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# *John of Salisbury, the Policraticus, and Political Thought*

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## *Introduction*

Given his reputation as the most learned and literate man of his time, it is remarkable that John of Salisbury (ca.1120-1180) is not better known to the Western world. Granting the general “obscurity” of the Middle Ages, it remains odd that the man uniformly recognized as the “finest flower” of the twelfth-century renaissance has not attracted greater attention.<sup>1</sup> What makes this state of affairs doubly ironic is that John is among the most *readable* of medieval authors. By common consent, he was a *stylist* of the first order, and as a *humanist* he speaks in a language intelligible to the modern reader. Indeed, it is difficult to identify another writer between Augustine and Chaucer with a greater appeal to modern sensibility than the Sage of Salisbury.<sup>2</sup>

Perhaps the root cause of the general neglect of John is the failure of modern scholarship to make his principal work, the *Policraticus*, readily available to teachers, students, and the reading public. To this day there is no complete English translation of

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<sup>1</sup> David Knowles, *The Evolution of Medieval Thought* (New York: Random House, 1962), 140.

<sup>2</sup> As William Ebenstein has written, the *Policraticus* is “a thoroughly enjoyable piece of literature, modern in its wit, urbanity, learning, balance, and perspective.” *Introduction to Political Philosophy* (New York: Rhinehart, 1952), 65.

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A man of  
broad learning  
and achieve-  
ment.

the Latin original.<sup>3</sup> This peculiarity is echoed in the relative dearth of studies devoted to John. There has been only one biography to date, and that was published over seventy-five years ago.<sup>4</sup> The only other full-length study is over a half-century old.<sup>5</sup> Beyond these works (and a compilation of papers published in the mid-1980s<sup>6</sup>), the last century of scholarship has produced a mere two dozen articles and essays, many published in specialized journals. Indeed, had it not been for Cary Nederman, who has almost single-handedly sustained Salisburian scholarship for the last twenty years, it is certain that John would have fallen into even greater obscurity.<sup>7</sup>

In fairness, the general neglect of John of Salisbury is partially attributable to his ambiguous status as a *littérateur*. Was he a moralist or an historian? A political thinker or a poet? A pedagogue or a philosopher? In fact, he was all of these, as well as a prominent *homme d'affaires*—a papal envoy at Rome, a friend of Pope Adrian IV, and secretary to the archbishop of Canterbury. Accordingly, it is not altogether surprising that, in our age of disciplinary boundaries and narrow specialization, a man of broad learning and achievement should fall through the cracks. Yet even in his own day John's writings failed to attract much attention among his lit-

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<sup>3</sup> The "political" sections of the work appear in *The Statesman's Book*, trans. John Dickinson (New York: Alfred A. Knopf, 1927), while the "courtly" sections appear under the name of the work's sub-title, *Frivolities of Courtiers and the Footprints of Philosophers*, trans. J. B. Pike (Minneapolis: University of Minnesota Press, 1938). Both works have been out of print for many years, but continue to serve as standard sources in lieu of a complete translation. The appearance of Cary Nederman's *Policraticus* (Cambridge: Cambridge University Press, 1990) was most welcome, but unfortunately contains but a portion of the "Statesman's Book" and only a few pages from its companion. That a work of the *Policraticus's* magnitude remains a dismembered *corpus* in the English-speaking world is regrettable indeed

<sup>4</sup> Clement C. J. Webb, *John of Salisbury* (London: Methuen, 1932).

<sup>5</sup> Hans Liebeschütz, *Medieval Humanism in the Life and Writings of John of Salisbury* (London: The Warburg Institute of the University of London, 1950).

<sup>6</sup> Michael Wilks, ed., *The World of John of Salisbury* (Oxford: Basil Blackwell, 1984).

<sup>7</sup> Nederman has published a number of specialized articles on aspects of John of Salisbury's political thought since the mid-1980s, as well as a recent monograph. For comprehensive bibliographies of scholarship on John from 1953-1982 and 1983-2004 see *World of John of Salisbury* and Nederman, *John of Salisbury* (Tempe: Arizona Center for Medieval and Renaissance Studies, 2005), respectively.

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erate countrymen. It was only years after his death, in the later Middle Ages, that the *Policraticus* found an audience and exerted some influence.<sup>8</sup> Ironically, until the sixteenth century he was rarely credited with its authorship, as readers habitually confused the work's title with its author's name. Nevertheless, such readers (the majority of whom resided on the Continent) kept his ideas alive at a time when those of his medieval contemporaries were in eclipse. The reasons for this interest often had as much to do with civil controversies as with scholarly interest, but in either case it was John's ideas on *government* and *law* that were cited, lauded, and enlisted by subsequent generations.<sup>9</sup> For this reason, John is known to posterity as principally a *political* thinker.

Most of what has been written on John centers on the political ideas of the *Policraticus*. As a whole, it is a rather modest body of scholarship, hardly on a scale with the literature dedicated to the political thought of Augustine, Thomas Aquinas, Marsiglio of Padua, or William of Ockham. Indeed, most surveys of Western political thought devote only a few paragraphs to John or ignore him altogether.<sup>10</sup> He has fared only slightly better in histories of medieval political thought.<sup>11</sup> Even the handful of specialized stud-

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<sup>8</sup> There is a consensus that the *Policraticus* was "one of the most influential political works for the remainder of the Middle Ages." Joseph Canning, *A History of Medieval Political Thought, 300-1450* (London: Routledge, 1996), 114. As J. H. Burns observes, John's "writings were extensively studied and repeatedly pillaged by jurists, preachers, reforming barons and humanists in the later Middle Ages." "The Twelfth Century Renaissance," in *The Cambridge History of Medieval Political Thought, c.350-c.1450*, ed. J. H. Burns (Cambridge: Cambridge University Press, 1988), 326.

<sup>9</sup> For details on the influence of the *Policraticus* see, Walter Ullmann, "The Influence of John of Salisbury on Medieval Italian Jurists," *English Historical Review*, 59 (1944), 384-392; "John of Salisbury's *Policraticus* in the Later Middle Ages," in *Jurisprudence in the Middle Ages* (London: Variorum Reprints, 1980), 519-545; and Amnon Linder, "The Knowledge of John of Salisbury in the Late Middle Ages," *Studi Medievali*, 3rd series, 18 (1977), 15-55.

<sup>10</sup> Admittedly, the medieval period has long been neglected in surveys of Western political thought. It remains puzzling, however, that the *Policraticus* has not received greater attention in such works. Among the surveys still in print, George Sabine devotes but one page to John of Salisbury in *A History of Political Theory*, 4th ed. (Hinsdale, Ill.: Dryden Press, 1973), while J. S. McClelland fails to even mention him in *A History of Western Political Thought* (London: Routledge, 1996). Similarly, Leo Strauss and Joseph Cropsey pass over John in *History of Political Philosophy*, 3rd ed. (Chicago: University of Chicago Press, 1987).

