

THE WORKS OF



JOHN ADAMS

VOL. 5: DEFENCE OF THE
CONSTITUTION II & III

The Works of John Adams

Volume 5

JOHN ADAMS

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WORKS ON GOVERNMENT.

**A DEFENCE OF THE CONSTITUTIONS OF
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OF THE UNITED STATES OF AMERICA. Volume
II**

CHAPTER FIRST.: ITALIAN REPUBLICS OF THE MIDDLE AGE. FLORENCE.

There is no example of a government simply democratical; yet there are many of forms nearly or remotely resembling what are understood by "All Authority in one Centre." There once existed a cluster of governments, now generally known by the name of the Italian Republics of the Middle Age, *Endnote 002* which deserve the attention of Americans, and will further illustrate and confirm the principles we have endeavored to maintain. If it appears, from the history of all the ancient republics of Greece, Italy, and Asia Minor, as well as from those that still remain in Switzerland, Italy, and elsewhere, that caprice, instability, turbulence, revolutions, and the alternate prevalence of those two plagues and scourges of mankind, tyranny and anarchy, were the effects of governments without three orders and a balance, the same important truth will appear, in a still clearer light, in the republics of Italy. The sketches to be given of these cannot be introduced with more propriety than by the sentiments of a late writer, *Endnote 003* because they coincide with every thing that has been before observed.

Limited monarchies were the ancient governments; the jealousies and errors of the nobles, or the oppressions they suffered, stimulated them to render monarchy unpopular, and erect aristocracies. "Ancient nations were, in one point, very generally defective in their constitutions, and that was the incertitude of the sovereignty, and, by consequence, the instability of government; which was, in all the republics of Italy, a perpetual occasion of infinite confusion. In no part of Italy, however united together, was found established an

absolute hereditary monarch. By many examples, it is manifest, that kings either were created by the favor of the multitude, or at least sought their consent, and consulted the people in affairs of most importance and greatest danger. The government of the grandees, which succeeded, was rather a fraudulent or violent usurpation, than a true and proper aristocracy established by law, or confirmed by long and uncontested possession; and a popular government was never so free or so durable as when it was mixed with the authority of one supreme head, or of a senate; so that mixed governments were almost always preferred. One of the three kinds of governments nevertheless fell, when another arose; and all the Italian republics, nearly at one time, by the same gradations, passed from one form of administration to another.

“In this particular all the memorials of ancient Italy agree. They were, from the beginning, governed by kings. The Tuscans had kings; the Sabines had kings; and so had the people of Latium; and as every city and every borough formed an independent government, these kings could not have much magnificence. Many states often obeyed the same king; for he who had the lordship of one city, procured himself to be elected the head of another. Porsenna, whom Dionysius calls King of Tuscany, because he was followed by many Tuscan nations, was from the beginning only King of Chiusi. The Kings of Rome, by various means, gained the command of the Latin cities, which nevertheless, two centuries afterwards, reputed themselves still independent of the state of Rome. The King of the Veientes had the lordship of Fidena, a free city, and independent of the Veientes, in the same manner as the Visconti, Lords of Milan, Castruccio, Lord of Lucca, and the Scala, Lords of Verona, (and so many other princes and tyrants of the later ages, before the exaltation of Charles V.) made such progress in obtaining the sovereignty of many cities, which had nothing in common with Milan, or Lucca,

or Verona. These kingdoms were either simply elective, or at least required the express consent of the people, howsoever often one relation succeeded to another. Neither were royal governments generally displeasing to the people; but the grandees and nobles, who were the most exposed to the caprice of the prince, both in their persons and property, studied to generate in the minds of the common people a hatred to the name of king, and to excite the desire of liberty. They flattered themselves, that if the principality, which often fell into the hands of new men and adventurers, such as Tarquin in Rome, and Aristodemus in Cuma, were abolished, they should be able to live, not only with more security and greater license, but with more authority, command, and power. In what nation, and in which city, the revolution first began, is not easy to determine; but in the course of the third century of the Roman era, one people following the example of another, this by means of one, and that of another opportunity, either expelled by violence their present kings, or desisted from electing new ones; and all Italy, hoisting as it were a common signal, changed at once its whole form of government.

“The odium of the royal name, and an enthusiasm for liberty, seized so universally, and with such energy, the whole Italian nation, that if any city wished either to continue or recover the custom of kings, this inclination was scarcely manifested before it was pointed out and reviled by the other cities, and upon all great occasions abandoned. The Veientes, ^{Endnote 004} either from a disgust at the cabals and ambition which arose from the annual creation of new magistrates, or the better to provide for war, created afresh a king; by which resolution they incurred to such a degree the hatred and contempt of the other people of Tuscany, that, contrary to every rule of policy, duty, and custom, they were left alone to sustain that

