors have bequeathed it to us as a fine tradition that we gladly embrace a free way of life; we are ready to defend it, if necessary, with all the means at our disposal, and even to lay down our lives for it. Freedom consists essentially in the supremacy of the laws [uno prevalere le legge] and public institutions over the unruly passions of individual men. But because laws are not living things and are not obeyed automatically, ministers (that is, public officers [magistrati]) are needed to ensure that they are obeyed. And if we want to live under the rule of law [sotto la legge], and not be subject to the arbitrary desires of individuals, it is essential that these holders of public offices should have no reason to fear any individuals, and should not owe their positions to the favour of any man or small group, so that they will not be under pressure to govern the city according to the dictates of others. Therefore, institutions involving a wider participation of the people [el vivere popolare] are needed as the foundation of freedom, and the Great Council is the basis and animating spirit of these, because it has the function of appointing men to the main city offices.

If this is definitely established, it will be very difficult for any man to hold sway in our city; because such a man will not be able to confer positions or prestige on anyone, those who hold public offices will have no reason for feeling obliged to obey him, either because of fear or because they hope for favours. Otherwise, ours is not and cannot be a free city, for it is inevitable that sects and factions will flourish, and within a few years one man will seize supreme power. Not only do I approve of the Great Council, I also like the way in which it has been organized, because those who formerly did not participate in governing [anticamente non partecipavano nel governo] have been judiciously excluded from it, so that it would not be a body full
of plebeians or men from the countryside; and it was necessary to make it possible for all the other citizens to become members, making them eligible, because restricting their numbers or choosing individuals as members was incompatible with its being a popular body. Although this wide membership brings in some madmen, as well as many who are ignorant or malevolent, nevertheless, on balance, elections that result from the participation of the many are usually sound. And if some are not, one should put up with this as the lesser evil. It is better to arrange matters in this way (despite some problems) than to want to see everything in the hands of one man. For it should be borne in mind that no human arrangements can be perfect, and those that have the fewest defects should be accepted.

The Great Council, then, is well organized, because all those who [formerly] participated in governing [partecipavano dello stato] are members. And I have sometimes thought that, in the choosing of holders of public offices, not only all those men who today are eligible to choose should be involved, but also a large number of those who cannot participate in government [partecipare del governo]. Experience has shown that most of the errors that the Council makes in appointments to offices arise from a desire to spread them so widely that all the voters can reasonably entertain hopes of being themselves elected [at some time]. This would not be the case with those ineligible to be elected; since they could not expect to be included in any wide distribution of offices, they would have no reason to choose any men except those whom they genuinely think deserve to be chosen. To support this view, there is the experience of the ancient republics, in which a great many citizens were involved in the choosing of public officers. And it is recorded that, as in other republics, the Romans conferred citizenship with voting rights on many men, which in my opinion was tantamount to granting them the right to participate in the choosing of public offices, but not making them eligible to become public officers themselves. The reason for this, as I have said, is that, because the men who do the choosing will have no personal interest in one man being chosen rather than another, they will naturally support the men who seem to them to be the most meritorious; and in this they will follow the natural inclination of all men, which is to do what is right, except when personal interests lead them to act differently.20 Nevertheless, since this is a novel proposal, and the matter is extremely important (and there are also some arguments that can be advanced against it), I would not want to insist on it, unless it receives widespread support. But I would certainly say that, if this proposal finds favour, it should be introduced with a limited scope, that is, one should give them the right only with regard to choosing office-holders, and they should not be allowed to intervene in any legislation.

When the Great Council’s continuance is confirmed, then, and when the previously mentioned element is added, which is the very basis of freedom—the soul of this body—attention must be paid to important political matters [cose importanti dello stato], such as those pertaining to war and peace. The first discussions about the laws that need to be made or renewed at appropriate times should not take place in the Council, because they are too important. If it should be objected that the choosing of public office-holders is also of very great importance and is nevertheless done by the Council, I would reply that there is a different reason, namely, that it is essential mainly for the preservation of freedom, which would not be preserved if office-holders were chosen by one man or by a few. This does not apply in other matters, the deciding of which neither endangers the freedom of our city nor results in any man becoming so important that our civic freedoms [la comune libertà] are jeopardized. These matters often need to be decided quickly and secretly, which cannot be done by a large body. Moreover, choosing office-holders, even though it is important, is not such a hard matter to make good decisions about. The decisions of the Council [el populo]22 are mainly influenced by the kind of reputation that men have and the judgements that are made about them; this reflects the general opinion held about them rather than a careful appraisal made by each individual. This general opinion is not often mistaken;23 and even if errors are sometimes made, important consequences do not always follow.

But bad consequences do follow with regard to lawmaking, for laws need to be made by men who are wise. When the Council [la multitudo], many of whose members are swayed by their passions, have a hand in making them, it is clear that the laws that result must almost always have harmful consequences or else prove ineffective. This is even more true of the decisions and policies that frequently have to be made about matters of war, peace treaties and similar things, the real features of which are known only by those men who are very shrewd; here when mistakes are made they may very well have the effect of jeopardizing the government and the territory over which it rules [lo stato e dominio della città]. Great difficulties certainly arose in the ancient republics, such as Rome, and especially Athens, which permitted the people to intervene in such matters. It is recorded that many political [alto stato loro] disasters occurred because of this. And there was a striking example in our own times, when the gonfalonier, Piero Soderini, asked the Great Council to decide whether to attack Pisa:24 the policy that was supported by the vast majority, against the view of all the wisest men of the city, resulted in a damaging and shameful defeat.

The Gonfalonier

Such matters then, must be decided by smaller bodies, by men who are shrewd and experienced. And because one of the surest foundations of freedom is the equality of citizens (that is, no citizen should rise higher than the others, beyond a certain limited extent), and because this equality cannot exist if office-holders rule permanently (that is, if the same men always hold power [vieno . . . in luogo di governo]), a change of rulers is essential from time to time. Nevertheless, great affairs of state [le cose dello stato] require the assiduous attention of experienced men, and indeed need those who take specific responsibility for them, and it is not undesirable if a special duty to take care of them is assigned to one man, who may deal with certain very important matters without revealing them to others. It is recognized that in nature the number one is perfect,25 but it is not reasonable that such a duty should be performed by a private citizen; therefore, in our city the choice of a permanent gonfalonier, or at least a gonfalonier appointed for some years, would be very desirable, for many good consequences may result from it. This is confirmed by what is done in the Venetian
Republic, in which the office of permanent doge has been a most valuable source of stability. And there is a contrary example in Florence, eight years after the popular regime [el vivere popolare] was set up,26 not having anyone with overriding political responsibility [cura del governo] resulted in such dreadful dangers that we often survived through divine favour or luck rather than because of our conduct or wisdom; it is clear that if the former had been lacking, the outcome for us would have been certain ruin.

Therefore, it is desirable to establish a head of state [uno capo] of this kind. Yet it is not sufficient to have the Great Council with a gonfalonier,27 unless there are some other institutions. For a gonfalonier has great powers and prestige, and he would rule arbitrarily, which would result in a kind of tyranny. Therefore, it is essential that he should sit with a body of citizens (similar to the Council of Eighty that we have now), composed of elected men who should be the pick of the city; together, they would discuss and decide all the important affairs of the republic.28 This would avoid having the Great Council [la multitudine] involved in deciding very important matters (which would lead to a popular anarchy), and it would act as a curb on the gonfalonier, so that he would not wield too much power. If this body did not exist, decisions would inevitably be made by the gonfalonier with the Signoria, in short, by an oligarchy [un magistrato di pochi]. In such a situation, a permanent gonfalonier, or one who holds office for a long time, would have excessive personal power. Either decisions would be made by many inexperienced men who,29 because of their ignorance, would make many mistakes, or the gonfalonier would have too much power, because experience shows (and it stands to reason) that the Great Council [la multitudine] never does anything on its own initiative, but always follows the lead of the weighty men; this is due to its inherent lack of strength. And it is natural that the Council will follow the lead of a man who occupies such a powerful office and has great influence, rather than that of anyone else; hence, the gonfalonier’s power will become excessive.

The best way to preserve genuine and full freedom is certainly to have a body that can restrain the ignorant desires of the Great Council [la multitudine] and curb any ambitious tendencies in a gonfalonier; therefore, it is essential that this body should be composed of all the most intelligent and respected men. This would also have the effect of keeping men of quality in high positions; thus, they will not become discontented because they are not respected and begin to plot rebellion. At the beginning of the regime of popular government [del governo popolare], the Council of Eighty was established30 in order to achieve this purpose; but the ignorant views of the members of the Great Council [della multitudine] resulted in men of little merit being elected to it, and those who should always be members of it are often not elected. Hence, the low quality of its members, and the frequent changes in its membership, have resulted in the Council of Eighty [quel consiglio] failing to have the authority it should; consequently, it has not been capable of dealing effectively with important political matters [el peso della repubblica], and many mistakes have been made; moreover, the influence of the gonfalonier has been excessive, causing a great deal of harm to our city. Therefore, if our city is to remain completely free and make sound decisions, it is essential that the Council of Eighty should be reformed, so that it is composed of a better class of men and has more power. I shall discuss this matter in more detail later.31

There are, then, three foundations of efficient and free government [governo] in our republic: the Great Council, the essential institution for preserving freedom; a permanent gonfalonier, or at least one who holds office for a long period; and a body composed of a sufficient number of citizens, for discussing and deciding all important political matters [le cose . . . dello stato]. If all these institutions are properly organised, the government [el governo] of our city will, in these respects, be built on solid foundations and will be perfect structurally. Until now I have discussed these matters in a general, almost a confused, way, so I must now distinguish between them more carefully and discuss each of them separately in the order in which I have outlined them.