<sup>11</sup> While Canning is relatively generous with space in his brief *History*, the comprehensive *Cambridge History* dedicates only four pages to John. In Ullmann's

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ies on John fail to do justice to the political teaching of the *Policraticus*. In each case, it is not so much a question of what has been included, as of what has been overlooked. Not only have scholars neglected some of the most salient aspects of the *Policraticus*, they have largely failed to integrate John into the canon of political philosophy. It is the aim of this essay to remedy these defects. In doing so, I hope to demonstrate the merits of John's teaching, while duly noting its weaknesses. More specifically, I argue that John of Salisbury was not only a particularly insightful political thinker for his time, but a remarkably *progressive* one as well. Establishing this thesis will leave little doubt regarding the need to reassess John's status in the history of political thought or the relevance of *Policraticus* to students of political theory.

### *Historical Background*

*Championed  
independence  
of the Church.*

The appearance of the *Policraticus* in 1159 was closely linked to the high politics and leading personages of the day. Its author had been collecting materials for a number of years, but his decision to complete the work was occasioned by his opposition to Henry II's policy of taxing the Church to finance a war of conquest in France, and his conviction that court society was subverting the religious and ethical foundations of the realm. In the first instance, John responded to what he considered a direct assault on the independence and sanctity of the Church; in the second, he discerned a pernicious threat to the moral ideals and social values of Christianity. Convinced that John harbored such sentiments, Henry and his court branded the churchman an enemy of the king and suspended him from his duties at Canterbury.<sup>12</sup>

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general works on medieval political thought, the author of the *Policraticus* is largely consigned to footnotes. See, *A History of Political Thought: The Middle Ages* (Baltimore: Penguin Books, 1965); *Principles and Politics in the Middle Ages*, 4th ed. (London: Methuen, 1978); and *Law and Politics in the Middle Ages: An Introduction to the Sources of Medieval Political Ideas* (London: Sources of History Limited, 1975). R. W. And A. J. Carlyle's *History of Medieval Political Theory in the West*, 6 vols. (Edinburgh: Blackwood, 1903-1936) does contain a relatively sustained discussion of John's politics.

<sup>12</sup> This standard account of events has been disputed by Giles Constable, who contends that John's fall from favor occurred not in 1159, but in 1156. "The Alleged Disgrace of John of Salisbury in 1159," *English Historical Review*, 69 (1954), 67-76. Yet even if John was not in "disgrace" in 1159, he was still moved to complete the *Policraticus* by the same events and conditions noted above.

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While a final showdown with Henry was postponed, John took the occasion of his initial “disgrace” to complete the *Policraticus*, as well as the *Metalogican*, his other major treatise. Both works were dedicated to Thomas Beckett, Henry II’s chancellor and boon companion. As Beckett was the king’s closest advisor and confidant (as well as the man responsible for enforcing the church tax), John hoped to appeal to the better angels of his mercurial nature. It was not that John had a poor opinion of the chancellor; the two men had been friends for over a decade. Rather, he aimed to alert Beckett to the evils of the times, namely those typified by an “epicurean” court and a host of corrupt officials. Conversely, he hoped to inspire the chancellor with a vision of the higher moral purpose of his office. It is also likely that John intended indirectly to influence the king himself, whom he believed was fast becoming the Church’s most dangerous foe.

*Books were meant to influence the king.*

Whatever his intentions, John was realistic about the immediate results, fully aware that his book on “the frivolities of courtiers and the footsteps of philosophers” would likely fall on deaf ears or worse. This “garrulous piece of work,” he confided to a friend, “will scarce find a single friend at court.”<sup>13</sup> Predictably, the *Policraticus* made no initial impact on Beckett, and did nothing for John’s strained relations with court and king. Whether John’s book (or his personal overtures) played a role in Beckett’s *volte face* as archbishop of Canterbury a few years later remains a mystery. It is probable, however, that Henry had the *Policraticus* in mind when he forced John into exile in 1164.

What followed John’s banishment (and the archbishop’s flight in the same year) is well known to history, but of little consequence in the present context. It suffices to note that, among his other activities, John (who still served as the archbishop’s official secretary) worked on behalf of Beckett’s cause, both to affect conciliation with the king and to moderate the choler of his friend and master. When the two exiles returned to England in 1170, John accompanied Thomas to Canterbury, where the latter wasted no time excommunicating his enemies. John was also present when Beckett’s murderers entered the cathedral to do the bloody business. In vain, he attempted to cool the fiery temper of the head-

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<sup>13</sup> John to Peter of Celle (1159), *The Letters of John of Salisbury*, vol. 1, ed. W. J. Millor and H. E. Butler (London: Nelson, 1955), 182.

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strong primate, who taunted the knights as they went to arm themselves for the unholy deed. "You have always been like that," John is said to have admonished the archbishop. "Not a soul wants to die here excepting you."

Following Beckett's murder John vigorously sought the canonization of the slain prelate, and worked diligently to restore good order in the Church. In 1176 the king of France, another of John's eminent friends, offered him the bishopric of Chartres, where John had received the basics of his classical education nearly forty years earlier. Active in Church affairs to the last, John of Salisbury, Bishop of Chartres, died on October 25, 1180.

### *Method and Orientation*

Only about half of the *Policraticus*, a tome of some 250,000 words, falls under the category of political thought liberally defined. It is this part of the work, the so-called "Statesman's Book" (viz., books 4, 5, and 6), which had the greatest influence on later writers and has most interested modern scholars. While there are a few passages in John's other writings which bear on his politics, the "Statesman's Book" may be said to contain the sum of his political teaching. In what follows I reconstruct this teaching and consider its broader significance in the history of political thought. The former task includes identifying a number of features that have been neglected or ignored by most of John's expositors. As for the latter, I will be less concerned with John's *influence* on posterity than with his *relation* to ancient and (especially) modern political thought.