obstinate war with the Romans, which ended in their ruin. In the beginning of the fourth century of the Roman history, there is seldom or never mention made of kings in any of the states of Italy. The whole authority and administration of public affairs passed into the hands of the nobility, or the senate; and that body, constituting at first the middle order between the king and the people, became the supreme head of the government. And although the greater magistracies were elected by the voices or suffrages of the people, nevertheless, all the honors and all the power of the government were collected in the grandees, who easily commanded the votes of the electors, and who alone were the elected; for none of the plebeians dared to pretend to offices, civil or military. And it is too evident that, in every kind of community, the rich and the noble endeavor, as it were, by their very nature, to exclude the poor and the plebeians. Most of the public affairs relative to peace or war were treated in a senate composed essentially of patricians and nobles, who, in every thing that regarded the constitution, inclined more to aristocracy than to popular government. No city was so mean or so ill ordered as not to have a public council, or a senate. Livy speaks of the senate, not only of Naples, Capua, and Cuma, but of Nola, Pipernum, Tusculum, Tivoli, the Veientes, and of others, so frequently, that it is clear that in all the republics there was an order distinct from the plebeians, who retained in their hands the essence of the government. But the plebeians, once become obstinate, at the solicitation of the nobility, in a hatred of tyranny, had not far to go before they opened their eyes upon their own condition, and learned that they had done nothing more than exchange one master for many; and they began to make every exertion to obtain, in fact, the possession of that liberty, of which they had, until then, obtained a taste in words, from the order of patricians and the senate. As the multitude began to make trial of their strength, the sovereign

authority was ceded to them by little and little, and the nobility, in their turn, were tormented and tyrannized by the plebeians. Livy observes, that, about the time of the Carthaginian war, by a kind of epidemical malady spread through the Italian republics, the plebeians applied themselves to persecute the nobility. Nevertheless, the order of the grandees always preserved a great part of the power; for the nature of popular government being variable, inconstant, and incapable of conducting itself, the senate and the nobility, who act with more maturity of deliberation, and with interests more united, can generally counterpoise the party of the plebeians, and from time to time overcome it. From whence it happened, that all the cities were exposed to continual revolutions of government, and very rarely enjoyed that perfect equality, which is the end of a free state; but either the favor of the people, or the necessity of the senate, devolved the principal authority on some individual, who, with or without the title of supreme magistrate, was always regarded as the head of the government. Thus we find a Manilius, head of the Latins; an Accius Tullius, principal of the Volsci; a Herennius, of the Samnites; a Calavius, of the Campanians; a Valerius, a Camillus, and a Fabius, chiefs of the Romans. And, to speak the truth, there was never any great and important success in any free state, either at home or abroad, except in those times when some one citizen held the will of the public in his own power."

But, waving the rest of these general observations for the present, let us descend to particulars, and, quitting the ancient republics of Italy, descend to those of the middle age, among which Florence is the most illustrious. As the history of that noble city and magnanimous people has been written by two authors, among a multitude of others, who may be compared to any of the historians of Greece or Rome, we have here an example more fully delineated, an experiment more perfectly made and more accurately

described, than any we have examined before. We shall not, therefore, find it tedious to consider minutely the affairs of a brave and enlightened people, to whom the world is indebted for a Machiavel, a Guicciardini, and an Americus Vespucius; in a great degree for the resurrection of letters, and a second civilization of mankind. Next to Athens and Rome, there has not existed a more interesting city. The history is full of lessons of wisdom, extremely to our purpose.

We have all along contended, that the predominant passion of all men in power, whether kings, nobles, or plebeians, is the same; that tyranny will be the effect, whoever are the governors, whether the one, the few, or the many, if uncontrolled by equal laws, made by common consent, and supported, protected, and enforced by three different orders of men in equilibrio. In Florence, where the administration was, by turns, in the nobles, the grandees, the commons, the plebeians, the mob, the ruling passion of each was the same; and the government of each immediately degenerated into a tyranny so insupportable as to produce a fresh revolution. We have all along contended, that a simple government, in a single assembly, whether aristocratical or democratical, must of necessity divide into two parties, each of which will be headed by some one illustrious family, and will proceed from debate and controversy to sedition and war. In Florence, the first dissension was among the nobility; the second between the nobles and commons; and the third between the commons and plebeians. In each of which contests, as soon as one party got uppermost, it split into two; and executions, confiscations, banishments, assassinations, and dispersions of families, were the fruit of every division, even with more atrocious aggravations than in those of Greece. Having no third order to appeal to for decision, no contest could be decided but by the sword.