**Political Reforms: More Detailed Discussion**

**The Great Council**

All the chief public officers of our city, and all the other public officers, both those concerned with decision-making and those concerned with administration, should be elected by the Great Council, once the principle is accepted that no holder of public office [lo stato] should be beholden to one man or to a few. Since the government [el governo] would be placed completely in their hands,32 it is essential that good appointments be made, and suitable men chosen. The Council has caused many evils by giving the offices of our city to men of low calibre, either because of ignorance or through ill-will, and this is a grave defect. Apart from the harm that results from ignorant men holding power [nel governo], this giving of offices to everyone indiscriminately, without taking account of individual talents or merits, discourages those who are public-spirited and capable, and it encourages bungling and bad men to seek their own advantage without any sense of shame. If it were seen that, when someone holding a public office has not acted well or has in general acquired a bad reputation, the Council [el popolo] does not choose him again, selecting instead someone of proven merit, this would be a great stimulus to able and good men, as well as a serious warning to bad men. If these different kinds of treatment do not exist, rewards for good conduct are lacking, and this is one of the two things33 that wise men in ancient times used to say republics were based on.

The root of this evil is a widespread ambition to want to seize public offices and to act with presumptuous licentiousness [l'usare insolentemente la sua liberta], which is something found in every country that is not well governed [timoneggiarli]. What has enormously encouraged this evil is the electoral law, the practice of choosing members of public bodies by lot, from all the men who, in elections, have obtained merely a simple majority; for, in a Council in which there are many men who are ambitious, wicked or ignorant, it is not at all surprising that a great number of them succeed in obtaining that number of votes. Therefore, it would be desirable to require a two-thirds majority for elections, as was done in the early years of the Council, when in most cases good men were elected; and these good choices would have
increased steadily in number, if the regime [lo stato] had become more solidly established, and if the judgements of the members of the Great Council [del popolo] had not been affected, as sometimes happened, by the many fears that they harboured.

This procedure would be best, and more rational, because it is not right that someone who is endorsed by only 501 persons out of 1,000 should be as entitled to hold a position as someone who wins 800 votes. Moreover, it is not compatible with popular government [governo popolare], in which the Great Council [el populo] should be sovereign [signore], not the lot [la sorte]. And public office-holders should derive their authority from it, not from luck. There are two arguments against abolishing the lot. The first is that it would cause enmities and bad blood between those who consider themselves to be equals, if they see that one man is preferred to another, nor does it seem reasonable to them; furthermore, such preferences are frequently wrong, because it cannot be denied that bizarre choices are sometimes made. The other argument is that it would result in appointments to offices being made on a restrictive basis [andrebbono stretta], and it is certainly proper that, in a popular regime [uno governo popolare], in which everyone pays taxes, everyone should have his proper place in public life and, especially, a proper share of the salaried offices. Nevertheless, I do not think we should deviate from the procedure I have recommended, because it promotes more effectively the goal of distributing well the public offices and administrative posts, which is the most important thing. If the regime [lo stato] were so stable that the citizens were agreed on its character and recognized that it could not be changed, I would not want to accept any difference in treatment. But since it is still new and very unstable, for the sake of civil tranquillity it might be a good thing for the more important internal offices (such as those of the Signoria, the Ten [10] and the Eight [8]) to be filled by election, with a simple majority of the votes being required, after nomination. Alternatively, the lot could be used for appointing from those who had gained the majority of votes. And such a procedure would also need to be used for the more important external public offices (such as the captains of Pisa, Arezzo and Pistoia). The public offices that involve some administrative duties, but which are not so important (such internal offices as the officials of the Tower, the countryside, etc.) and the external ones (such as the vicariates and the more important mayoralties): these are a different matter, and the election procedure could be of a kind that permits a large number of electors; for example, everyone could be entitled to put in four or five names, and in choosing them a mixture of the lot and election could be used. And as for elections to the third kind of public offices, which involve little administration and are essentially honorable or profitable (such as the public treasurers and the less important mayoralties and many other city offices), here the present methods could be retained. And even if this procedure can be criticized because it does not entirely remedy the mistakes caused by the extensive suffrage, and it has not been the practice in other republics (none of which, as far as I know, has ever used the lot), nevertheless it should be tolerated as the lesser evil. It should be borne in mind that almost all human institutions are imperfect, and wise men are satisfied with those that have fewest defects.

The second point to consider about the Great Council concerns the laws. I do not mean whether they should be discussed by the Council in the first instance, because that would result in much confusion and would be incompatible with the procedures of a well-organised republic. I mean rather, after they have been passed by small bodies, whether or not they then need the approval of the Council. I find it easy to decide about this point: since the laws are a general matter and concern every citizen, the final decisions about them should be taken in the Council. I should certainly prefer that they not be discussed there publicly, except by order of the Signoria, and then only in favour of what is proposed, because if every member were free to argue in favour or against, there would be a great deal of confusion. But such discussion would be desirable if these measures have not been subjected to examination in another body. However, if they come to the Council after having been previously discussed thoroughly in smaller bodies, and with their merits already clear, there is no need for them to be discussed there. The ratification of laws by the Council is prescribed, not in order to re-examine them thoroughly, but because the laws bind everyone; thus, it cannot be claimed that they have been made by a few men, without general approval. There will also be a curb on the smaller councils, so that they do not introduce any law that changes the constitution [in alterazione dello stato] or has other harmful consequences. Moreover, to ensure that the members of the Council make decisions only after due deliberation, it is highly desirable that proposed laws be published some days earlier, so that when the Council meets to approve them, they should already be sufficiently well known, and private discussions about them will have already taken place.

Whether taxes and allocations of funds need to be approved by the Council is, I think, more problematical. For one thing, experience shows that the Council [el populo] is reluctant to pass them, with the outcome that they are often approved so late that the money is not available in time to achieve the desired purposes. Again, it sometimes happens that funds are needed for carrying out a secret policy, which it is undesirable that the Council [el populo] should know about. And if this expenditure has to be approved by the Council, the reason for it must be made known there, because the measure will never be approved unless it is generally accepted that there is an obvious need for it. Furthermore, when the Council [el populo] has to decide such matters, very often unjust and harmful measures are approved, which bear heavily on some people and bring little benefit. And because there are many more poor men than rich in the Council, the burdens will not be spread evenly, and they will want the rich to pay for everything and to get off lightly themselves. This would be unjust and pernicious, because even though wealthy men have a duty to make a contribution to our city, it is highly desirable not to impoverish them, because wealthy men bring honour to our city and adorn it, and also so that they will be in a position to contribute on future occasions. These are the arguments for not having the Council decide such matters.

On the other hand, everyone is very attached to deciding about money matters, and it is (so to speak) almost second nature; consequently, if what everyone has to pay is determined by what a few men want and decide, this could well give rise to some discord and disorder. This procedure would also cause serious trouble if it were used dishonourably, and the poor were taxed more heavily than the wealthy.
what he wants. This would not happen if members of the Signoria were shrewd and men of high reputation, because they would be prepared to argue with him and would do it effectively; they would consider arguments on their merits and not be submissive to his authority. (The doge of Venice, although the office is permanent, does not have very much power, precisely because the leading men of that city sit together with him.) It is this weakness of the Signoria that has given excessive power to the gonfalonier, Piero Soderini, and it is essential to remedy this, because the matter is of the utmost importance.

It needs to be done in one of two ways: either this supreme body [the Signoria] must be elected from a small number of very suitable men; or, if its members continue to be chosen from the present large number, limits must be placed on the authority of the Signoria in those matters that, when under the control of the gonfalonier, make him too powerful. If it were possible, having the members of the Signoria chosen from a small number of well-qualified men would be the better solution; because the Signoria is more important than any other body, it would be very desirable for its members to be men capable of exercising so much power. But it must be borne in mind that since it resides continuously in the Palace, surrounded by so much pomp and so many marks of honour, it has been for a very long time highly visible to all the citizens, and membership of it has become a dish [pasto] that everyone desires to feast upon at some time. Consequently, a man who has never succeeded in sitting on it does not really regard himself as a citizen of Florence. This way of thinking is so deeply rooted that it would be difficult to change it, and I do not believe that it is a practical possibility. It would be better to concentrate instead on reducing somewhat its very great powers.

Today the Signoria has great authority, and except for very few matters (such as making peace treaties or alliances, engaging mercenary leaders and electing public officers), it is empowered to do everything, provided there is a two-thirds majority in favour; it has cognizance of and decides without any exceptions any civil cases; it can do the same with criminal cases; it can have citizens executed or exiled, without any controls over it. And although with regard to the latter two, it is possible for a man to appeal against its verdict to the Great Council [al consiglio], this matter is inefficiently organized, and the right of appeal is not always allowed. It can do all these things either by its own authority or by acting through other bodies, because when it wants to exert its authority, all the other bodies give way to it. Moreover, with regard to affairs of state [nelle cose dello stato], it can reply to letters from rulers [signori] and ambassadors; it can seek advice from the Council of Eighty if it wants to do anything, just as it pleases. No taxes can be imposed, no laws passed or decrees made, unless two-thirds of the Signoria give their consent. In short, it can do almost anything, and those things that it cannot do cannot be done by other bodies without its consent. And even though the public officers are chosen by the Great Council [in consiglio], at times the Signoria with regard to certain offices, missions and situations also chooses some chancellors and notaries of the chief public officers, which is also a matter of no little importance. Consequently, since the gonfalonier is ex officio head of the Signoria, and because of his authority and the weakness of his colleagues, he is in effect always in command; the outcome is that his power in a
free city and society [una città e vivere libero] is excessive, and it is essential that it be curbed.