Before proceeding to the heart of the *Policraticus*, it will be useful to consider some general features of the work. Stylistically, it represents the height of twelfth-century humanist culture, whose distinctive feature was the fusion of classical and Christian sources in an attempt to "demonstrate a fundamental consistency between ancient moral philosophy and medieval moral theology."<sup>14</sup> Discus-

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<sup>14</sup> Nederman, "Introduction," in *Policraticus* (Cambridge, Eng., 1990), xxiii. John's eclectic sources include Plato, Aristotle, Seneca, Virgil, Ovid, the Old Testament, the New Testament, the Church Fathers, the Roman lawyers, and the canon lawyers. In the *Policraticus* John cites classical authors slightly more often than the Bible and much more often than patristic sources. See Burns, *Cambridge History*, 750. Harold Berman has called John's "attempt to synthesize" these "diverse and contradictory" sources "the first application to politics of the method

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sive, rambling, and larded with numerous (and often lengthy) citations, the *Policraticus* has been described as “a strange farrago of political and moral observations interspersed with more sustained passages containing something like a systematic treatment of issues.”<sup>15</sup> Yet the work is less distinguished for its hodgepodge composition or “analytical” method, than by its surprising “freshness, integrity, and sense of humor.”<sup>16</sup> As historian John Huizinga writes, these “quasi-modern” features of the *Policraticus*

*Pre-Scholastic style of Policraticus marked by freshness and humor.*

. . . prove to be the vestiges of a culture and a mental attitude which were at the point of disappearing. The free spaces in which the language or the thought of such minds could spread its wings were soon to be fenced in by Scholasticism, in which form of expression was chained to the syllogism and philosophical opinion to the dogmatic formula.<sup>17</sup>

With regard to its method, the “Statesman’s Book” also has the distinction of being the “first elaborate medieval treatise on politics.”<sup>18</sup> More specifically, it represents the “first attempt to look apart from surrounding conditions and to produce a coherent system which should aspire to the character of a philosophy of politics.”<sup>19</sup> The former is evident in the striking absence of any discussion of existing (feudal) institutions; the latter in John’s method of abstraction and synthesis. It was this method that informed John’s

*“Statesman’s Book” the first elaborate medieval treatise on politics.*

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(later called ‘scholastic’) . . .” *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge: Harvard University Press, 1983), 279, 280. For reasons noted below, the *Policraticus* is better described as a final glowing of the Carolingian Renaissance than as a precursor of thirteenth-century scholasticism.

<sup>15</sup> Canning, *Medieval Political Thought*, 114

<sup>16</sup> Ebenstein, *Political Philosophy*, 62. As Canning observes, the “farrago” that is the *Policraticus* “reflected the way in which literary genres were still relatively unfixed in this period.” *Medieval Political Thought*, 111.

<sup>17</sup> John Huizinga, “John of Salisbury: A Pre-Gothic Mind,” in *Men and Ideas*, trans. J. S. Holmes and H. Van Marle (New York: Viking, 1966), 162. Charles Haskins notes that John’s treatise “could not have been written earlier [due to the general unavailability of classical texts], neither could it have been written much later (after the discovery of Aristotle’s main corpus), for its scholasticism is literary rather than Aristotelian.” *The Twelfth-Century Renaissance* (Cambridge: Harvard University Press, 1927), 360. This is not to say that John was ignorant of Aristotle but, rather, that he wrote in the style of a man of letters, as opposed to the formulaic and technical style of the scholastic philosophers.

<sup>18</sup> John Dickinson, “Introduction,” in *The Statesman’s Book* (New York: Knopf, 1927), xvii.

<sup>19</sup> R. L. Poole, *Illustrations of the History of Medieval Thought and Learning*, 2nd ed. (London: Society for Promoting Christian Knowledge, 1920), 204.

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“fusion” of pagan and Christian philosophy and underlie his analysis of political life.

*Tying of the prince's authority to a specific territory foreshadowed concept of the nation-state.*

Unlike his predecessors, who treated the *principe* as a particular person whose authority rested on fealty, John equated “the prince” with “the public power,” whose authority corresponded to a specific territory. Accordingly, John is not only credited with foreshadowing the concept of the nation-state, but he has been praised for “restor[ing] the theoretical study of politics to a place of prominence in the intellectual system of the medieval West.”<sup>20</sup> On the basis of such contributions, one prominent scholar has identified John of Salisbury as the “founder of western political science.”<sup>21</sup>

As for its basic subject, the “Statesman’s Book” has been variously described. In an important sense, it belongs to the “mirror of princes” genre of the early and high Middle Ages. Yet John went well beyond instructing a particular *principe* in the qualities of the “virtuous” ruler. His work may be said to encompass “the organization of the commonwealth, touching in general on the nature and role of the Prince and his relationship to the law, on the commonwealth and its members, on the administration of justice, and finally on the soldier and his place in the commonwealth.”<sup>22</sup> Such breadth of conception was itself something new in medieval Europe, but (as we shall see) it is John’s sensible and humane treatment of these subjects that accounts for his significance in the history of political thought and his relevance as a political thinker. In broad terms, this treatment is distinguished for its (1) realism, (2) rationalism, and (3) naturalism. Within the framework of the Christian worldview, these elements constitute the *regulative* principles of his political thought and inform its more specific aspects.

*Political realism emphasizes need for limits on both rulers and ruled.*

**Realism.** Political realism rests on a set of premises regarding human nature and political life. Realists assume that, as a rule, man is self-interested, acquisitive, and given to mischief if not duly restrained. This assumption has led realists to (1) eschew utopianism in favor of pragmatism, (2) emphasize the salience of power and coercion, (3) place “checks” or limits on both rulers and ruled, and (4) embrace the principle of “peace through strength.”

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<sup>20</sup> Nederman, “Introduction,” xxvi.

<sup>21</sup> Berman, *Law and Revolution*, 276.

<sup>22</sup> Murry K. Markland, “Introduction,” in *Policraticus: The Statesman’s Book* (New York: F. Ungar, 1979), x.

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In appearing to accept these premises and one or more of these positions, canonical thinkers such as Thucydides, Augustine, Machiavelli, Hobbes, Hume, Hamilton, and Burke are often described as “realists.” A number of passages in the “Statesman’s Book” suggests that John of Salisbury belongs to this exalted company of realist thinkers.

As a medieval churchman it was unlikely that John would develop a particularly sanguine view of human nature. Yet John’s “pessimism” regarding the human condition is not the *theological* pessimism of Augustine, but is more akin to the *humanist* pessimism of Machiavelli and his realist successors. In short, John’s assessment of man in his social aspect is less dependent upon biblical precepts than upon observation and reflection. When, for example, he confirmed that “the man who is wholly untainted by tyranny is rare or non-existent” (VII:17), John was speaking from broad experience.<sup>23</sup>

*John’s view of human nature based less on biblical precepts than on general experience.*

John’s realism is also apparent in his general remarks on power and governance. First, men naturally desire power. “In desire, if not in fact, rulers are far more numerous than the number ruled” (VII:19). Conversely, “those who are willing to be ruled are extremely few, and each seeks with all his might to be exempted from subjection to his own proper ruler.” Second, power is of an encroaching nature, and “each man” is naturally inclined to “lord it as far as his power extends” (VII:17). Third, the abuse of power is a perennial danger, whether by “the insolence of the populace or the arbitrary license of rulers . . .” (VII:21). And since it is “vain to rely upon the strength of good qualities formed earlier in life” (V:10), such abuses “can be held in check by the precepts of the law and divine institutions . . .” (VII:21). And even then “ambition can never wholly be quelled.”<sup>24</sup>

Like realists before and since, John recognized that he was engaged in making generalizations; hence he did not deny the existence (or significance) of the exception. In particular he exempts

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<sup>23</sup> I have used Dickinson’s translation of *The Statesman’s Book* for quotations from the *Policraticus*. Roman and Arabic numerals signify book and chapter titles respectively. The source text for the Latin original is *Ioannis Saresberiensis Episcopi Carnotensis Policratici . . .*, 2 vols., ed. Clement C. J. Webb (London: Oxford, 1909).