It will enable us the better to understand Machiavel, whose history will be abridged and commented on, if we premise from Nardi, *Endnote 005* that “the city of Florence had, like all other cities, its people consisting of three genera of inhabitants, that is to say, the nobility, the people of property, *Endnote 006* and the common people. Although some too diligently divided the nobility into three sorts, calling the first, nobles, the second, grandees, and the third, families; meaning to signify, that some of the inhabitants had come into the city and become citizens, having been deprived of their own proper country by conquest, while they were attempting to enlarge and extend their territories; others, originally of this country, had become abundant in riches and powerful in dependents, either by their own industry or the favor of fortune; and others, having been foreigners, had come in like manner to inhabit the city, but, from their primitive condition, they still retained the distinctions of lord and vassal, by habit and by fraud, both in the city and the country. And all this mixture were indifferently called nobles, grandees, and families; and they were equally hated, contradicted, and opposed, in the government of the republic, and in all their other actions, by that party which was called the substantial people, *il popolo grasso*. The lower class of people, the plebeians, *il popolo minuto*, never intervened in government at all, excepting on one single occasion, when, with violence, they usurped it, as in its proper place will be related. Some persons made still another division of the plebeians, and not without reason; for those who possessed real estate in the city or country, and were recorded in the public books of taxes and tributes of the city, and were called the Enregistered, *Endnote 007* esteemed themselves, and were considered by their fellow-citizens, as holding a middle station. The remainder of the lower class, who possessed no kind of property, were held

of no account. Nevertheless, all this undistinguished aggregate were called the people of Florence; and the expression is still in use, as the people of Athens, or the people of Rome, anciently comprehended the whole body of the inhabitants of those cities; to which confused, and, in its nature, pernicious aggregate, as that of the head and tail always is, the body of middling citizens will always remain extremely useful, and proportioned to the constitution of a perfect republic."

As Machiavel is the most favorable to a popular government, and is even suspected of sometimes disguising the truth to conceal or mollify its defects, the substance of this sketch will be taken from him, referring at the same time to other authors; so that those young Americans who wish to be masters of the subject, may be at no loss for information.

"The most useful erudition for republicans is that *Endnote*
008 which exposes the causes of discord; by which they may learn wisdom and unanimity from the examples of others. The factions in Florence are the most remarkable of any. Most other commonwealths have been divided into two; that city was distracted into many. In Rome, the contest between patricians and plebeians, which arose after the expulsion of kings, continued to the dissolution of the republic. The same happened in Athens, and all the other commonwealths of Greece, Italy, and Asia Minor. Such was the patriotism or good fortune of Florence, that she seems to have gathered fresh vigor, and risen stronger for her factions. Some, who escaped in the struggles, contributed more by their courage and constancy to the exaltation of themselves and their country, than the malignity of faction had done to distress them. And if such orders and balances had been established in their form of government as would have kept the citizens united after they had shaken off the yoke of the empire, it might have equalled any republic,

ancient or modern, in military power and the arts of peace.”

“The city of Florence *Endnote 009* was begun by the inhabitants of Fiesole, who, situated on the top of a hill, marked out a plot of ground upon the plain between the hill and the river Arno, for the conveniency of merchants, who first built stores there for their goods. When the Romans had secured Italy by the destruction of Carthage, this place multiplied exceedingly, and became a city by the name of Villa Arnina. Sylla was the first, and, after him, the three Roman citizens who revenged the death and divided the empire of Cæsar, who sent colonies to Fiesole, that settled in the plain, not far from the town already begun; and the place became so full of buildings and inhabitants, and such provisions were made for a civil government, that it might well be reckoned among the cities of Italy.

“Whence it took the name of Florence is not so well known. Tacitus calls the town Florentia, and the people Florentines. It was founded under the Roman empire; but when that was overrun by barbarians, Totila, King of the Ostrogoths, took and demolished it. Two hundred and fifty years afterwards, it was rebuilt by Charlemagne, from whose time, till 1215, it followed the fortune of those who successively ruled in Italy; for, during that period, it was governed first by the posterity of Charlemagne, then by the Berengarii, and last of all by the German emperors. In 1010 the Florentines took and destroyed Fiesole. When the popes assumed greater authority in Italy, and the power of the German emperors was upon the wane, all the towns of that province began to govern themselves. In 1080 Italy was divided between Henry III. and the church. Until 1215, the Florentines always submitted to the strongest, having no other ambition than to preserve themselves. But as, in our bodies, the later diseases come, the more dangerous

they are, so, the longer Florence put off taking a part in the troubles of Italy, the more fatal these proved.

“The cause of its first division is well known. The most powerful families in Florence, in 1215, were the Buondelmonti and the Uberti, and next to them the Amidei and Donati. A quarrel happened about a lady, and Messer Buondelmonte was killed. This murder divided the whole city, one part of it siding with the Buondelmonti, and the other with the Uberti; and as both of the families were powerful in alliances, castles, and adherents, the quarrel continued many years, till the reign of the Emperor Frederick II., who, being likewise King of Naples, and desirous to strengthen himself against the church, and establish his interest more securely in Tuscany, joined the Uberti, who by his assistance drove the Buondelmonti out of Florence; and thus that city became divided, as all the rest of Italy was before, into the two factions of Guelphs and Ghibellines. *Endnote 010* The Guelphs, thus driven out of the city, retired into the valley, which lies higher up the Arno, where their strong places and dependencies lay, and defended themselves as well as they could; but when Frederick died, the neutral people in the city endeavored to reunite it, and prevailed upon the Guelphs to forget the wrongs they had suffered, and return, and the Ghibellines to dismiss their jealousies, and receive them.