By far the most important thing is to take away the power of the Signoria, with a two-thirds majority, to decide, or to order the other holders of public office to decide, about cases involving the death penalty or exiling citizens or depriving them of political rights [sopra lo amministrazione], in short, with regard to imposing penalties of whatever kind on any citizens in any political trial [per conto delle cose dello stato]. The most important right [sicurtà] that should be enjoyed in a republic is to be able to live and act freely, without fear of being harmed by any individuals. And if it should be urged that it is possible to appeal to the Council (as is granted by the law about appeals made in 1494) against any verdicts of the Signoria in political trials [per conto dello stato], I would reply that this right is not sufficient, because it is difficult to win an appeal. To succeed, one has (in effect) to overcome the authority of the Signoria and obtain a two-thirds majority in the Council [nel popolo] (whose members are naturally suspicious and very ignorant, as well as being hostile to important men of great talent); it is not the right body to judge such grave matters. It would be possible to remedy this by setting up a special court (like the quarantia), 54 or commit the case to some other body (I shall discuss this in more detail later). However, in the present context, 56 it is enough to say that it is not right that the Signoria can condemn citizens for political offences [per stato]; because it is always almost dominated by the gonfalonier, this power causes him to be feared far too much. It is essential to remove from the gonfalonier this power of controlling citizens through fear, and also to take away the means by which he can win men over through hope of favours. It follows that the Signoria should not have the power to give public offices of any kind to citizens; it should not send ambassadors or commissaries (except in cases of great urgency, and then only for short periods), and any such authority 57 must not be extended, either officially or secretly. Nor should the Signoria send Palace secretaries 58 to undertake similar duties, except by decree of the Council of Eighty or else of that body that represents it (except in cases of great urgency, as mentioned before). This measure would have the desired effects that I have mentioned already, and it would stop the Signoria using such persons to negotiate with foreign rulers [principi forestieri]. It is not desirable that, with a two-thirds majority, the Signoria should be able to dismiss any public office-holder for any reason whatever, or dismiss the chancellors and public secretaries. For they realize that they are in the hands of the gonfalonier and become afraid of dismissal; this makes them so submissive to his will that they become, in effect, powerful instruments for perverting legal processes and the institutions of government [le cose delle legge e dello stato] in any way that he wants, as we have seen happen during Piero Soderini’s period in office.

The procedure for discussing and approving laws also adds greatly to the excessive power of the gonfalonier. Laws cannot be made without the consent of the Signoria, and therefore this is very difficult to achieve if the gonfalonier is opposed to them. New laws can be made to deal with defects and mistakes when they become obvious. If some feature of the gonfalonier’s conduct is improper, this can be dealt with by making a special law applying to him. And it is essential that the procedure for passing a law should not be so restrictive that his consent to it is required. I shall discuss the way to ensure this later. 59 When I return to dealing with how affairs of state [le cose dello stato] should be decided so that the gonfalonier’s will, because of the various methods he can employ for making proposals and the various bodies in which he is involved, is not dominant.

What has to be discussed now is whether the gonfalonier should have all the powers that were conferred on him by the new law of 1502, namely, to have special responsibility for justice and, consequently, the power of presiding over criminal trials in all the courts. Whether or not it is necessary to discuss this depends on another consideration, that is, whether he should hold office permanently or only for a limited period; if it is for a limited period, giving him this power or not is certainly of no importance, for no gonfalonier who is conscious that he will have to return to being a private citizen will want to use it, provided he is free to act as he wishes and is not obliged by law to intervene. Therefore, this matter needs to be discussed only if the gonfalonier holds office permanently, and, if he does, I would be in favour of granting him this power, except in political trials [le cose dello stato]. For if he wishes to exercise it, it could well be a useful power, since when a nobleman or a powerful man acts illegally, the judges often do not dare to punish him, because they are aware that they personally, or their interests, could be harmed by the brothers or relatives of the accused man, and indeed they are frequently afraid of becoming the victims of violence.

Such fears will not exist if the gonfalonier holds office for life. 60 His exercise of this right would benefit our city, and it would not confer on him so much power that he would become feared, because it is likely that those who come before the courts on such charges will not be men who aspire to hold important public offices [al governo dello stato], but rather lower-class or young men. Nevertheless, this is not a very important matter because, apart from the fact that there will be few men who are likely to resort to such violence, if the judges in our city are reorganized in the way that I shall explain later, 61 they will not need to have so much pressure on them to do their duty properly as they do now.

The last matter to be considered about the gonfalonier is whether he should hold office for life or for a limited period. There are weighty arguments on both sides, and to consider them properly it must be said that there were two reasons for making the gonfalonier’s office permanent: the first was the great political [nelllo stato] disorder that existed; the second was that the system of criminal justice in our city was very badly administered, and it was thought that a permanent gonfalonier, who was given the power to preside in any court, would be very useful. And if he were to exercise this power, it was essential that his post should be permanent, for a man who held office for a limited period would have the same reasons for being timid as the other public officers. Today this argument has less force, if his authority is limited as was suggested earlier, 62 and if the system of justice and the judges are changed in the way that will be suggested later. 63 Consequently, leaving aside questions about the system of justice, the important consideration is whether, with regard to the government of the state [governo dello stato], it is more desirable that the gonfalonier should hold office for life or for a limited period.
If the gonfalonier is wise and just, it is undoubtedly more beneficial for our city that he should hold the office permanently, because if he always holds it, he will be more dedicated to affairs of state [alle cose del governo], and indeed he will have no other concern or goal but to govern well in any matter that concerns his republic; he will become more expert in every kind of business; he will understand better how to deal with events and problems; he will acquire a steadily improved understanding of the characters of the citizens with whom he has to deal and that of the people generally. In short, he will become increasingly effective and capable of accomplishing well all the duties of his office; he will be able to act in ways that benefit our city, with less fear of anyone than if he had a limited term of office. Knowing that he will finish his life in that office will strengthen his resolve and remove any temptation to favour one faction in our city more than another, which might happen if he needed to be re-appointed or (on becoming qualified to hold office again) re-elected. These are very strong reasons for favouring a permanent gonfalonier.

On the other hand, if one wants him to be a gonfalonier and not an absolute ruler [principe assoluto], there is no doubt that the best security possible is that his tenure of office should not be permanent. This should discourage him from scheming to usurp more power than the laws permit, because he would be aware that, eventually, he would have to give up his office. And even if he were to scheme in this way, he would lack devoted supporters and that power and influence over the citizens that he would have if his tenure were permanent. Moreover, if it should happen that he is not a good gonfalonier, either through wickedness or through ignorance, which can easily happen, it would be better that our city would eventually be rid of him rather than that his rule should be permanent. Nor should much reliance be placed on the view that he would be driven from office, because this is something that just does not happen, partly because of the favours at his disposal and the friends that he has, and partly because he would not be universally unpopular—everyone would not be aware of his defects. Another consideration of some weight is that having a gonfalonier for a limited period provides opportunities for more men to reach that office [st du pasto a piti]: and the hopes that the leading citizens have of being elevated to that high office provide greatly to our city being at peace rather than rent by discords, for they will be less discontented and will also be more devoted to the public good. These are the arguments for the opposite view.

Having considered all these arguments, I should prefer a permanent gonfalonier, because this would be much more beneficial for our city. And I would also like our city to have a supreme civil office of surpassing dignity, so that a very meritorious citizen in a republic can aspire to rise to it through legal means that are compatible with civic freedom [per via delle legge e libertà]. Thus, men who are very active and dedicate their lives to public affairs will be able to aim at an exalted position, which could be theirs if only they act outstandingly and work for their city; and without being tempted to seize tyrannical power [alla tirannide] and usurp that which belongs to others, they will realize that their meritorious deeds can receive due reward. And even if this is a prospect [pasto] that is likely to inspire [inflammare] only a few men, this stimulus is not therefore worthless, because in every well-ordered republic it is obvious that it is always a few able and virtuous citizens who exercise control; glorious deeds and great achievements have always been initiated and performed by a few men, because to be in charge of great enterprises and to be heads of government [capì del governo] in free cities, great and varied talents and virtues are required, and these are to be found in very few men. Such men should love their city; but so that they will work with more zeal, they need to have the spur of ambition, an appetite for greatness and for rising to a very high position in the state [qualche sommo grado]. And if they desire and work to achieve this, not through overriding the laws or by means of factions, but by being considered good and wise citizens and by benefiting their native city, who can doubt that such an ambition is praiseworthy and very beneficial? Anyone who is not motivated by such ambition suffers from a certain want of spirit and lacks the stimulus of glory; he will never be capable of performing great and noble deeds.

Therefore, in order to encourage this honourable ambition in men of great spirit and give them the opportunity to perform glorious deeds, it is very desirable to have such a high office available, which provides the chance of rising to the very highest position possible in a free city. Other men, who are less magnanimous and less talented, will be highly motivated by the prospect of attaining the other public offices of our city, which will be of sufficient importance to satisfy their more modest ambitions; but men of great appetite [digestione] will not be satisfied with such meagre dishes [piccolo pasto]. I conclude, then, that the gonfalonier should be permanent; and if his powers are limited in the ways described earlier, this would remove any possible means and any temptation for him to seek to acquire greater authority or to become too powerful; for if citizens cannot hope for favours from him and have no reason to fear that he may harm them, it will be easy to make the laws that need to be made, without his approval being necessary, and to propose, discuss and deal with the ordinary affairs of state [cose dello stato]. Consequently, I do not see how he can become too powerful. Furthermore, the use of the right procedure and due care in electing the gonfalonier would make me confident that men who are suitable and of high quality will be elected. If this does not happen, the public officers or those to whom the appeals have been submitted will curb or punish them more effectively, perhaps, than has been possible in the past.

