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2   Civil Society au Début

Paul F. Armstrong
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Civil society, in recent years, has become one of the major conceptual building blocks of contemporary social theory. Its contemporary significance derives initially from the theory and practice of the Eastern European dissident movements which helped to bring about the collapse of the Soviet Empire in 1989, something I will only come back to in the concluding chapter.[1]

Prior to that, it had a quite different meaning under the dominant modern conception, which we might date, in its fullest expression, from 1821 with the publication of Hegel's *Philosophy of Right*. The modern conception of civil society (bürgerliche Gesellschaft, société civile) has, in this kind of summary history, its roots in the Roman *societas civilis*, something which was a translation of the *koinōnia politikē* of Greek usage. Koselleck has noted that "contained in the etymology are the earlier conceptions of a free political self-organization that cannot be erased from the European experience" (2002: 208).[2]

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[1]   A second strand of interest in civil society was initiated by Robert Putnam and the related literature which developed about social capital, a move which lost momentum when it became clear that the 'capital' metaphor was reductionist.

[2]   A critique of this kind of shallow history of the concept was developed in a paper by Kumar (1993), reflecting negatively on the first flush of scholarly engagement following the 1989 Soviet collapse. In a subsequent paper, Kumar (2000: 176) reports that "I too am less convinced than I was earlier that we should simply discard the concept of civil society, as a pointless and potentially distracting exercise in retrieval". Kumar is usefully complemented by Kocka (2005) who exhibits a rather ebullient enthusiasm for the concept.

The German term for civil society, 'bürgerliche Gesellschaft', provides some insight into the modern conception, dominant throughout the nineteenth and most of the twentieth century. The root of the first term, 'bürger', has the meaning of both 'citizen' and 'bourgeoisie' (Kocka, 2005: 143). When the whole term is translated as 'bourgeois society', it denotes the form of society that emerged out of the *sattelzeit* (saddle period) during the second half of the eighteenth and the first half of the nineteenth centuries.[3] This new form of civil society as a distinct domain was contrasted with, what was formerly understood as, the political order itself. In its new form, "in exaggerated terms, its citizens were not concerned with exercising political rule but rather with procuring participation in the authority of the state in order to secure their economic interests" (Koselleck, 2002: 212).

The emergence of this bourgeois society was famously conceptualized and contrasted by Ferdinand Tönnies in his distinction between *Gemeinschaft* and *Gesellschaft*.[4] His use of the stand-alone term *Gesellschaft*, without the *bürgerliche* adjective, is, therefore, an abbreviation of civil society – perhaps, in Tönnies eyes, a repudiation, a denial that it satisfies *koinōnia politikē*. Be that as it may, the abbreviation of the term with the dropping of the word 'civil' has caused great confusion in the social sciences.[5] The new bourgeois society – civil society reconceptualized – was the domain of investigation around which economics and sociology were built.

In this chapter, I will try to elucidate the various conceptions of civil society in the late medieval and early modern periods to form a base position au début against which the modern conception can be compared. I trace this early conception across the different social and

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[3]   The *sattelzeit* concept was foundational to Reinhart Koselleck's project of the *Geschictliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*. See, for instance, Koselleck (2011).

[4]   *Gemeinschaft*, as Tönnies used it, was a contrast class related to "the ascendancy of a middle class responding to the costs of modernity, individualism, commercialisation and industrialisation" (Bond, 2011: 498). It runs deeper, though, than Bond allows in this passage. Tönnies owed much to Otto von Gierke's work: "in both writers, the romantic distillation of the Germanic folk tradition of borough, commons or small town (*Gemeinde*, *gemein Wesen*) was a decisive starting-point" (Black, 1984: 217).

[5]   "When we turn to the eighteenth century in search of the ancestors of the social sciences, we find that those 'social things' that provided Durkheim with the objects of the social sciences had already been claimed by disciplines devoted not to the study of 'society,' but rather something called 'civil society'" (Schmidt, 1995: 900).

political forms where these usages both played a central role and marked the changes.[6] This inquiry is an effort, therefore, to probe the different conceptions of civil society which are available, and perhaps, in this probing, to excavate meanings across the full spectrum of the modalities of language, which may then open new *horizons of possibility* for our own time. Let us turn, then, to these early conceptions.