After they were reunited, they divided the city into six parts, and chose twelve citizens, two to govern each ward, with the title of Anziani, but to be changed every year. To prevent any feuds or discontents that might arise from the determination of judicial matters, they constituted two judges that were not Florentines, one of whom was styled the captain of the people, and the other the podestà, to administer justice to the people, in all causes civil and criminal; and since laws are but of little authority and short duration, where there is not sufficient power to support and

enforce them, they raised twenty bands or companies in the city, and seventy-six more in the rest of their territories, in which all the youth were enlisted, and obliged to be ready armed under their respective colors, whenever they were required so to be by the captain or the anziani. Their standard-bearers were changed every year with great formality."

This is the very short description of their constitution. The twelve anziani appear to have had the legislative and executive authority, and to have been annually eligible—a form of government as near that of M. Turgot, and Marchmont Nedham, as any to be found;—yet the judicial power is here separated, and the people could so little trust themselves or the anziani with this power, that it was given to foreigners.

"By such discipline in their civil and military affairs, the Florentines laid the foundation of their liberty; and it is hardly to be conceived, how much strength and authority they acquired in a very short time; for their city not only became the capital of Tuscany, but was reckoned among the principal in Italy; and, indeed, there is no degree of grandeur to which it might not have attained, if it had not been obstructed by new and frequent factions."

After this pompous preamble, one can scarce read without smiling the words that follow: "For the space of ten years they lived under this form of government;" especially when it appears that, during all these ten years, they were constantly employed in wars abroad, as appears by the following words: "During which time they forced the states of Pistoia, Arezzo, and Siena, to enter into a confederacy with them; and in their return with their army from the last city, they took Volterra, demolished several castles, and brought the inhabitants to Florence."

The United States of America calculated their governments for a duration of more than ten years. There is little doubt to be made, that they might have existed

under the government of state congresses for ten years, while they were constantly at war, and all the active and idle were in council or in arms; but we have seen, that a state which could be governed by a provincial congress, and, indeed, that could carry on a war without any government at all, while danger pressed, has lately, in time of profound peace, and under a good government, broke out in seditions. *Endnote 011*

This democratical government in Florence could last no longer; "For in all these expeditions," says Machiavel, "the Guelphs had the chief direction and command, as they were much more popular than the Ghibellines, who had behaved themselves so imperiously in the reign of Frederick, when they had the upper hand, that they were become very odious to the people; and because the party of the church was generally thought to favor their attempts to preserve their liberty, whilst that of the emperor endeavored to deprive them of it.

"The Ghibellines, in the mean time, finding their authority so dwindled, were not a little discontented, and only waited for a proper opportunity to seize upon the government again. They entered into correspondence with Manfred, the son of Frederick, King of Naples, in hopes of his assistance; but, for want of due secrecy in these practices, they were discovered by the anziani, who thereupon summoned the family of the Uberti to appear before them; but, instead of obeying, they took up arms, and fortified themselves in their houses; at which the people were so incensed, that they likewise ran to arms, and, by the help of the Guelphs, obliged the whole party of the Ghibellines to quit Florence, and transport themselves to Siena. There they sued to Manfred for aid, who granted it; and the Guelphs were defeated upon the banks of the river Arbia, with such slaughter, by the king's forces under the conduct of Farinata de gli Uberti, that those who

escaped from it, giving up their city for lost, fled directly to Lucca. Manfred had given the command of the auxiliaries, which he sent to the Ghibellines, to Count Giordano, a soldier of no small reputation in those times. This Giordano, after his victory, immediately advanced with the Ghibellines to Florence, and not only forced the city to acknowledge Manfred for its sovereign, but deposed the magistrates, and either entirely abrogated or altered all laws and customs that might look like remains of their former liberty; which being executed with great rigor and insolence, inflamed the people to such a degree, that if they did not love the Ghibellines before, they now became their inveterate and implacable enemies; which aversion continually increasing, at last proved their utter destruction."

There is an admirable example of patriotism at this period of the Florentine history, in Farinata Uberti, who successfully and decidedly opposed a plan of his own party of Ghibellines and their allies, for the demolition of the city. He preserved it, however, only for his enemies the Guelphs, who, driven out of Lucca, went to Parma, and joined their friends the Guelphs in that city, drove out the Ghibellines, and had their confiscated estates for their reward. They then joined the pope against Manfred, who was defeated and slain.