Now that the gonfalonier's powers and the kind of man suitable for this post have been discussed, we must consider what body should elect him. Not deviating from the position previously established, namely, that the people [el popolo] should choose public officers and that office-holders should not be beholden to any individuals or groups, it follows that the Great Council [el consiglio] should make the choice. On the other hand, this office is exceedingly important, and there are very few men at any time who are fitted to hold it. The Great Council [el popolo] knows who the meritorious and wise men are by what is said about them, which is adequate for filling all other public offices, but lacks the detailed knowledge and fine judgement required for considering and weighing exactly the qualities of candidates for such an important office. Therefore, I think that, when this office has to be filled, the intermediate body of which I shall speak soon, in which all the wise and prudent men will sit, should choose (with a two-thirds majority required for each candidate) three citizens worthy of holding that office, whose names should then be passed to the
Great Council, and then within two or three days a secret ballot should take place; the man who receives the most votes will become permanent gonfalonier. If the candidates are considered in this way by shrewd men, it is to be expected that the three ablest men in our city should be proposed. And even if it should happen that the Council [el popolo] fails to choose the best of the three, this would not be as serious an error as would occur if the popular choice had to be made from many candidates. This procedure would preserve the principle that nobody should be beholden to individuals for a public office, because the Council [del popolo] would make the final decision; moreover, because the preliminary choice of the three men would be made by a large body, there is no reason to fear that anyone would be proposed because of any factional manoeuvring. This method also has another important merit: since anyone who reaches this high office must be approved both by the Senate (so to speak) and by the Council [del popolo], a man who aspires to be appointed would have no reason to curry favour more with the Council [del popolo] than with the Senate, or vice versa. Indeed, since there has to be general agreement, such a man would avoid using any other means but good deeds and would act with integrity, so that afterwards, when he seeks high public office, everyone would approve of him.

A Senate Is Proposed

Since the two extreme points, the one and the many, that is, the gonfalonier and the Great Council, have been settled, we must now turn to the middle ground, to that body that will have the function of coordinating them; it must be the guiding body [el timone] of our city and the controller of everything important. Since it has such a weighty role, it is essential that it be composed of all the wisest men of the city and all those who are well suited to govern [al governo], so that important decisions will be made by knowledgeable and capable men. The following matters need to be discussed: what body should appoint them; how they should be appointed; how long they should hold office; what powers they need to have; what bodies should consult with them, and how this should take place.

The main elements of this body must be the Signoria, whose presence is essential to any such body, and the Colleges, which, since they were created in order to safeguard freedom, need to be present at these meetings. It is certainly desirable for them to have this honour; and if their quality or competence leaves something to be desired, with more experience of affairs they will improve. As well as these, there should be a group of the best citizens. Even if there are not very many who are deserving of inclusion because of their political [dello stato] knowledge and competence, nevertheless this group should be large, in order to preserve civic freedom [per conservazione della libertà], ensuring that such great power does not fall into a few hands. Moreover, in a free society [uno vivere libero] it is desirable to permit many men to participate in government [dare parte a molti], if this can be arranged without causing serious harm. Therefore, I am inclined to think that, including the Signoria and the Colleges, there should be about two hundred members. This was the practice in such ancient republics as Rome, Carthage, Athens and Sparta, in which that body which they called a ‘senate’ was composed of many members. In Venice, there are two hundred or more of those whom they call pregati, which is the same body. And, as I have said, such a large body is essential, both for protecting freedom and also because a small body would not be appropriate in a popular regime [in uno vivere libero]. Even though it inevitably happens that in such a large assembly there will be many men who are ill equipped, this must be tolerated as being the lesser evil, especially since it is not really as harmful as it may seem; for when men who are wise and have a fine reputation discuss matters knowledgeably and perceptive, those who are less knowledgeable will tend to follow the lead of those who are more knowledgeable. And when six or eight of the leading citizens agree about a matter, it will rarely if ever happen that the rest do not follow their lead. Even when these outstanding men are unable to agree (as often happens in discussions), hearing the different arguments expounded and criticized will be such an education for the less able citizens that either they will understand matters or, at least, they will come close to doing so. Certain matters, which have already received some consideration in smaller bodies [non al tutto acerbe ma cominciate già a maturarsi e digestirsi], will often come to this body; it will not be necessary for all the details to be fully discussed there, but they should discuss matters sufficiently before making the final decision.

The most important point about the Senate, if it is to be really valuable, is that all citizens who are considered to be wise should be permanent members. It is not enough that most of them should be members, because it sometimes happens that one man will be more discerning than everyone else and will put forward a proposal that (even though it has been thought through only by him) will be approved by everyone when they have heard his arguments. In short, all the most important work of governing [tutto l'ondo del governo] will really be carried out by very few men, which is what always happens in republics, in both ancient and modern times. Consequently, it is essential to hit on the best way of choosing them, so that their power becomes stable, for this is a matter of capital importance. I am not quite sure that it is desirable for them to hold office permanently, because I should like them to be under some pressure to act well, by holding, in the Great Council [del popolo], frequent secret elections for these offices. This could be achieved by limiting their tenure of office to one year and requiring a two-thirds majority in order to be elected. But it is to be feared (as experience has shown) that the Council [del popolo] would be very reluctant to re-elect the same men, and the ambition of everyone to become members would cause great instability of membership (as has happened with the Council of Eighty), and the Senate would cease to be an effective body. Therefore, it seems essential that the members should hold office permanently. But there is another possibility: the Council of Eighty could be elected in the present manner, and there could be a further eighty or a hundred members with permanent tenure of office (and these should be the leading and really outstanding citizens), who would always take part in meetings together with the Eighty and have the same powers. Thus, the principle that the leaders of the Senate should have permanent tenure would be preserved, and the others, who are less important, would change from time to time, thus giving everyone a better chance of attaining office [si durebbe . . . più posto allo universale], but without harming the republic.
It would be difficult in the early stages to let the Great Council (el popolo) elect these permanent members, because there is the danger that it might exclude some men who should not be excluded. Therefore, what should be done is that all those who have ever been gemonaliers of justice,78 or have been members of the Ten at least twice (because this body has for some time been open to a very large number of citizens), and those who have been ambassadors or general commissaries79 elected by the Council of Eighty, shall all be permanent members of the Senate. Furthermore, since there are some citizens who would be worthy members, but who have not held any of these offices, there should be a further thirty members, to be elected by the Signoria and the Colleges and by these permanent members. Although this would result in a membership that is perhaps too large, it would be essential to put up with it for a while; however, for some time, those members who die need not be replaced, until the number is reduced to a hundred. After that, when a member dies, he should be replaced in the following way: the Senate (the members of the Signoria and the Council of Eighty and the permanent members) should elect by secret ballot thirty citizens for every vacancy and then choose the three who obtain the most votes (and each must receive at least two-thirds); then these three names should be passed to the Great Council, and the one who receives the most votes there would be elected to the vacant seat, in the same way that I described for electing the gonfalonier.

The functions of the Senate shall be to ratify military contracts made by the Ten and to choose ambassadors and commissaries. (These offices should not be filled by the Great Council [el popolo], because of their importance, and also because they require special skills and knowledge; and members of the Great Council [el popolo] are not sufficiently discerning to know who is capable of undertaking them. Moreover, some of these posts require men of higher status than others, according to the special circumstances requiring these appointments and the duties that are entrusted to these officers, which the members of the Great Council [el popolo] are unable to judge, because they do not always know the reasons for making these appointments and the secret negotiations that may be conducted.)80 The Senate shall also renew the appointments of the chancellors of the Palace81 (which is not something the Great Council [el popolo] should do), as well as examine measures that are proposed, before they are considered by the Council; it should also be responsible for the final passage of any fiscal laws; it should provide judges for the city, as will be explained later;82 it should elect the gonfalonier and replace those of its members who die, as was explained earlier. It would also be desirable for the Ten of Balia (even though they are elected by the Great Council) to be elected only from members of the Senate. Finally, the Senate should decide about affairs of state [le cose della stato] and play a prominent part in legislation, in ways that will be explained shortly.83

In a republic, there are strict controls over the way that laws and decrees are made. Laws must first be proposed by the members of the Signoria, approved by the ferrarini,84 discussed again by the Signoria, passed by them and by the Colleges; then they must be passed by the Council of Eighty and, after so much sifting, finally come to the Great Council. There was, perhaps, a good reason for having such strict controls: since making laws is a matter of the greatest importance, which could at any time result in changes in the governmental structure and the institutions [lo stato e li ordini] of our city, there was a desire to block the plans of seditious or turbulent men, who do not hesitate to harm the welfare of others and who are always eager to subvert the constitution [vedere . . . case nuove]. The history of the ancient republics gave added force to such considerations, for it is recorded that there were countless disturbances and revolutions [infiniti moti] in them, just because it was very easy for any seditious man to take the initiative in proposing new laws in popular assemblies [el popolo]. On the other hand, the existing controls are so strict that they are harmful, because although it is not right that it should be so easy for anyone to propose new laws in large assemblies, it is also not right or beneficial for one man or a few individuals to be able to block proposals that may be considered desirable. With the present legislative procedure, and having a permanent gonfalonier, it is obvious that he is almost always able to block a measure, since six members of the Signoria very rarely unite to oppose him. Moreover, even if they were thus to unite, since the Signoria stays in office for such a short period,85 and since it often happens that during their tenure there are changes of the Gonfaloniers of the Companies86 and of the Twelve Goodmen,87 which causes many problems, the gonfalonier, just by artfully playing for time, can block measures. Furthermore, even if the gonfalonier is not obstructive, it is almost always possible for a few citizens, if they know about matters in advance, to block measures in various ways in one of these small bodies. I do not myself believe that this complicated legislative procedure, which is under such strict control, derives from the free constitution [dalla libertà] of our city, but rather from the influence exercised by the oligarchy [de’ pochi], who thought that they themselves could be deprived of authority by a single decree; not being sufficiently powerful to be able to take away from the popular bodies the right to pass laws, they wanted at least to make sure that, by introducing these controls, it would be impossible for any law to be passed against their will. This is a very serious evil, and a free society [el vivere libero] must overcome it.