<sup>24</sup> See Machiavelli, who observed “how easily men are corrupted and become wicked, although originally good and well-educated” (*Discourses*, 1:42), and James Madison, who recognized “the necessity of auxiliary precautions” in preventing abuses of power (*Federalist*, No. 51).

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*Monastic life cannot serve as model for society at large.*

those who have dedicated their lives to serving God, “men whose hearts are wholly cleansed and who rejoice in subjection, declining to be set over any in this life . . .” (VII:17). Such men constitute a separate community, inhabitants of the “City of God” as it were. Yet the monastic life of selfless renunciation and pious devotion can never serve as a model for society at large, for those who dwell in the “City of Man.” In this observation, John dramatically establishes his realist credentials. Like Machiavelli, who consciously rejected the abstract idealism of classical authors, John resisted the temptation to confuse religion and politics. This is not to say that he foreshadows the modern doctrine of church-state separation. Rather he simply recognized that religion was one thing and politics another. To avoid any confusion on this matter, John assured his readers that “my task is . . . to analyze the life of the political state (*potius politicorum*)” (VII:17).

Finally, John’s realism is evident in his candid nationalism and his attitude toward armed conflict. As for the former, John—in contrast to the universalism of Stoicism and Christianity—looks back to the patriotism of classical antiquity and forward to modern nationalism. A man, John writes (*pace* Cicero), “owes the whole of himself to God, *most of himself to his country*, much to his relatives and friends, *very little to foreigners*, but still somewhat” [emphasis added] (IV:3). Perhaps even more striking than his formula of God, country, and family is John’s clear-sighted view of national security. Again, in sharp contrast to political idealism (Christian or otherwise), John makes the following observation, which in style and substance might easily be mistaken for a passage from *The Prince*.

He who desires peace should prepare for war, he who desires victory should diligently train his soldiers; he who hopes for favorable issues should fight by art and not by chance (VI:19).

Of course, John would have been shocked by Machiavelli’s “immoralism.” Moreover, he never implies (as the Florentine did) an incompatibility of Christian ethics with the demands of political life. Nevertheless, he would have agreed with many of Machiavelli’s stark observations on the nature of man and the realities of power. In fine, John’s orientation was essentially that of a *realist*; his commitment to a “politics of virtue” was neither tied to idealist assumptions about the human condition nor expressed in utopian schemes of social perfection.

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**Rationalism.** Given his reliance on religious authority and appeals to the divine, can the author of the “Statesman’s Book” be called a *rationalist* in any meaningful sense? Insofar as “rationalism” denies revealed religion and the supernatural a role in reasoned analysis or moral prescription, it would appear not. Yet if a less exacting standard is applied, one that does not banish religious considerations as such, one may detect in the “Statesman’s Book” a strain of rationalism not altogether foreign to the classical or modern variety. John of Salisbury’s reputation as the foremost *humanist* of the day implies that his work was marked by a broadly rationalist approach and a positive use of pagan (secular) sources. The former is evident in his innovative attempt to *synthesize* classical thought and Christian teaching by distilling elements common to both and applying these principles to specific instances. Such a synthesis rested on the assumption that there was nothing inherently incompatible between the “essence” of Christian doctrine and the “best” of pagan philosophy. As such John paid implicit homage to the spirit of rationalism which animated antique thought. Moreover, his appeal to classical sources on behalf of Christian principles is a tacit admission that he viewed the practical validity (if not the ultimate truth) of these principles in terms consistent with rational standards of thought. Apparently, John never experienced that deep ambivalence arising from a perceived incongruity between the “truth” of revealed religion and the “truth” of scientific reason. As a result, he avoided both the obscurantism of the early churchmen and the heresies of the later nominalists. This is not to say that John “succeeded” in synthesizing reason and religion or was oblivious to the tension between the precepts of Christianity and the spirit of rationalism—at least on the surface. It was John’s task to resolve this tension by demonstrating a basic consistency between the two at a deeper level. By contemporary (secular) standards, the effort is less distinguished for its rhetorical persuasiveness than its literary charm. Yet, by the canons of the day, it placed John on the cutting edge of intellectual refinement.

*John saw nothing incompatible between the “essence” of Christian doctrine and the “best” of pagan philosophy.*

One will not find a clear statement of the rationalist principle in the “Statesman’s Book,” for John’s rationalism is largely an expression of his method and use of sources. He does, however, speak of the necessity of “wisdom” in government, and observes that the “wise man . . . composes all things under him to reason”

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(V:10).<sup>25</sup> The rationalist strain is also apparent in a latent pragmatism that occasionally bubbles to the surface. For instance, John distinguishes between an object's intrinsic worth and its perceived value ("some things derive their value from themselves intrinsically, other things from the opinion of others" [IV:5]); between the nature of something and its use ("it is not the thing that is vicious, but rather the use that it is put to" [V:17]); and between action and circumstance ("the time, place, and the manner should be thoroughly looked into" [V:10]). In making these distinctions, John cleared the way for the relatively unfettered application of pragmatic principles to matters of practical concern. He did not, however, view these principles as operating in isolation from a broader religious context. Nor did he countenance the "emancipation" of pure reason from the restraints of dogmatic religion. Moreover, John is often guilty of lapsing into that species of "superstition" and "irrationalism" for which the Middle Ages is (in)famous. Accordingly, the author of the "Statesman's Book" is best described as a *Christian* rationalist, a thinker with a sincere respect for reason, but one who ultimately subordinates its application to religious ends. In fact, John of Salisbury is a seminal, if largely forgotten, figure in the history of Christian rationalism. That John embraced the leading premise of this orientation, i.e., that the highest wisdom entails a synthesis of reason and religion, is nowhere more apparent than in the following passage.

But there is . . . a supreme guiding principle of things divine and human, namely wisdom, and a science of things to be done and to be left undone. To apply one's self to this is to philosophize, for philosophy is the study of wisdom (V:8).

**Naturalism.** A final feature of John's approach to politics which links him both to ancient and modern thinkers is *naturalism*. Nature for John not only "provides the source and origin of things" (V:4) but "is the best guide of life" (IV:1), a phrase he is fond of repeating. The implication is that nature provides a pattern or design that is directly relevant to arranging the affairs of man and ordering the state. Indeed, John goes so far as to proclaim "nature" the chief standard for assessing the value of a thing's usefulness, including political arrangements: "the only really valid kind of

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<sup>25</sup> John assures his readers that "without wisdom no government can be strong enough to endure or even exist" (IV:6), and that "it is wisdom which institutes and strengthens the government of a prince . . ." (IV:7).