"In consequence of this victory, the Guelphs of Florence grew daily bolder and more vigorous, and the party of the Ghibellines weaker and weaker; upon which Count Guido Novello, and those that were left in commission with him to govern Florence, resolved to try, by lenity and gentler treatment, to recover the affections of the people, whom they found they had exasperated to the last degree by their oppressive and violent manner of proceeding. To cajole and ingratiate themselves with the people, they chose six-and-thirty citizens out of the people of Florence, and two gentlemen of higher rank from among their friends at

Bologna, to whom they gave a commission to reform the state. These delegates divided the city into distinct arts or trades, over which they constituted a magistrate, who was to administer justice to all who were in his department; and to every art a separate banner was assigned, under which they might assemble in arms, whenever the safety of the public required it.

“But Count Guido must have a tax to maintain his soldiers. The citizens would not pay it. He attempted to take back the new privilege of magistrates to each trade. The people rose in arms, chose Giovanni Soldanieri for their leader, fought the Count and his Ghibellines, and drove them out of the city. The people, having thus got the upper hand, resolved to unite the city, if possible, and recall all such citizens as had been forced to leave their homes, whether Guelphs or Ghibellines. The Guelphs returned, after six years’ banishment; the late attempt of the Ghibellines was pardoned, and they were suffered to come back again; but they still continued very odious both to the Guelphs and the people, the former not being able to forgive the disgrace and hardships of their long exile, nor the latter to forget their insolence and tyranny when they had the government in their hands; so that their ancient animosities were not yet entirely extinguished, either on one side or the other.”

The wrangle soon came to a crisis, and the Ghibellines fled out of the city, upon the interposition of a foreign force from Charles, King of Naples, in favor of the Guelphs.

“After the departure of the Ghibellines, the Florentines new-modelled their government, and chose twelve principal magistrates, who were to continue in authority no longer than two months, under the title of buoni homini. Next in power under them they appointed a council of eighty citizens, which they called the Credenza. After this, a hundred and eighty more were elected out of the people, thirty to serve for each sixth, who, together with the

credenza and the twelve buoni homini, were called the General Council. Besides which, they instituted another council, consisting of a hundred and twenty members, equally chosen out of the nobility, citizens, and commonalty, which was to confirm whatsoever had been resolved upon by the others, and to act jointly with them in disposing of the public honors and offices of the commonwealth."

The first government of the anziani was as near a simple democracy as there is any example of; we found it, accordingly, ineffectual. The next, of buoni homini, was no better; and that could not support itself. Now we come to a new plan, which discovers, in the authors of it, a sense of the imperfection of the former two, and an attempt to obviate its inconveniences and dangers; but instead of a judicious plan, founded in the natural divisions of the people, it is a jumble which common sense would see, at this day, must fall to pieces. The buoni homini, the credenza, and the thirty of the hundred and eighty, wore an appearance of three orders; but, instead of being kept separate, they are all huddled together in the general council. Another council still, of a hundred and twenty, equally chosen out of the nobility, citizens, and commonalty, was to confirm whatever was resolved on by the others. Here are two branches, with each a negative. But the mistake was, that the aristocratical and democratical parts of the community were mixed in each of them; which shows, at first blush, that there never could be harmony in either, both being naturally and necessarily split into two factions. But a greater defect, if possible, than even this, was giving the executive power, the power of disposing of public honors and offices, to a joint assemblage of buoni homini, credenza, and the two other assemblies, all in one. The consequence must be, that although every one of these four orders must be divided at once into factions for the loaves and fishes, yet the nobility, by their superior influence in elections, would have the whole power.

Unhappy Florence! thou art destined from this moment to never-ending factions, seditions, and civil wars! Accordingly, we read in the next page, what any one might have foreseen from this sketch of their constitution, "that the government of Florence was fallen into great disorder and misrule; for the Guelph nobility, being the majority, were grown so insolent, and stood in so little awe of the magistracy," (and how could they stand in awe of magistrates whom they had created, and who were ever at their devotion?) "that though many murders, and other violences, were daily committed, yet the criminals generally escaped with impunity, through favor of one or other of the nobles."

"In order to restrain these enormities, instead of twelve governors, they resolved to have fourteen, seven of each party, who should be nominated by the pope, and remain in office one year. Under this form of government, in which they had been obliged in reality to submit to a foreign master, they continued for two years, when the rage of faction again blazed out. They rose in arms, and put the city under a new regulation. This was in 1282, when the companies of arts and trades ordained, that instead of fourteen citizens, three only should govern, and that for two months, who were to be chosen indifferently out of the nobility or commons, provided they were merchants, or professed any art or occupation; and these were called priori. Afterwards, the chief magistracy was vested in six persons, one for each ward, under which regulation the city continued till the year 1342." *Endnote 012*

But the course of events for these sixty years should be carefully traced, in order to see the operation of such a form of government, even in a single city. This institution, as might be expected, occasioned the ruin of the nobility, who, upon divers provocations, were excluded, and entirely suppressed by the people. The nobility, indeed, were

divided among themselves; and by endeavoring to supplant each other, and aspiring to the sole government of the commonwealth, they quite lost all share in it. The priori were afterwards distinguished by the name of signori.