There is another grave evil. When the Signoria, acting on the suggestion of a gonfalonier, wants to have a law passed, but is afraid that for some reason it will be hard to have it approved, it will contrive to initiate it and take it to the Council of Eighty in just one day. There will be little difficulty in getting it passed by the Colleges, whose members are almost always weak men, and then in reintroducing it quickly in the Council of Eighty where, even if there are a few men who are aware of its defects, there are not enough for it to be rejected; and its deficiencies cannot be made known outside this body, because it is not lawful to discuss these matters publicly, unless the Signoria permits it, and then only in favour of a measure. When it is approved by the Council of Eighty, getting the consent of the Great Council [nel popolo] presents little difficulty, because it seldom knows more than it needs to know. To solve this problem, it was decreed long ago that every measure must be published a certain number of days before it was discussed by the Colleges. But there was a provision that the Signoria was entitled to dispense with this prior publication. All these practices are tyrannical in character, and such devices were introduced so that these men could ride roughshod over civic freedom whenever they wanted to [fare alla palla della libertà della città].88

To overcome all these evils, I would propose two procedures for making laws. The
first is that they should be made in the same way and with the same controls that operate today, but with just two additional features. First, when a measure has been passed by the Colleges, before it can be considered by the intermediate body (which henceforth I shall call the Senate) there must be a first reading of it, at least one day before it is discussed, and the Signoria must not have the power in any way to dispense with this. (The purpose of this first reading is that the Senate should not be caught napping, and that it should have sufficient time to examine it properly.) The other additional feature is that when a measure comes to the Senate, everyone (whether a member of the Colleges or a senator) should be entitled to speak in favour or to criticize it, just as he thinks fit. Such freedom of speech [gesta libera] would not be desirable in the Great Council, because it would cause so much confusion that proceedings would never be concluded, but in the Senate, whose primary function is to consider important matters and to guide [timoneggiare] our city, it is right that measures should always be thoroughly examined [digivere]. The person who took these powers away did so in order that the councils would approve all measures, whether they were sound or not, because of exhaustion, and would decide matters without ever hearing what could be said against them. In a free city, it is essential that it should be easy to propose measures and to have them considered [venire in consulta]; but then they must be examined and discussed rigorously, so that the decisions made about them are always well considered. This is how affairs should be conducted in a good republic. The present situation, however, is the exact opposite: proposing laws is difficult, and the process of discussing and passing them is easier, in order to reach the decisions desired. These are all procedures devised by tyrants, who in reality take away our freedom, leaving only its name and certain forms of little importance; our city has only partially abolished those procedures [quali forme], because the popular regime [governo popolare] has not been established for very long.

The second procedure for law-making that I favour is that any member of the Signoria, without the consent of the others, should be able to propose in the Senate any law that seems good to him, but always with the proviso that it must be given a first reading, and that anybody should be entitled to criticize or support it. And if it is supported by three-quarters of the Senate, it should be passed on to the Great Council, and the member of the Signoria who proposed it should, in speaking in support of it, perform the function normally performed by the gonfalonier. Under this system, a useful measure could not be blocked by one man or a few men, for it would take just one member of the Signoria to be in favour of it to ensure that it is considered by a large assembly. On the other hand, initiating a measure in this way would not be so easy that it would happen very often, since it must go before the Senate, where it would require a three-quarters majority, whereas under the other system only a two-thirds majority is needed. Again, unimportant men [uomini deboli] would not initiate measures in this way, because much resolution would be needed to do it, and to be able to justify these measures and defend them from criticism or attacks. I would not want this second procedure to be used for finance measures, for which only the first procedure mentioned should be used. The reason for this is that permitting them to be passed by such a large body [that is, the Great

Council: el lasciarsi questa larghezza] could well result in disorder or injustice, because the matter is of keen interest and affects everyone to a notable extent; moreover, everyone is more disposed to prefer the measures that are the least hurtful to himself rather than those that he knows to be more reasonable and more beneficial to our city.

In discussing the ordinary affairs of state [le case...dello stato], indeed in getting his own way concerning them, the gonfalonier Piero Soderini has displayed great determination. He has succeeded both because he has had excessive power (for the reasons already mentioned), and because of the shrewdness with which he has contrived to have matters considered in consultative meetings [messe in consulta] in ways advantageous to himself: sometimes he has wanted them considered by the Ten together with small consultative groups [con le pratiche strette]; sometimes in normal meetings of the Council of Eighty; sometimes in the Council of Eighty in its enlarged form [con uno arroto di pratiche grande]. He has chosen the procedure that he believed more likely to obtain support for his views. Again, when different opinions have been expressed, he has favoured that which he preferred; sometimes he has called for a simple `yes' or `no' vote, sometimes a vote by acclamation, sometimes a secret vote, and very important consequences have followed from using these different procedures. Thus, he has been cunning in knowing when to propose consideration of measures in smaller bodies, and when in larger ones, which is a very serious matter. There is a further problem: the practice of limiting discussion to members representing various city districts is foolish and never results in useful discussions.

At any rate, I very much favour the Ten remaining in office in times both of war and of peace; it should deal with the affairs of our dominions [le case dello stato] in the same way and with the same powers as it does today; but it should not be able to decide the matters that it must deal with today, without the intervention of the Senate. Moreover, the commissions given to ambassadors when they go abroad (which today are given by the Signoria and the Colleges) should be discussed and decided by the Senate. Even if these are not given very often, the authority of the Senate would require that every important matter (except those that require much secrecy) should be discussed and decided there. I think that, as need arises, the Signoria should consult the Senate and that the Ten should be entitled to do the same, even if the Signoria, which in any case would have to be present, does not want that done.

These consultations should take place in the following manner: the body that asks for advice should explain the matter and put forward a well-considered [con qualche digestione] proposal that they think is on the right lines, explaining the reasons for it. And it should be able to put forward one proposal or more than one, and not only all the members as a body but each of them separately should also be entitled to make any proposal that seems good to him, even if the other members are opposed to it. After this is done, any senator should be entitled to address the meeting, supporting or criticizing the measures under consideration, proposing the rejection of some elements, or the addition of new ones; and everyone should be able to do this. Afterwards, either at once or on another day (if the matter is very important), they should proceed to a secret vote, and the proposal that receives the most votes must be
accepted. Because such frank public discussion is unusual, there would be reluctance to initiate it. Accordingly, someone could be nominated to speak, so that eventually speaking freely in public would become the custom. This procedure for discussing matters would result in the gonfalonier having no more authority than anyone else; and with this practice of speaking for and against proposals, matters would be fully discussed.

Apart from the affairs of our city being discussed more freely and efficaciously than in the past, there would be another desirable outcome: whereas now citizens have little opportunity to demonstrate their qualities in public, and those who speak little are often accounted wise, this continual display of their talents in arguing about proposals and measures would permit those who are more meritorious to become known. They would be distinguished from the rest, as gold is from lead, so that men’s capacities would be known as a result of practical tests, not mere hearsay, which, as will be maintained, would be something very beneficial to our city.

Parliaments

In order to establish firmly this method of government [modo di governa], it is essential to maintain the law that prohibits the calling of parliament,\(^9\) for this practice only has the effect of seriously undermining the popular regime [il vivere popolare].\(^9\) The practice of calling parliaments arose for the following reason. Since living in freedom [con libertà], with the people having much influence, is natural in our city, it was not possible to deal with important matters without the consent of the people; consequently, all those who at any time wanted to hold sway realized that, if they were to attain absolute power [tenere la tirannide], they could not completely eliminate free institutions [la libertà], but had to retain at least the semblance of them, which required the consent of the people and the assemblies for making laws and for conferring new powers. Because they realized that they could not obtain this consent through the established institutions [per le vie ordinarie], they devised this practice of calling the people into the town square with a show of force, in order to make them ratify publicly the measures proposed by themselves. This is really nothing else than using the terror induced by arms and military force to constrain the people to consent to everything that they propose. While pretending that whatever is done is done because all the citizens want it done and have approved it. Hence, in order to preserve free institutions [la libertà] effectively, it is essential that matters that have to be decided by popular bodies should be decided in a regular manner [ordinariamente] and by secret voting, and not to have any parliament, which is only a device for forcing the people to approve measures that they do not want.

The Legal System: Rewards and Punishments

I should very much have liked to be able to end my piece at this point, for I have discussed fully what kind of troops should defend our city from external enemies, and which bodies and officers should control its internal affairs, namely, the Great Council, the Senate, the Signoria and the gonfalonier. But in any city it is inevitable that many misdeeds and crimes of every kind will be committed, which must be punished if it is to survive; indeed, ancient legislators maintained that republics were based on two main things, rewards and punishments. Therefore, it is necessary to consider in some detail how criminal cases should be dealt with, and which bodies should pass verdicts.

The institutions and procedures that I have discussed previously not only provide safeguards for our civic freedom [la libertà] and are a good way of governing the state [governare lo stato]; they also indicate in large measure the rewards for citizens who behave creditably and perform outstanding deeds. I mean the rewards that good men should want and expect in a republic, not those sought from princes or tyrants.

To hold regular public office in one’s city, of a kind that is appropriate to one’s status, to be elected to important public posts and other offices, in accordance with one’s talents and good conduct: these are the only rewards that a city should give to its citizens — not opportunities to become wealthy and to seize what belongs to others; not unconstitutional powers [authorità extraordinarie] and being able to distribute public offices as one pleases, or protect wrongdoers from the judges, all of which are characteristic features of a tyrannical regime. Instead, good and noble-minded citizens must be encouraged to seek those offices and positions that are compatible with a free society [vita libera]. It should be enough for them to know that they are highly regarded and greatly respected by their fellow citizens — in short, to enjoy a good reputation and to acquire glory that may not be great but is assured.