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value is that of the things whose usefulness is recommended by nature . . ." (IV:1). In support of this view, John invokes the authority of Cicero and Plato, who "both laid down the same formula for the existing or projected body politics (*rei publica membra*), namely that its life should imitate nature . . ." (VI:21).

Had John left the matter here his injunction to "follow nature" would have been of little moment, although his reference to pagan writers does point to a tacit approval of the political naturalism of the ancients. Far from suffering from vagueness, John's naturalism goes well beyond the functionalism of Plato and Aristotle, and takes the form of a full-blown analogy between the human body and the body politic. Nature is purposive and marked by design, a "design . . . disclosed even by creatures which are devoid of reason" (VI:21). It is from such design that man—a deliberative creature—can discover a pattern for the proper ordering of society. Like Aristotle, John believed man was naturally social and that his happiness depended upon such an ordering. As he wrote in the *Metalogican*, "one cannot even imagine how any kind of happiness could exist entirely apart from mutual association and divorced from human society . . ." (I:1). Accordingly, it was essential for all to support "what contributes to establish and promote rightful order . . . among the children of nature . . ." For John that "rightful order" is best understood in terms of the various functions of the human body.

*Nature  
purposive  
and marked  
by design.*

The use of the body as a metaphor to describe the relations of the different parts of the commonwealth is at least as old as Plutarch, who records its use in his *Life of Coriolanus*. While variants of the metaphor survived the fall of the Roman Empire, John's formulation represents a significant revival of the analogical method. The analogy itself has been variously characterized as "organic," "corporatist," "physiological," and "functionalist," but rarely has it been given more than passing notice. Those who have explored this dimension of John's thought consider it an important advance in political speculation. Tilman Struve finds in John's "organological" view a commitment to the collective well-being, a limitation on the powers of both church and state, and a link to the rule of law as the guiding principle of political life.<sup>26</sup> Similarly,

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<sup>26</sup> "John's organological conception of the State was outstanding because it did not simply stop at a stage where a parallel was drawn between social ranks and institutions of the State and the corresponding parts of the human body, but

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According to John's organic conception of society, each individual's duties must be performed with a view to "the welfare of the whole."

Nederman discovers "a bold and profound step forward" in John's use of the organic-physiological metaphor, which "points toward the doctrine of the absolute precedence of the common good over private interests and ultimately towards the resurgence of the state conceived as an entity whose interests are co-extensive with the highest social good."<sup>27</sup> In short, John's naturalism, as expressed through his organic conception of society, avoids the extremes of Augustine on the one hand and Hobbes on the other, while embracing an inclusive and interdependent vision of the commonweal based on a natural (and therefore non-arbitrary) division of labor. The assumption in such a division is not merely its consistency with the natural order, but that this order is itself disposed toward the mutual benefit and common good of its members. Yet it is not the mere division of tasks that results in the collective good—there is no "invisible hand" in John's functionalism. Rather, it is only "so long as the duties of each individual are performed with an eye on the welfare of the whole (*universitati prospiciatur*), so long, that is, as justice is practiced" that all will benefit from the works of each (VI:22).

### *The Doctrines of the Policraticus*

Having identified the three regulative principles of John's thought, we may now examine the more specific doctrines that collectively comprise his political teaching. Since John does not present these in a systematic manner, it will be necessary to engage in a degree of creative reconstruction, and the account which follows exhibits a greater degree of order than one encounters in the *Policraticus*. Moreover, a full account of his constructive thought is well beyond the scope of a single article. Accordingly, I will limit the discussion to three prime elements—(1) the rule of law, (2) liberty and virtue, and (3) meritocracy—then provide a summary of other key doctrines in the conclusion.

*The Rule of Law.* An emphatic insistence upon the "rule of law" is one of the central themes of the *Policraticus*. Whether in response to the anarchy of King Stephen's reign (1135-54) or based

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also encompassed the socio-political life in its totality." Tilman Struve, "The Importance of Organism in the Political Theory of John of Salisbury," in *World of John of Salisbury*, 316.

<sup>27</sup> Nederman, "Organic Metaphor," 215.

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on his knowledge of the Justinian Code, John repeatedly underscores the necessity of the rule of law in all societies. This emphasis is apparent in a number of instances. First, he bases his famous distinction between a “prince” and a “tyrant” on whether or not the ruler adheres to the law. “Between a tyrant and a prince there is this single or chief difference, that the latter obeys the law and rules the people by its dictates . . .” (IV:1). The tyrant, on the other hand, “is one who oppresses the people by rulership based on force . . .” (VIII:17). As this distinction suggests, governing in conformity with the law is for John the principal criterion of a ruler’s *legitimacy*. “For the authority of the prince depends upon the authority of justice and the law (*Quia de iuris auctoritate principis pendet auctoritas*)” (IV:1). Hence, the legitimacy of political authority hinges not on heredity, sovereignty, or divine right, but rather on the ruler’s recognition that he is (in the words of the Code) “himself bound by the laws.”<sup>28</sup> John’s insistence on this point is strikingly illustrated by his defiant attitude towards those who assert that “the prince is not subject to the laws, and what pleases the prince has the force of law” (VII:20).

*Legitimate political authority is based on the ruler’s recognition that he is “himself bound by the laws.”*

And not only do I withdraw from the hands of rulers the power of dispensing with the law, but in my opinion those laws which carry a perpetual inclination or prohibition are not subject at all to their pleasure (IV:7).

Here John is not merely denying the right of rulers to dispense with the (positive) law; he is also asserting that divine law (viz., the Decalogue and the Golden Rule) is absolutely inviolable. Again, in response to “[t]hose who support the view that all things are lawful for rulers” (VII:20), he maintains, “in the teeth of all the

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<sup>28</sup> John’s indebtedness to Roman law is among the distinctive features of the *Policraticus*. Yet in his application of the recently revived *lex Romana*, John’s vision of a well-ordered and just *res publica* was the guiding force. His intent was not to “republicanize” or even “anglicize” imperial law, but rather to enlist its authority for relatively traditional aims within the existing social framework. Principal among these was the *rule of law* in general and the reign of *aequitas* in particular. It is therefore mistaken to assert (as Tilman Struve has) that John embraced Roman law because it allegedly freed the ruler of any legal obligation. “Importance of Organism,” in *World of John of Salisbury*, 312-313. As Ullmann has noted, in citing the *Digest* John deliberately passes over the notion of *ius publicam*, which the later emperors had invoked when they sought to manipulate public law. Indeed, in conjunction with his positive remarks, “John’s view is the consummate expression of the idea of the rule of law.” “*Politicatus* in the Later Middle Ages,” 521.

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world, that kings are bound by this law" (IV:7). As such, it is necessary that rulers study the law (positive and divine) with diligence and regularity (IV:6).