“There remained some sparks of animosity betwixt the nobility and commonalty, which are incident to all republics; for one side being naturally jealous of any encroachment upon their liberty and legal rights, and the other ambitious to rule and control the laws, it is not possible they should ever long agree together. This humor, however, did not show itself in the nobility while they were overawed by the Ghibellines; but when the latter were depressed, it began to appear, and the people were daily injured and abused in such a manner, that neither the laws nor the magistracy had authority enough to relieve them; as every nobleman supported himself in his insolence by the number of his friends and relations, both against the power of the signori and the captain of the people. The heads of the arts, wishing to remedy so great an evil, provided that every signory should appoint a standard-bearer of justice, out of the people, with a thousand men divided into twenty companies, under him, who should be always ready with their standard and arms whenever ordered by the magistracy. This establishment met little opposition, on account of the jealousy and emulation that reigned among the nobility, who were not in the least aware that it was levelled at them, till they felt the smart of it. Then, indeed, they were not a little awed by it for some time; but in a while they returned to the commission of their former outrages; for as some of them always found means to insinuate themselves into the signory, they had it in their power to prevent the standard-bearer from executing his office. Besides, as witnesses were always required upon any accusation, the plaintiff could hardly ever find any one that durst give evidence against the nobility; so that in a short time Florence was involved in its

former distractions, and the people exposed to violence and oppression; as justice was grown dilatory, and sentence, though passed, seldom or never executed.

“The people not knowing what course to take, Giano della Bella, a strenuous patriot, though of a very noble family, encouraged the heads of the arts once more to reform the city. By his advice it was enacted, that the gonfalonier should always reside with the signori, and have four thousand armed men under his command. They also entirely excluded the nobility out of that council of the signori, and made a law that all accessaries or abettors should be liable to the same punishment with those that were principals in any crime, and that common fame should be sufficient evidence to convict them. By these laws, which were called *Li Ordinamenti della Giustizia*,” *Endnote 013* (but which were in reality as tyrannical as the edicts of any despot could be,) “the people regained great weight and authority. But Giano being looked upon by the nobility as the author of these laws to bridle their power, became very odious, not only to them, but to the richest of the commonalty.”

As well he might, for laws more oppressive and destructive of liberty could not have been made. Tyrannical as they were, however, they were not enough so for the people. “For upon the trial of Corso Donati, a nobleman, for a murder, although he was acquitted even under these new laws, the people were enraged, and ran to arms, and demolished the magistrate’s house, instead of applying to the signori. The whole city exceedingly resented this outrage upon all law and government; the blame of it was laid upon Giano, and he was accused before the magistrates as an encourager of insurrection. While his cause was depending, the people took arms to defend him against the signori. Giano went voluntarily into banishment, to appease this tumult.

“The nobility then petitioned the signori, that the severity of the laws against them might be mitigated. As soon as this petition was publicly known, the commons, apprehending the signori would comply with it, immediately rose in a tumultuous manner; so that ambition on one side, and jealousy on the other, at last occasioned an open rupture between them, and both sides were prepared for battle; but by the interposition and mediation of some prudent men, whose arguments with both parties were very judicious, the people at last consented that no accusation should be admitted against a nobleman, without sufficient evidence to support it.

“Both parties laid down their arms, but retained their jealousies, and began soon to raise forces, and fortify themselves as fast as they could. The people thought fit to new-model the government, and reduce the number of the signori, as they suspected some of that body to be too favorably inclined to the nobility.

“A momentary tranquillity succeeded; but the sparks of jealousy and envy still remained betwixt the nobility and people, which soon broke out, on occasion of a quarrel between two families, the Cerchi and Donati, both considerable for their riches, nobility, and dependents. The signori were under no small apprehensions that the whole city would become engaged in the dispute, and hourly expected the two parties would openly attack each other, as soon afterwards happened, and a skirmish ensued, in which many were wounded on both sides. The whole city, commons as well as nobility, divided upon it; nor did the contagion confine itself to the city alone, but infected all the country. So ineffectual was this contemptible government of the signori to the suppression of this animosity, that the pope was applied to. He sent his nuncio to no purpose, and then put the city under an interdict; but this answered no end but to increase the confusion; and frequent battles took place, till the whole city took arms,

neither the power of the magistracy, nor the authority of the laws, being able to restrain the fury of the multitude. The wisest and best of the citizens were in great terror; and the Donati, being the weaker party, not a little doubtful of their safety."

Such is the effect of a government of all authority in one centre. Here all was concentrated in the signori, chosen by the people frequently enough; yet although the nobility were arbitrarily excluded from that council, those who were chosen were indebted for their elections, probably to those very nobles, and chiefly to the Donati and Cerchi.