These would be very striking outcomes of the form of government [nel governo] that I have recommended, because distributing the more important public offices less widely, and with more discrimination than has been the practice until now, must result in men of weight and reputation predominating. Moreover, facilitating public discussion of measures and proposals, and giving the freedom to criticize them as well as support them, would have the effect of distinguishing the able men from the others, so that capable and public-spirited men would easily acquire a fine reputation, which would not be based (as often happens today) solely on belonging to a noble family or having a distinguished father or ancestors, but on the excellence of one’s deeds and the qualities that one actually possesses. Thus, a very fine man whose father was of low birth would not be accounted of little worth, just as a man of little worth whose father and family were distinguished would not be considered outstanding. Good deeds and abilities, then, would be rewarded in the ways that they should be in a republic, and consequently wickedness and ignorance would be dishonoured and despised. This desirable state of affairs would be the outcome of men being able to demonstrate their real qualities. Hence, when everyone appreciates this genuine well-being, men will desire, and be stimulated, to behave creditably and will want to possess the qualities that will enable them to obtain the high offices of state [gradi grandi] and to achieve great glory.

Certainly, I personally do not see how a greater reward can be offered to a man of noble spirit than being the head of a free city, not because he has intrigued to obtain power or has powerful relatives or has been favoured by a certain faction, but because of the high respect for his standing and the good reputation that he enjoys, resulting from his being recognized as a wise man and dedicated to his city. This
position, which many men held in ancient republics (and, above all, Pericles in Athens), seems to me preferable to all the power or influence possessed by any tyrant: it is to know that one has a fine reputation and holds high office solely because of one's abilities and good qualities. Happy are the men who are moved by this ardent desire [sentono questa fiamma], which can animate only those whose hearts are very noble! And happy are the republics that are full of such noble ambitions, because they always cause those things to flourish that lead men to these high public offices, namely, outstanding abilities and fine deeds, as well as a burning desire to perform great and noble deeds for the benefit of one's city, both in those men who want to rise to this exalted office and in those who already hold office. Their great power and standing are not incompatible with a free society [alla libertà], nor do they threaten it, because such pre-eminence is not achieved through sects or factions, or by means of the baser arts, and such office-holders are beholden only to the Great Council [del popolo] and their fellow citizens; if such a man were to cease to act well or effectively, they could remove him from power when they want to. Indeed, this would be essential and very beneficial: because there are always few men capable of carrying out effectively such high duties, if there is not a genuine and widespread respect and regard for those in high office, they would be able to achieve little. Consequently, punishments and rewards are needed, for without them republics have a short and unhappy existence. May God grant that our own republic will be full of these noble ambitions and office-holders, and that all citizens will be animated by these noble desires. Then there would be fewer misdeeds, and there would be less need to have such a complex legal system, and crimes being punished with appropriate penalties, which I shall deal with at once.

In our city there are many bodies with authority over criminal cases: sometimes there is shared competence and jurisdiction, with the body that begins the case finishing it; but some have different functions and have authority over different types of case. The most important bodies are the Eight of Ward and the Defenders of the Laws. Even though the Signoria has supreme authority, I do not include it in this category, because it was also created for other purposes, whereas the former bodies have special responsibilities for these matters; moreover, I have already discussed what authority the Signoria should have in criminal cases. We have to consider, then, whether the authority and power of the former bodies should be reduced or increased. Certainly, with regard to all criminal trials, except for political offences [e delitti dello stato], the full powers that they have are undoubtedly desirable, because it is essential that the punishment of these offences should not depend only on assemblies, but should be undertaken by particular courts, which need to have full powers. For if they must act within the strict limits of the law [c’er terminini di ragione], hardly anyone would ever be punished, because it would not be possible to prove conclusively most charges. And if judicial verdicts always have to be in exact accordance with the penalties laid down by law, many problems would arise, because many offences that have the same penalty affixed to them by the statutes (since legislators cannot take every circumstance into account) deserve somewhat different penalties, according to the different circumstances.

There is another problem: should these special bodies be authorized to judge political offences [li errori apartenenti allo stato]? This problem arises because it involves a fundamental principle — namely, in order to preserve a free city it is essential that citizens should have no reason to fear the powers exercised by any holder of public office. And giving these special bodies such powers violates this principle; six members of the Eight of Ward and seven Defenders of the Laws could do much harm, because they have the right to execute citizens and to exile those whom they think deserve these penalties. Nevertheless, I think that these bodies should continue to have these powers, even with regard to political trials [cusl aparitenenti allo stato], so that straightforward cases need not be considered in the appeal courts and in assemblies. And the danger mentioned earlier does not exist in practice: since four of their members change every six months, there is no reason to fear that they will punish anyone in order to aggrandize themselves; nor should personal resentments harboured by any of their members lead them to harm citizens, because their decisions must be made with a two-thirds majority. Indeed, experience shows that these bodies tend to be very cautious in proceeding against citizens, and it is much more likely that a thousand citizens will go unpunished, or be punished very lightly, than that anyone will be punished excessively by these special bodies.

A remedy against this fear (although it is not necessary) would be to permit citizens to appeal against verdicts given against them in political trials [per conio dello stato]; I would not want to see appeals made to the Great Council, because this is a matter that requires much judgement and serious consideration. But if the death sentence is passed or someone is condemned as a rebel, it would be preferable that appeals be heard by the Senate, with the Colleges not being present but only the Signoria. In all other political trials [con tutti altri], if there is a lesser penalty imposed, forty or fifty members of the Senate could be chosen by lot to act as an appeal court, in order not to impose too great a burden on all the members; and for a sentence to be quashed a two-thirds majority should be required (otherwise the sentence should stand).

This suffices for the powers of the special judicial bodies. It is not enough to try to introduce a good system of justice. For the members of these bodies — because of affection for their relatives and friends, because they hesitate to offend or injure others and to stir up hostility against themselves, because of weakness and ignorance, and, sometimes, because of wickedness — often act so weakly and so slowly that our system of justice has obviously become very defective; indeed, justice could not be more shamefully or harmfully neglected, so that there has been a general increase in disorderly behaviour [la licenzia] and a readiness to harm others. In a few years, we have seen many excesses and violent acts, many unexampled breaches of our customary behaviour, which is naturally pacific, not aggressive. Our young men have become haughty, and swagger, with a marked insolence and audacity, which they use against those who are defenceless. It is common knowledge that our citizens are guilty of many thefts from houses outside the city and in the rural districts, committed against persons who are powerless and weak, and that holders of public offices have committed many wicked, cruel and oppressive acts outside the city on our poor subjects, because they want only to increase their power by fair means or foul and lack any respect for God or their city or for human beings. This greatly damages the
reputation of our city and leaves our subjects so discontented and, indeed, hostile, that if a strong enemy were to mount an attack on us it might well happen that the consequences would become obvious. Furthermore, some citizens have boldly plotted or acted against the state [contro allo stato]. Although these activities have either been suspected or there has been pretty definite evidence of them, because of the weakness of our judges, there has been a lack of firm action.

The realization that for many years there had been so many disorders resulted in the passing of the law of the quarantia, which was ill considered and had many defects, and indeed aroused very strong opposition, both from those who could not bear the prospect that their own crimes would be punished and also from those who feared that, because of this law, the gonfalonier, Piero Soderini (whose constitutional powers [per lo ordinario] already rendered him too powerful), would become very much more powerful. The latter reason caused so much opposition to this law concerning justice, promoted by him, that it was nearly not passed. Even though some of its features were ill considered, above all there were resentful fears that he wanted to make a law to enable him to punish the misdeeds of others, while leaving his own actions untouched, since there was no body to call his conduct to account [e senza superiore]; he had usurped many powers that were unconstitutional [fuora delle legge] and contrary to the best traditions [e buono vivere] of our city. The principle of that law was good, but it did have some weaknesses. If these were to be corrected, it would be useful and beneficial.

What I would propose, then, with regard to any crimes committed by citizens (both political ones [ili stato] and those of any other kind), is that after they have been denounced, either openly or secretly, to one of the competent bodies, and the case has not been concluded within a certain period (which should be about a month), it should be brought before a special tribunal [uno ricorso o quarantia], which I think should vary in character according to the type and gravity of the crime (as will be explained later); and at this tribunal the charge, together with all the details of the proceedings of the previous body, should be brought. The accused person could appear in person before this tribunal to defend himself, or else be represented by a lawyer, as he wishes, and the tribunal should have the power to conduct a new trial if it wishes, but it must reach a verdict within a month. The procedure for arriving at judgements, and handing them down in writing (as in the quarantia courts), should moreover give all the members of the tribunal the opportunity to express their views openly, whether for or against the charge. If the accuser is known, he should press the charge openly; and the sentence that is passed should have a three-fifths majority (the voting to be secret). My view is that appeals against verdicts given in political trials [delle cose dello stato] should be heard before the whole Senate, at which the Signoria should be present but not the members of the Colleges. For dealing with charges of misconduct by anyone holding public office, either in Florence or outside the city, I would recommend choosing by lot thirty men from the Senate and thirty from another body (which will be specified later). For other criminal acts of any kind, there should be a tribunal of sixty citizens who are not themselves senators, but who should be elected by the Senate; they should be mem-
bers for a year and receive an annual emolument of fifty ducats. They should not be disqualified from holding other public offices, but after serving for a year they should not be eligible for another term until two years have passed. The purpose of this different procedure is that political trials [casi dello stato], which are more important, should be conducted with more judgement and seriousness, and the same thing should happen eventually with trials of other kinds.

There would seem to be several grounds for criticizing this recommendation. The first criticism would be the ease and frequency with which appeals might be made, which could happen whenever three members of the Eight of Ward, or four of the Defenders of the Laws, disagree with the verdict of the majority of their colleagues; and it would be easy, through the judges, to harm or maltreat men of high social position, on the initiative of a madman or a wicked man who makes an anonymous denunciation. Again, there will be criticism of the written method of passing judgement (instead of using the oral procedure, without discussion and examination of cases). Finally, it will be claimed that I deem a three-fifths majority sufficient for a condemnation in such grave cases, which involve the death penalty, whereas according to the laws of our city a two-thirds majority is required in almost all other less serious cases. Nevertheless, I do not consider that these objections to my proposal and to its details are cogent; these features are essential, otherwise it will not be effective. Above all, it is evident that when appeals must be requested by the judicial body in the way stipulated by the old law, all the important men can avoid any problems, for someone who cannot influence the secret votes is certainly a weak man. Consequently, only those cases are sent to the appeal courts; and if this provision did not exist, the judicial body that sends them on would itself have sufficient courage to render a guilty verdict. This provision was introduced because of fear of those powerful men whom the judicial body does not dare, or cannot agree, to condemn.