A second instance of John's emphasis on the rule of law is a corollary of the first. Just as the ruler is obliged to govern in accordance with the law, his subjects are required faithfully to live by law.<sup>29</sup> John makes this point with Shakespearean eloquence.

*For John,  
all law is  
"a discovery,  
and a gift  
from God."*

[A]ll law is, as it were, a discovery, and a gift from God, a precept of wise men, the corrector of abuses, the bond which knits together the fabric of the state, and the banisher of crime; and it is therefore fitting that all men should live according to it who lead their lives in a corporate political body. All are accordingly bound by the necessity of keeping the law . . . (IV:2).

*Violations of  
law by public  
officials  
should be  
punished  
more severely  
than viola-  
tions by  
private  
subjects.*

Similarly, John insists that men should follow the law in the practice of their occupations, whether public or private; that is, "in their exercise they should not transgress the limits of the law . . ." (VI:20). Finally, John's commitment to the rule of law is expressed in his assertion that public officials who violate the law should be punished with greater severity than violations by private subjects: "[H]ow severely men are to be punished who assail the law which they have undertaken to defend" (VI:11). And while duly severe, such punishment must not be arbitrary, but according to "that which is fixed or allowed by law" (VI:1).

The prominence of the rule of law in the history of political thought is evident to even the most casual observer. Indeed, from Aristotle and Aquinas to Machiavelli and the American Founders, it has been a hallmark of Western society. So strong is the legalistic tradition that even the most notorious regimes, such as Nazi Germany and Soviet Russia, perpetrated their barbarisms under the cloak of law. (As we shall see, John foreclosed such abuses by developing the principle of equity.) The point, however, is that John may be credited with providing a classic statement of the rule of law as the basis of political legitimacy and the good society.

***Liberty and Virtue.*** The Middle Ages was not a period marked by individual liberty in the modern sense of the word, nor can it be said that John of Salisbury anticipated modern liberalism. He

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<sup>29</sup> As Sabine writes, "[t]he law in John's conception forms an omnipresent tie running through all human relationships including that between the ruler and the subject. Consequently it is binding mutually on king and subject." *History of Political Theory*, 235.

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did, however, place a high value on personal liberty as he understood the word, ranking it second only to virtue. For John “liberty” (*libertas*) and “virtue” (*uirtutem*) are closely linked, indeed, nearly inseparable. His definition of liberty, and its relation to virtue, is stated in the following passage.

Liberty means judging everything freely in accordance with one’s individual judgment, and does not hesitate to reprove what it sees opposed to good morals. Nothing but virtue is more splendid than liberty, if indeed liberty can ever properly be severed from virtue. For to all right-thinking men it is clear that true liberty issues from no other source. Wherefore, since all agree that virtue is the highest good in life, and that it alone can strike off the heavy and hateful yoke of slavery, it has been the opinion of philosophers that men should die, if need arose, for the sake of virtue, which is the only reason for living. But virtue can never be attained without liberty, and the absence of liberty proves that virtue in its full perfection is wanting. Therefore a man is free in proportion to the measure of his virtues, and the extent to which he is free determines what his virtues can accomplish . . . (VII:25).

*“Virtue  
can never  
be attained  
without  
liberty.”*

John proceeds to contrast “virtue” and “liberty” with their opposites, “vice” and “slavery”:

. . . on the other hand, it is the vices alone which bring about slavery, and subject a man to persons and things in unmet obedience; and though slavery of the person may seem at times the more pitied, in reality slavery to the vices is ever far the most wretched. And so what is more lively than liberty? And what more agreeable to a man who has any reverence for virtue? We read that it has been the impelling motive of all good princes; and that none ever trod liberty under foot save the open foes of virtue. The jurists know what good laws were introduced for the sake of liberty, and the testimony of historians has made famous the great deeds done for love of it (VII:25) .

From these pregnant passages the following may be gathered. First, John places a premium on liberty, which he equates with “life” itself, whereas slavery is the very “image of death.” Liberty, then, is (outside of virtue) mankind’s most precious temporal possession; a possession even worth dying for “if need arose” (VII:17). But what precisely did John mean by “liberty”? Given his emphasis on the rule of law, it is certain that his definition included freedom from arbitrary treatment and the means to redress injuries. It is also certain that John considered the ability to regulate one’s personal affairs (e.g., diet, dress, abode, child rearing) an essential part of liberty. A further clue to his meaning is provided by a ref-

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erence to the “city-states of Italy” that “enjoy liberty and peace in . . . fullness . . .” Presumably, John is referring to the towns of northern Italy that had asserted their independence from the Holy Roman Empire in the late eleventh and early twelfth centuries. Insofar as these self-governing polities embraced the republican values of personal liberty and civic participation, his positive reference suggests that he looked favorably upon both. Nowhere does John affirm this view, nor would it have been prudent to do so in an England ruled by an absolute monarch. Yet there is nothing in the *Policraticus* which suggests that its author regarded monarchy as the only legitimate form of government. Indeed, there is strong evidence that John favored something akin to a constitutional or limited monarchy. In the present context, it is sufficient to note that he understood “liberty” in terms of the rule of law, freedom from oppression, and personal discretion in private matters.

*Right to criticize vices the key to sustaining liberty.*

John’s emphasis, however, is on *freedom of expression*, and particularly the freedom to engage in “constructive criticism.” “[I]t is the part of the good and wise man to give a free rein to the liberty of others, and to accept with patience the words of free speaking, whatever they may be” (VII:25). John suggests that a regard for “liberty” implies a fair measure of “free speaking” and a general tolerance for individual expression. “[S]o long as these do not involve the casting away of virtue,” individuals should be free to express opinions, make observations, and engage in criticism. And while John does not indicate the precise point at which tolerance collides with “virtue,” he does suggest that even abusive or offensive speech should be endured. “For even if criticism carries open or covert malice, to bear it is in the eyes of wise men a far finer thing than to seek to punish it” (VII:25). This strikingly progressive view is part of a larger doctrine of tolerance, which John viewed not merely as a necessary evil, but as a “virtue” in its own right: “the merit of tolerance (*patientiae*) is resplendent with a very special glory.” Moreover, John identifies the ability freely to criticize known vices as the key to sustaining liberty. “[I]n order to preserve liberty and out of regard to it, it has always been permissible for a free man to speak to persons concerning their vices . . .” (VII:25).