"The Donati were the minority, upon the whole, and therefore had great reason to be doubtful of their safety. It was agreed, at a meeting betwixt Corso Donati, the heads of the Neri family, and the captains of the arts, *Endnote 014* to solicit the pope to send some person of royal extraction to reform the city." Here nature breaks out, in spite of all attempts to stifle it. A royal dignity is the most obvious thought, to extinguish animosities between nobles and commons. In this case, the captains of the arts, that is, the people, perceived it, as well as Corso and the Neri, the contending nobles. This meeting, and the result of it, was notified to the signori by the other party, who represented it as a conspiracy against the public liberty. Both sides, however, were in arms again, and Dante, who was one of the signori, had the courage to advise that sovereign assembly to arm the people; and they, being joined by great numbers out of the country, found themselves able to force the chiefs of each party to lay down their arms. They assumed an appearance of dignity, banished Corso and the Neri, and, to show their impartiality, several of the Bianchi.

"But this government had no permanent strength; the Bianchi, upon plausible pretences, were soon permitted to return. Corso, and his associates, obtained the same indulgence; but, instead of being quiet, they went to Rome,

to persuade the pope to appoint a person of royal extraction, as they had before petitioned his holiness in their letters. Charles of Valois, brother of the King of France, was sent accordingly by the pope. Though the Bianchi family, who then had the upper hand in Florence, looked upon him with an evil eye; yet as he was patron of the Guelphs, and sent by the pope, they durst not oppose his coming; on the contrary, to make him their friend, they gave him full power to regulate the city as he thought best. He caused his friends to arm themselves. This made the people so jealous that he intended to deprive them of what they called their liberties, that they took arms.

“The Cerchi, and the heads of the Bianchi, having had the chief government of the city some time in their hands, and behaved with great arrogance, were become generally odious; which encouraged Corso, and others of the Neri who had fled, to return upon an assurance that Charles and the captains of the party were their friends, and would support them. Accordingly, whilst the city was thus alarmed with the apprehensions of Charles’s designs, Corso, with all his associates, and many other of their followers, made their entry into it without resistance; and though Véri de Cerchi was called upon to oppose them, he declined it, and said, ‘The people against whom they came, should themselves chastise them, as they were likely to be the greatest sufferers by them.’ But the contrary happened; for instead of chastising them, they received them with open arms, whilst Véri was forced to fly for his safety. Corso having forced his entrance at the Porta Pinti, drew up and made a stand near his own house; and being joined by a great number of his friends and others, assembled in hopes of a change of government, he released all prisoners, civil and criminal; divested the signori of their authority; chose new magistrates, all of the party of the Neri, out of the people, to supply their places; and plundered the houses of the Bianchi. The Cerchi, and the heads of their faction,

seeing the people, for the most part, their enemies, and Charles not their friend, fled out of the city, and in their turn implored the interposition of the pope, though they would not listen to his exhortations before."

Such is the series of alternate tragedy, comedy, and farce, which was called the liberty of Florence during this "collection of all authority into one centre," the signori; in which no man of any party could be one moment secure of his life, property, or liberty, amidst continual exaltations and depressions of parties, in favor of different noble families. Although those nobles were all excluded from the government, the exclusion was but a form. Nearly all the power was in their hands, and the signori in office were only alternate tools of one noble family or another. And thus it must ever be; exclude the aristocratical part of the community by laws as tyrannical as you will, they will still govern the state underhand; the persons elected into office will be their tools, and, in constant fear of them, will behave like mere puppets danced upon their wires. But our humorous entertainment is not yet ended.

"The pope now, at the intercession of the Cerchi, sent a legate, Acqua-Sparta, to Florence, who made an accommodation betwixt the Cerchi and Donati, and fortified it by several intermarriages between them. But this spiritual policy, though deep and sound, did not answer his end; for when he insisted that the Bianchi should share in the chief offices of the commonwealth, that was refused by the Neri, who were in full possession of them. Upon this the legate left the city as dissatisfied as ever, and excommunicated it a second time for its contumacy.

"The Neri, however, seeing their old enemies in their bosom again, were not a little afraid they would use all means to ruin them in order to recover their former authority; and both parties were still discontented, and fresh occasions of discord soon occurred. Niccolo de Cerchi and Simon, a son of Corso Donati, met and fought. The

battle was so sharp and bloody that Niccolo was killed upon the spot, and Simon so desperately wounded that he died the same night."

This accident, as it is called, though an event springing necessarily from the form of government and state of parties, threw the whole city into an uproar again; "and although the Neri were the most in fault, as Simon assaulted Niccolo, yet they were screened by the magistracy, and, before judgment could be obtained, a conspiracy was discovered betwixt the Bianchi and Pietro Ferrante, a nobleman who attended Charles of Valois, with whom they had been tampering, to persuade his master to reinstate them in the government. The plot was detected by some letters from the Cerchi to Pietro; though it was the common opinion they were forged by the Donati, to wipe off the odium they had incurred by the murder of Niccolo de Cerchi. Nevertheless all the family of the Cerchi, with many of their followers of the Bianchi party, and among the rest Dante the poet, *Endnote 015* were immediately sent into banishment, their estates confiscated and their houses demolished by the strength of those forged letters; after which, their party, with many of the Ghibellines who had joined them, were dispersed in different places.