When accusations are made against men without even a shred of evidence, or are blatant lies, it is probable that the judicial body will dismiss them. And if their decision is appealed against, the appeal should be dismissed; this should be considered creditable rather than discreditable. Giving written judgements is essential in appeal bodies, for the same reason, because the fear that prevents the judicial body from delivering a verdict would also prevent the appeal body from giving its verdict fearlessly [liberamente]. And the long period of a month, the right to hear the appeal made in person by the accused, the ample discussion of it among themselves and the fact that they are men of high calibre would mean that the verdict will be delivered only after adequate discussion, especially since mercy is a natural characteristic of our city, our citizens usually showing a tendency to this rather than to severity. And except when fear or wild passions are aroused, which result in hasty decisions, affairs are usually conducted in a moderate and humane manner. I favour the introduction of verdicts with at least a three-fifths majority, because a two-thirds majority is so stringent that it is often fails to be obtained; consequently, because they are very weary and bored, men resort to compromise solutions, which are unjust because the penalties are either too severe or too light. Therefore, I favour a slightly larger majority,
but not one so large that it would lead to disorder and injustice. Moreover, this solution neither favours nor disadvantages an accused man, because with a three-fifths majority required he can equally be condemned or acquitted.

Having discussed cases involving private men and all the other holders of public offices, it remains for me to discuss whether a permanent gonfalonier should be subject to legal penalties during his term of office and, if so, of what kind. Other office-holders may be punished when they leave office, but this cannot be done in his case, since the end of his tenure of office coincides with the end of his life. The dignity of his office and his prestige do not allow any such penalties, so that he cannot suffer continual criticism and undermining of his position. On the other hand, the welfare of our city would be enhanced by it, since he would not have excessive security. Bearing in mind that all these fears, I would say that he should not be subject to any legal proceedings [non avessi superiore alcuno], except that any member of the Signoria should have the right to propose to the whole Senate (except for the College), any punishment, whether it be removing him from office, financial penalties, executing him or anything else; and for this to succeed a two-thirds majority should be required. But members of the Signoria should not have the right to make any such proposal more than once during their term of office, so that there would be no risk that this might happen very frequently.

CONCLUSION

I believe that the institutions and procedures that I have recommended would heal [medicati] many of the defects and evils of our society and of our system of government [del vivere e del governo nostro], because they would enable the various public offices to be distributed to the general advantage. The important affairs of state [le cose . . . dello stato] would be decided by the wisest and most prominent men of our city; the best citizens would have the status and powers that are appropriate, but not so much power as to endanger civic freedom [. . . la libertà], or arouse fears about it; and the increased ability to punish crimes would effectively deter men who are bad and want to seize either private property or public office. Even if all these measures would not result in a perfectly ordered republic, at least it would be more than merely moderately good. However, in order for it to be raised to a higher level, we should need to remedy the fundamental causes of our over-refined sensibilities and weak spirits, which cause men to be feeble and result in countless evils. It would be necessary to eliminate the excessive regard and esteem for wealth, because the craving for riches erodes the desire for true glory, prevents the cultivation of the virtues and results in countless seizures of what belongs to others, as well as many other dishonourable actions. Everybody is guilty of these evil desires and practices; they are very deeply rooted. Indeed, they are widespread not only in our own city but throughout the world; there is only a great desire to enrich oneself and to put wealth to self-indulgent uses or to evil ends. This corrupt way of living is certainly nothing new; it has existed for very many centuries, as is evidenced by the ancient writers who denounced the vices rampant in their own times.

There are, perhaps, some remedies that could alleviate these evils somewhat, but not enough to have a very marked effect on a malady [malattia] that is so universal, so old and so deeply rooted in the minds of men. To eliminate it altogether, Lycurgus’s knife would be needed. In one day he eradicated from Sparta all wealth and sumptuousness; he put together all the property of all the inhabitants, then divided it equally among them; he prohibited the use of money and all the activities for which wealth is sought: sumptuous display, banquets, many servants, luxurious clothes and fine houses. It was certainly a most remarkable achievement, bringing about in one day in his city such moderation in living and such zeal for virtue and such low esteem for wealth, as well as the many fine and glorious activities he made flourish in it. Anyone who has the good fortune to reform his own republic so well is certainly very happy and glorious, and it was much happier to have reformed it in such a way that its institutions and laws should last for many centuries, so that, while that republic lived under them, it was usually so strong and powerful that it was the leading state in Greece; it was certainly always pre-eminent in glory and famous for its virtues in the eyes of foreign nations. It was easier for Lycurgus to achieve it than it was for Plato, Cicero and many learned and wise men to write about it. Indeed, it is not surprising that it was thought in his own times that he had benefited from advice received from the Delphic Apollo, and rightly so, because reforming a corrupt city and, moreover, reforming it in ways that were so meritorious, is a task for gods rather than for human beings.

We can only marvel at and praise such a remarkable achievement, but as for achieving it today, it is hardly possible for us to hope for it, or even to desire it. Therefore, to speak now of things that are in fact possible in our situation, I would say that the evil [malattia] is so deep-rooted that it cannot be eradicated. It would be necessary (as Lycurgus did) to prohibit the activities for the sake of which wealth is sought; and because of the softness of men one can only express these things in the broadest terms. I certainly believe that making our city well armed, and thus creating the chance for Florence to achieve glorious victories, giving public office to men of good reputation and conduct, making it easy to punish the crimes of anyone who follows evil paths: all these measures together would result in the rich being less esteemed than they are today. Moreover (something attempted many times but with little success), we should limit as much as possible sumptuous clothes and jewellery, which make the differences between rich and poor people so obvious and spur men on to seek wealth. Furthermore, since the normal ways of increasing wealth are usually insufficient for such purposes, men stoop to multiform shameful and illegal methods of acquisition. These are incompatible with having a republic in which it is intended to remove the obsession with wealth; they are harmful in republics in which it is desired to keep the city rich, because they greatly impoverish it, instead enriching enormously other states [nazione esterne]. All these bad practices have no useful function at all, not even superficial ones, because they do not fulfil any reasonable needs, but only certain vain and empty urges—they satisfy desires that are to be expected in women rather than in men. Hence I would propose reducing dowries to moderate proportions, since these great expenses are harmful, both because of the reasons given earlier and because it is inimical to the maintenance of equality
between relatives and noble families, and, finally, because this would greatly benefit men who are worthy but poor, who find it much harder to marry off their daughters than men who are rich and unscrupulous.

In short, these are the measures that I think are necessary for reforming our city and the popular regime [el vivere populare]. With regard to the details of my proposals, I concede that many of them may be mistaken, but I am convinced that the general features, and the objectives to be pursued, have merit. Although our conduct does not deserve divine favor, may it please God one day to permit our republic to achieve (in this or in similar ways) good institutions and good government [buono governo]. If it were possible to see these things, and in our own times, I would gladly dedicate my life and all my energies to this task.

Finished 27 August 1512. At Logroño.

Translator's Notes

1. The word 'popular' (popolare) is always used in this piece in the sense of 'of, pertaining to, the people'.
2. The term libertas had two main senses: not being subject to any foreign power, or 'independence' (indipendenza and indipendente) were coined before the late sixteenth century; and not being subject to a signore or a tyrant, in other words, the civic equality and freedoms entailed by a republican form of government. See N. Rubinstein, 'Florentina Libertas', Rinascimento, 26 (1986), 3–26.
3. That is, the kings of Spain and France.
4. That is, in Italy.
5. That is, Italian rulers.
6. See the Conclusion.
7. Guicciardini seems to allude especially to the practice of forced loans.
9. They will be eager to return home as soon as possible, unlike mercenaries.
10. On 14 May 1509, by the armies of the League of Cambrai, between Vaila and Agnadello (it is sometimes called the battle of Agnadello).
13. That is, the city of Venice itself would have fallen.
15. That is, mercenaries.
17. That is, military organization.
18. Instead of applying the laws impartially.
19. After the expulsion of Piero de' Medici and the rise of Girolamo Savonarola, the Great Council (Consiglio grande) was established in December 1494 as the sovereign body of Florence; it made all appointments to public offices and ratified bills. All Florentine citizens who met certain qualifications (e.g., were at least twenty-nine years of age, had paid their taxes) were entitled to be life members of this Council. Essentially, it was a body in which the middle class predominated. The quorum was 1,000, and it was originally intended that the number of members should not exceed 1,500; in fact, the number of members became much larger (3,374 in 1496, and 3,905 in 1508), and a special chamber