It is not difficult to see in John’s emphasis on toleration a preemptive defense of his own sharp critique of contemporary manners and morals. At one point he openly asserts a “general privilege” to rebuke corruption and immorality; a privilege which

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made it unnecessary to “crave special permission in respect of utterances which are designed to serve the public advantage . . .” (VII:25). In this assertion, John was undoubtedly attempting to fortify himself against retaliation for his unflattering remarks. Yet he was also making a general plea on behalf of freedom of expression, and in particular the right to “speak truth to power.” Beyond its intrinsic value, free expression was essential to the health and safety of the commonwealth, for if abuses could not be openly exposed they could not possibly be remedied. Hence John maintained that it was necessary to permit observers to speak critically of others (particularly the powerful) without fear of reprisal. Naturally, the ability to do so did not encompass the right to defame, incite to violence, or indulge in obscenity, any more than it does today. It did, however, involve a recognition that the freedom to speak out against hypocrisy, oppression, and immorality was an essential component of both individual liberty and the common good.

But “liberty” is even more than this for John. Fundamentally, it is the freedom to choose the path of virtue, the free will to embrace the good.<sup>30</sup> Ostensibly “good” actions done through fear or compulsion cannot be called truly virtuous. Only the good that is freely chosen (and talent freely developed) merits the name of virtue. And so “virtue can never be attained without liberty . . .” (VII:25). Indeed, the greater a man’s freedom, the greater his potential for virtue, for “the extent to which he is free determines what his virtues can accomplish . . .”

On the other hand, John asserts that it is possible to enjoy physical freedom and yet remain a “slave” to vice, a condition he considers more miserable than a virtuous man who has lost his liberty. His point is that the ultimate value of “liberty” is contingent upon the uses to which it is put: it is a necessary, but not a sufficient, condition of virtue. Thus, for John, it is not merely the difference between liberty and license, but also between virtue and vice. In this he went well beyond the notion of “negative” liberty characteristic of “classical” liberalism, the freedom *from* intervention in one’s private life. For John liberty is this, but it is also a “positive” freedom, an injunction to tread the path of virtue.

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<sup>30</sup> As Nederman observes, the *Policraticus* manifests a highly developed conception of man’s liberty and free will. “A Duty to Kill: John of Salisbury’s Theory of Tyrannicide,” *Review of Politics*, 50 (1988), 375.

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Church  
should  
encourage  
virtuous  
behavior but  
not seek to  
impose it.

From what has been said about the relation between “liberty” and “virtue,” it is evident that John did not endorse measures aimed at “forcing” the people (or its rulers) to be virtuous. The Church should teach and encourage morals, and rulers should respect justice and promote order, but no one can be “forced” into virtue. Professor Nederman has aptly summarized John’s position.

Royal moderation is equivalent to respect for the proper sphere of liberty which belongs to each and every member of the political community. John stresses that even a zealous insistence upon the virtue of subjects is a violation of the terms of moderate government: the king accords his people a sufficient measure of personal liberty that they may commit errors, at least so long as their sins endanger neither the safety of orthodox faith nor the security of the temporal polity.<sup>31</sup>

It would clearly be mistaken to equate John’s position with modern liberalism, and yet he arguably “points the way towards modern principles of freedom.”<sup>32</sup> As we have seen, he also points beyond classical liberalism in emphasizing the “positive” dimension of freedom. In this he is closer in spirit to the classical republicanism of Renaissance Italy, Commonwealth England, and Revolutionary America. John did not, of course, embrace popular consent or civic participation as the basis of good government. He did, however, underscore the vital relationship between the “virtue” and “liberty” of a people, a central article of the republican creed. In this, as in his notion of “positive” liberty, the author of the *Policraticus* drew upon the memory of ancient freedom and anticipated key aspects of its revival in the modern era. In this sense (as in others) the *Policraticus* represents “a highly influential bridge between medieval and humanist thought.”<sup>33</sup>

**Meritocracy.** One might not expect a high-ranking official in the stratified society of twelfth-century England to argue that *merit* and not birth should be the basis of public authority. John’s position is not so clear cut, but he does advance very near to the principle of “careers open to talent.”<sup>34</sup> At the level of generality, he is

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<sup>31</sup> Nederman, “Introduction,” xxiv.

<sup>32</sup> Nederman, “The Aristotelian Doctrine of the Mean and John of Salisbury’s Concept of Liberty,” *Vivarium*, 24 (1986), 127.

<sup>33</sup> Hector J. Massey, “John of Salisbury: Some Aspects of his Political Philosophy,” *Classica et Mediaevalia*, 27 (1969), 371.

<sup>34</sup> This rule would appear to extend to all officials of consequence. John may have had in mind the household of Theobald, Archbishop of Canterbury, where

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clear indeed: whether it be kingly or priestly power, “regard for ancestry ought not to prevail over merits and virtues . . .” (IV:3). Rank may or may not reflect true worth, for in itself rank “is the accidental status of a person” (V:4). John cites the example of Socrates, who though poor in possessions was rich in wisdom. Hence the necessity of distinguishing the extraneous—family, titles, wealth—from the intrinsic, and the need to “look deeply into the man himself” (VI:28). All other outward forms are merely “borrowed plums.”

John’s emphasis on merit as the sole qualification for all offices of trust necessarily runs into difficulties when confronted with the realities of hereditary right. On one hand, “the office of prince” (citing the Emperor Helius) “is not due to blood, but to merit” (IV:11). Still, John accepts the principle of hereditary succession: “For [a prince’s natural heirs] always succeed in their own right” (V:7), albeit with proviso and exception. *Pace* Helius, he argues that future princes should be properly trained and prepared for the responsibilities of rule. Only “when they have become proficient . . . and prove themselves to excel in virtue . . . then let them ascend the throne.” This injunction, though sound in principle, is obviously flawed in practice. What if the prince dies before his heir is prepared? What if his heir never excels in virtue? The hereditary principle insures that the heir will still ascend the throne, but, if he proves himself unworthy of that high place, there is no guarantee that he will keep his crown. Since John was committed to the principle of the common good—that the welfare of the governed is the first business of the governors—he could never embrace the concept of absolute sovereignty in the face of repeated injustice, incompetence, and wrongdoing.

John’s doctrine of removing a tyrant, by violence if necessary, is perhaps the best known feature of his political thought. Yet he also developed a clear doctrine of impeachment and removal, which stopped short of tyrannicide. While he did not provide clear criteria or a specific procedure for removing a derelict prince, he did suggest that under certain circumstances it was necessary, even divinely sanctioned, to do so. John interprets passages in the

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he and Becket joined a number of others handpicked for their talent and prepared themselves for the responsibilities of ecclesiastical office. The school of Theobald would produce future bishops, archbishops, cardinals, and even a pope.

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Psalms to signify that “kingly power shall be transferred from one family to another . . . to those who are found to be heirs of faith and justice” (IV:11). Accordingly, the promise that a prince’s sons will succeed him is less an indefeasible right than a prudential rule, “the greatest incentive to the practice of justice.”