"The quiet that ensued was very short; for Corso Donati was dissatisfied that he did not enjoy the degree of authority in Florence he thought due to his merit, the government being in the hands of the people, and conducted by those who were in all respects much inferior to him. To varnish over his designs and revenge with a fair pretext, he accused several citizens who had been entrusted with public money with embezzling it, and many were ignorant and credulous enough to believe that Corso did this out of pure concern and affection for his country. The persons thus calumniated were in favor with the people, and stood upon their justification; and after many

law suits and long litigations, these disputes grew to such a height that it became absolutely necessary to take up arms. On one side were Corso and Lottieri, Bishop of Florence, with many of the nobility and some of the commons; on the other were the signori and the greater part of the people; nothing was to be seen but affrays and skirmishes in every part of the city."

In such a "right constitution" as this, such a government of "the people's successive sovereign assemblies," as the signori were, the body of the nation never can be unanimous; all the most wealthy, best-born, best-educated, and ablest men, will unanimously despise and detest the government, except a few artful hypocrites among them, who will belie their judgments and feelings for the sake of a present popularity for some private ends. Those who thus hate the form of government will have numerous connections, relations, and dependents among the people, who will follow them; so that there never can be more than a small majority of the people on the side of government. Hence its constant weakness; hence it is a mere football continually kicked from one side to another by three or four principal families. Thus it appeared in this case.

"The signori, feeling their weakness, and perceiving themselves in great danger, utterly unable to punish crimes, support their friends, or curb their enemies, were obliged to send to Lucca, a foreign state, for aid, and were fortunate enough to find all the people of that city willing to come to their assistance. The tumults were composed for a time, but the signori and people were too feeble to punish the author of the disturbance."

This interval of tranquillity was no more durable than former ones.

"The pope again sent his legate, Niccolo da Prato, *Endnote*
⁰¹⁶ who ingratiated himself with the people, so that they gave him a commission to new-model the city. In order to

obtain the recall of the Ghibelline faction from banishment, he flattered the people by restoring their ancient companies, which added much to their strength and diminished that of the nobility. But the project of restoring the exiles was obnoxious to the signori, who forced the legate out of the city, which he put under an interdict at his departure, and left in the utmost confusion.

“Two factions not being sufficient, the city was now divided and subdivided into several; as those of the people and nobility, the Guelphs and Ghibellines, the Bianchi and the Neri; and some who wished for the return of the exiles, being disappointed in their hopes, now the legate was gone, grew clamorous and outrageous, so that the whole city was in an uproar, and many skirmishes ensued. Those that were most active in raising this clamor were the Medici and Giugni, who had openly sided with the legate in favor of the exiles.”

This is the first mention made of that family of Medici, who acted so distinguished a part afterwards, finally subverted the commonwealth, and changed it into an absolute sovereignty under the title of a grand dukedom, a form it still wears.

Let us look back to 1282, when this government of priori or signori, chosen every two months by the people, was established; from thence to 1304 is only twenty-two years, in which we see a constant quarrel between the nobility and people, and between one party of nobles and another, and the neighboring states of Naples, Rome, and Lucca, in turn, called in to aid the different factions; alternate murders, banishments, confiscations, and civil wars, as one party and the other prevailed; and, instead of a government and a system of justice and liberty, constant anarchy, and the perpetual rolling of a mob.

In this year, 1304, Florence was visited in this lamentable manner with fire and sword. A great fire broke out, and was ascribed, as usual in such times, by some to accident,

and by some to party design. Corso Donati was the only person of any distinction who did not take up arms; he thought that when all parties grew tired of fighting he was the more likely to be called in arbitrator to decide their differences. They did indeed lay down their arms, but more out of weariness of their miseries, and that they might have time to take breath, than from any real desire of being reunited and living in peace. It was only stipulated that the exiles should not be suffered to return, which was agreed to by those that favored them, merely because they proved to be the weaker side.

“New disturbances arising, the pope was advised by his legate to summon to Rome twelve of the principal malcontents of Florence. They readily obeyed the summons, and among them was Corso Donati. As soon as they were set out upon their journey, the legate acquainted the exiles that now was their time to return to Florence, as the city was then clear of the only men that had authority enough to oppose their entrance. Drawing together what forces they could, they immediately marched and entered the city; but those very citizens, who but a little before, when they petitioned in the most humble and submissive manner to be admitted, had exerted themselves in the most strenuous manner for their return, now they saw them approach in a hostile manner, were the first that took up arms against them, and joined with the people to drive them back.”

One is, however, astonished at the reflection of Machiavel,—“Such was the spirit of patriotism amongst them in those days that they cheerfully gave up their private interests for the public good,”—when every page of his history shows that the public good was sacrificed every day by all parties to their private interests, friendships, and enmities.

“After the exiles were repulsed, the citizens relapsed into their former distractions; and after much violence the