had to be built. Guicciardini often uses el popolo (the people) to denote the Council, or its members; occasionally, he uses the slightly pejorative term la multitudine (the multitude). The Great Council was abolished after the return of the Medici, in September 1512.
20. This was a view that Guicciardini held firmly all his life. It was expressed in the first version of his Ricordi (composed, like this piece, while he was living in Spain). The final version (C 134), written in 1529–30, reads: 'All men are by nature more inclined to good than evil, and there are none who would not more gladly do right than wrong, other things being equal. Yet man's nature is so weak, and so frequent in the world are the occasions which invite one to do evil doing, that men easily allow themselves to be driven away from what is good. For this reason wise legislators invented rewards and punishments simply to hold men firm in their natural inclinations, through hope and fear': Guicciardini, Selected Writings, ed. C. Grayson, trans. M. Grayson (Oxford, 1965), p. 35. See also Guicciardini, Dialogo, in his Opera, I, pp. 354–5, 437, Dialogue, pp. 53, 131–2.
22. The Great Council was the most popular body.
23. Machiavelli's opinion was the same: see Discorsi I 47.58.
24. In 1505. See Guicciardini, History of Florence, ch. 26. He says (trans. Donandi, p. 255): 'the gonfalonier convened the Council and proposed the attack on Pisa; the motion was carried, with only 106 negative votes out of more than 1600'.
25. See, e.g., Aristotle, Metaphysics XII.10 (1076a), quoting Iliad II.204.
26. In 1502; the popular regime was established in 1494.
27. Gonfaloniere means 'standard-bearer' (and originally, in the late thirteenth century, the gonfalonier was a military officer). During the fourteenth and fifteenth centuries, the gonfalonier of justice presided over meetings of the Signoria, the highest Florentine political body (see n. 50) and was thus the republic's supreme civil officer. Like the other members of the Signoria, he held office for two months.
28. In August 1502, the permanent gonfaloniership of justice (a minimum age of fifty being stipulated) was instituted. The gonfalonier was given the right of presiding over any criminal trials. (This is mentioned in ch. 23 of Guicciardini's History of Florence, in which several other themes conspicuous in the present piece are treated.) Pietro Soderini, who had recently been gonfalonier of justice, was elected to this new post and took office in November 1502.
29. This is the body that, later, Guicciardini calls a 'Senate'.
30. Guicciardini means that if a body like the Council of Eighty, or the 'Senate' that he proposes, did not exist, such decisions would be made either by the Great Council (to which he is alluding here) or by the Signoria, which in practice would mean by the gonfalonier.
31. The Council of Eighty (Consiglio degli Ottanta), which was also called 'the Eighty' (gli Ottanta), was instituted in December 1494 and shared legislative power with the Great Council (see n. 19). Its members (who had to be at least forty years old) were elected by the Great Council and held office for six months.
33. That is, the bodies deriving their authority from the Great Council.
34. The regime established in 1494, after the Medici family's full power.
35. See the two-thrids majority.
36. Sorte means 'lot' or 'sortition' and also 'chance'.
37. If candidates are of exactly equal merit (which doubtless very rarely happens), it seems reasonable to decide between them by lot.
38. That is, would be held by nobles.
39. If citizens competing for office.
40. The Ten of Liberty and Peace (before 1494, called the Dieci di Balia). As its name implies, it was responsible for the conduct of war, procuring supplies and ammunition, making military contracts, etc.
41. The Eight of Ward (Otto di Guardia); initially responsible mainly for political offences, it later also became responsible for other criminal cases.

42. In 1512, there were sixteen captains in charge of military forces in various parts of the Florentine dominions, and the three cities mentioned were large and important.

43. Officials of the Tower were primarily concerned with public works of a civil and military character in Florence, and of a civil character in the countryside (contado and distretto).

44. In 1512, there were thirteen vicariates in the Florentine dominions, and each of them was subdivided into several mayoralities (podesterie); in 1494 there were sixty-four.

45. That is, the body that Guicciardini later calls the ‘Senate’.

46. The papa, Guido, founded in the late thirteenth century to ensure the predominance of the Guelph party over the Ghibellines; later, it became an administrative body, and by the end of the fifteenth century it was mainly concerned with the defence of the Florentine countryside (contado and distretto).

47. There were two bodies having the name conservatori. First, the Defenders of the Laws (conservatori delle leggi), established in the early fifteenth century, whose function was essentially to ensure that the laws were obeyed; by the end of the century it had become the most important body concerned with the criminal law, except the Eight of Ward (see n. 41). There were ten Defenders (who had to be at least forty years of age), and they held office for six months. There were also Defenders of the Countryside and the Dominions (conservatori del contado e del dominio), ‘whose function was to control and reduce public expenditure’: E. Lugnani Scarano in her edition of the text, in Guicciardini, Opere, I, p. 266. In view of the context, she is surely right to interpret conservatori as referring to both of these bodies.

48. This was the most important element of the Merchants’ Court, which had authority over all commercial disputes. These six members held office for four months and received a salary.

49. Members of the Signoria were disqualified for three years (from the end of their period in office) from holding any of the most important public offices (see n. 50); for their relatives in the male line, the disqualification was for one year. See G. Guidi, L’ottobre, pensiero e istituzioni politiche nella repubblica fiorentina dal 1494 al 1512 (Florence, 1992), p. 622.

50. That is, the Priorates; the Signoria consisted of the eight priors (priori o signori) and the gonfalonier of justice, and the priors held office for two months. The Signoria was the most important governing body of Florence, being one of the so-called Tre Maggiori (Three Most Important Bodies); the other two were the Gonfaloniers of the Companies (see n. 86) and the Twelve Goodmen (see n. 87).

51. The Palazzo della Signoria, the seat of government; since the late sixteenth century, it has been called the Palazzo Vecchio. ‘The members of the Signoria, the gonfalonier of justice, and their notary, resided in the Palace for the whole of their period of office; and they could not leave it except when accompanied by at least one of their number, and then only on official business’: Guidi, L’ottobre, pensiero e istituzioni politiche, p. 622.

52. The last was done by the Great Council, the first two by the Ten of Liberty and Peace.

53. That is, the other members of the Signoria.

54. ‘A special tribunal convened ad loc to try important crimes against the state. As the name indicates, it consisted of about forty members, though they could be as few as twenty’: M. Domandi’s introduction to his translation of F. Guicciardini, History of Florence (New York, 1970), p. xlv. The quarantone was frequently used in Venice.


56. The powers of the Signoria.

57. To act as ambassador or commissary.

58. As Machiavelli was sent on various missions, as L. Bonfigli notes in his edition of the text: Guicciardini, Scritti scelti (Florence, 1924), p. 68.


60. Guicciardini assumes that the possible intervention of the gonfalonier in such cases would effectively deter violence.

body that he now says he will call 'the Senate.' I have translated questo consiglio as 'the Senate' instead of 'this body' in order to avoid vagueness or confusion.

90. Literally, 'to steer.' On p. 218, the same imagery is used: timone: 'guiding body.'

91. Literally, 'to digest;' another metaphor connected with food.

92. This is probably a reference to Piero Soderini, but Guicciardini may be alluding to Lorenzo de' Medici (see n. 94).

93. Guicciardini may seem to be contradicting what he said previously (see pp. 220–1), but there his argument was that the law-making procedure, although complicated, was designed to achieve the outcomes wanted by powerful men.

94. The words quali forno refer to the 'procedures devised by tyrants' (fucose tutte trovate da tiranni). And Guicciardini means the practices prevalent during the Medici regime, when Florence was formally a republic but was in fact controlled by the Medici family. This tendency was especially marked during the hegemony of Lorenzo de' Medici (1469–92); indeed, in chapter 9 of Guicciardini's History of Florence (in which he reviews the life and career of Lorenzo), he says that Florence was then 'a city...free in name, but in fact tyrannized by one of its citizens'; trans. Domandi, p. 71.

95. Literally, 'weak men'; cf. Machiavelli, Discorsi III.6, in which he says that revenge and conspiracies are not undertaken by such men.

96. Florence was divided into four districts or quartieri; see n. 86.

97. More literally, 'well-digested'; cf. n. 91.

98. This law was passed in August 1495.

99. And the republican institutions and procedures on which it is based.

100. Literally, 'have this flame.'

101. Guicciardini was doubtless thinking of flattery, demagogy, etc.

102. This passage is unclear, and it is hardly possible to reconcile it with what Guicciardini says later. Earlier (p. 218), he emphasized that, in practice, it is almost impossible to get rid of a gonfalonier. In this paragraph, he is discussing what security of tenure a gonfalonier should have. Since Guicciardini stresses that political decisions should be made in a regular, constitutional way, through established institutions (e.g., see p. 224), the most natural interpretation of this passage would be that citizens could petition the Great Council to dismiss a gonfalonier, and the Council would do this if it considers such an action to be desirable.

However, on p. 230 below, the Great Council and the citizens generally are not even mentioned. Guicciardini recommends that the Senate should take any decision to dismiss a gonfalonier (or punish him in any other way), that a two-thirds majority should be required and that the proposal of dismissal should be made by a member of the Signoria. In short, the procedure for dismissal recommended is much more stringent than that implied in the passage under discussion.

103. For the former see n. 41; for the latter see n. 47.

104. The printed editions read stati; but the manuscript (Florence, Archivio Guicciardini, Filza XV) has stati (= stanzati).

105. Six out of eight, and seven out of ten, constituted the required majorities.

106. Citizens found guilty of rebellion incurred this penalty.

107. On the inhabitants of the territories subject to Florence.

108. The subject territories would rebel.

109. Guicciardini probably refers to the details of these plots and to the responsibility of individuals for them.

110. That is, the verdicts and the legal reasoning justifying them.

111. This differs from what Guicciardini says on p. 227, where he recommends that, when lesser penalties than death or confiscation of property are involved, thirty or fifty senators should act as an appeal court.

112. Guicciardini does not in fact discuss this.

113. Except for a gonfalonier who chooses to resign.

114. This lasted two months.

Further Reading

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Bondanella, P., Francesco Guicciardini (Boston, 1976), pp. 43–7

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Ricordi, ed. R. Spongano (Florence, 1951); also available in two English translations: Mastoi and Reflections of a Renaissance Statesman, trans. M. Domandi, intro. N. Rubinstein (New York, 1965) [contains both the B and C series; the latter is the final version]; Selected Writings, ed. C. Grayson, trans. M. Grayson (Oxford, 1965), pp. 1–56 [contains only the C series]

Guidi, G., Lotta, pensiero e istituzioni politiche nella repubblica fiorentina dal 1494 al 1512, 3 vols. (Florence, 1992)