*John provided the moral basis for a theory of limited monarchy.*

The repetition of the threat of removal, complete with scriptural support, leaves little doubt regarding John’s views on the legitimacy of princely power (IV:12). Again, in lieu of a mechanism for “transferring” kingship to more qualified hands, the threat is little more than an admonition.<sup>35</sup> Still, John provides the moral basis of a theory of limited monarchy, and points forward to the doctrine of an accountable executive. This teaching, as noted, rests on a more basic belief in justice and the common good as the ends of governance. It is the “safety of the commonwealth . . . the safety of the people,” that must be placed above the whims of the royal few (IV:11).

More generally, John’s teaching embraces the idea of merit as the basis for honor and power. In part it serves as a preventative, for “to confer honor on a fool is to overturn the life of the commonwealth” (V:7); but it is also regulative, for the display of excellence at the height inspires excellence in those below, and so on, throughout the social hierarchy (IV:11). The key, of course, is for virtue to attach itself to the highest positions of trust, and especially to the person of the king himself. The union of virtue and honor in the prince is but the exemplar of a broader commitment to the principle of merit. In John this principle is advanced to a remarkable degree, and presages modern theories of meritocracy.

### **Conclusion**

Were John’s teaching restricted to the elements discussed above, he would still be entitled to a significant place in the history of political thought. Yet, as suggested, these are but parts of a far more sweeping vision of *res publica*. This vision is rounded out with remarks on a wide variety of matters that have been the concern of ancient and modern political thinkers alike. John antici-

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<sup>35</sup> The tentative, ambiguous, and seemingly ineffectual nature of John’s doctrine of tyrannicide is duly noted by his expositors. As one writes, “the so-called theory . . . seems to be buried under so many exceptions and restrictions that any practical application fades away.” Jan Van Laarhoven, “Thou Shalt *Not* Slay a Tyrant!: The So-Called Theory of John of Salisbury,” in *World of John of Salisbury*, 325.

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pates Machiavelli's emphasis on military science and the art of war, "an art of the greatest importance and one which is absolutely necessary, and, without which . . . the power of the prince is lame" (VI:19). He also hints at a clear distinction between military and civilian authority, an "armed hand . . . which performs the soldiering of camps and blood" and "the unarmed . . . which administers justice and . . . is enlisted in the service of the law" (VI:1). This distinction reflects a tendency in John to separate the various spheres of life according to their proper function, a tendency that extends to distinguishing the public from the private. All members of the commonwealth have duties, but "some have a public bearing, others relate to the private status of individuals." For this reason, "some duties or offices are conveniently called public, others private." This is not to say that John understood the public/private dichotomy in modern terms, but he does acknowledge an important distinction between the two realms.

*Authority and duties differ according to one's function in life.*

John also develops a fairly elaborate legal theory or jurisprudence. We have noted his emphasis on the rule of law, but his remarks go well beyond advocating an adherence to established guidelines. Considerable sections of books IV-VI touch on various elements of law, and there is some effort to synthesize its various forms—divine, natural, international, and positive. Reflecting a first-hand acquaintance with actual courts, John opines at length on punishment, procedure, evidence, testimony, and other details of legal proceedings. Finally, he develops a doctrine of equity (*aequitas*), providing for "a mediating interpretation of human law" based on circumstances not encompassed by statute. In such cases, it is not the letter of the law, but "equity to which the judge owes obedience;" that is, "the right line of truth" (V:11). And while John is typically identified as an adherent of Roman (civil) law, the role of equity in his legal theory shows a marked appreciation of common law as well.<sup>36</sup>

John is also forward-looking in defining the prince as a public servant whose sole responsibility is "to promote the advantage of the commonwealth, and in all things prefer the good of others be-

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<sup>36</sup> It will be recalled that John's sovereign, Henry II, was "the founder of the common law," although John is rarely credited for his own important contribution, particularly his theory of equity. See Arthur R. Hogue, *Origins of the Common Law* (Bloomington: University of Indiana Press, 1966), 34, and Hans J. Wolff, *Roman Law: An Historical Introduction* (Norman: University of Oklahoma Press, 1951), 198.

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fore his own private will" (IV:2). For John the prince should not have a private "will" at all; indeed, "he may not lawfully have any will of his own apart from that which the law or equity (*lex aut aequitas*) enjoins, or the calculation of the common interest requires" (IV:2). The *rule of law, equity, the common good*—these are the great objects of the *public* will as embodied in the prince. As Frederick the Great would proclaim, the king is merely the first servant of the state, a sentiment John took literally, declaring that the prince "is not even his own man, but belongs wholly to his subjects" (IV:5).

He also counsels "wise moderation" in all matters of government, much as Aristotle did fifteen hundred years before: "the mean, which moves along a golden path, is always to be insisted on" (VI:19). Also savoring of antiquity is John's support for a council of elders or senate, for "it is impossible to administer princely power (*principatum*) wholesomely if the prince does not act on the counsel of wise men" (V:6). He specifically praises the Areopagus, that body of experienced elders who proposed laws and tried capital cases, as the great anchor of the Athenian state. Also identified is the Roman senate, whose members "excel[ed] all others in wisdom, age, and fatherly affection," and in whose hands "was the authority of counsel and of carrying out all public undertakings" (V:9). Borrowed from ancient examples, John's remarks on the importance of an upper chamber as a source of advice and authority, remain highly relevant to the subsequent development of parliamentary and constitutional government.

Finally, there is John's commitment to a *politics of virtue*. In this he is again more akin to the pagans than the moderns. His stress on virtue as the key element in defining the quality of social life is a natural outgrowth of his religio-moral *weltanschauung*. As progressive as he was for his time, John was a faithful representative of medieval Christendom, and shared in its superstitions and myopia. In one sense these features are intrinsic to the medieval mind, but in John they often appear as the aberrations of an otherwise learned, humane, and reasonable man. Still, John's politics are deeply informed by the primacy of the Church as a social institution and the broader vision of the Christian worldview. As a result, his political thinking is infused with moral purpose at every turn. John is often faulted for failing to examine institutions or consider constitutional structures or different regime types—in-

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deed, this is perhaps the most notable lacuna in this thought from the standpoint of classical political analysis. The ancient thinkers underscored ethics, but also understood the importance of institutions, while the moderns have tended to emphasize institutions at the expense of virtue. Given his basic acceptance of the status quo, John had little recourse but to admonish the prince and courtiers to abide by the teachings of the Church, the rules of justice, and the dictates of the common good; that is, to live virtuously.<sup>37</sup> Virtue is the key to John's politics, although it is not the whole story. Because of his familiarity with classical sources and his humanistic bent, he was able to project elements of a far more progressive, and in some sense modern, theory of politics than one would expect from a twelfth-century churchman.

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<sup>37</sup> Norman Cantor has noted the Catch-22 John faced. Caught between an inability to "abandon the traditional hierocratic theory" or "ignore the new leadership exercised in society by the state," "[t]he only solution was to ascribe moral qualities to the state, thereby preserving, in theory, the ethical foundations of the social order." *The Civilization of the Middle Ages* (New York: Harper Collins, 1993), 327.