The Translation Problem

The presenting question is what was meant by Aristotle's conception of *koinōnia politikē*. John Keane argues that for Aristotle, "civil society is that society, the *polis*, which contains and dominates all others. In this old European tradition, civil society was coterminous with the state" (Keane, 1988: 35-36). In this passage, though, the terms 'society' and 'state' are still blurred by Keane. Leo Strauss, discussing Aristotle's *polis*, or city-state, writes that "when we speak today of 'state', we understand 'state' in contradistinction to 'society', yet 'city' comprises 'state' and 'society'. More precisely, 'city' antedates the distinction between state and society and cannot therefore be put together out of 'state' and 'society'" (1964: 30). Keane is also

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[6] Although much discussed in the social sciences since the linguistic turn, this conception of the role of language is still at issue. Already in 1972, Reinhart Koselleck had argued, in his Introduction to the *Geschichtliche Grundbegriffe*, that the concepts of the historical lexicon "may be treated as building blocks for a type of research that considers social and political language, particularly the specialized terminology of these domains, both as causal factors and as indicators of historical change" (Koselleck, 2011: 8). Anthony Pagden supports this constitutive role of language by arguing for the "interdependence of the propositional content of an argument and the language … in which it is made" (1987: 1; quoted in Black, 1992: 10). While there is support for such a constitutive function of language – "the concept of a 'language' in the sense used by Pocock and Skinner … derives from Wittgenstein's insight that language and thought or mind itself stand in a dynamic, interacting relation, so that what is said is coloured, and the parameters of what can be said – and therefore known – fixed, by the words used to say it" (Black, 1991: 316), Black points to the inadequacy of Pagden's position: "At least one purpose of human languages in the ordinary sense is that people can express different points of view in them; they were designed for dialogue – as Homer put it 'when two men go together, each one spots different things first'" (1992: 10). The problem with Pagden's position, therefore, is not the constitutive function of language in simultaneously constraining and supporting particular practices, but the limiting connection to propositional content, which excludes the larger range of "expressive-constitutive" functions. Black's point about the expressive function of language has been repeatedly explicated and advanced by Charles Taylor in a series of critical essays, most recently, in *The Language Animal* (2016).

misleading with his language of "contains and dominates" to describe the relation between the polity of the city-state and the subordinate associations it encompasses. Strauss writes that "the city is a society which embraces various kinds of smaller and subordinate societies; among these the family or the household is the most important" (1964: 31). The difference in Strauss lies with "embraces" rather than "contains and dominates".

Let's look at Aristotle's position more closely. In Book I of *Politics*, Aristotle defines the purpose of the City:

> Observation shows us, first, that every [*polis*] is a species of [*koinōnia*], and, secondly, that all [*koinōnia*] come into being for the sake of some good — for all men do all their acts with a view to achieving something which is, in their view, a good. It is clear therefore that all [*koinōnia*] aim at some good, and that the particular [*koinōnia*] which is the most sovereign of all, and includes all the rest, will pursue this aim most, and will thus be directed to the most sovereign of all goods. This most sovereign and inclusive [*koinōnia*] is the [*polis*] as it is called, or the [*koinōnia politikē*]. (Aristotle: 1252a1-7; using Ernest Barker, trans., [1946] 1998)

The translation of the italicized terms is central to the interpretation of the passage by Keane. In contemporary translations, Harris Rackham (1932), Saunders (1995), and Ernest Barker ([1946] 1998) translate *koinōnia* as 'association', Carnes Lord (1984) translates it as 'partnership', and James Schmidt (1986) and Carnes Lord (2013) translate it as 'community'. The words 'association' and 'partnership' give a better sense of the pluralism and particularity of the various forms of sovereignty, while 'community' gives a better sense of the common good. However, these both evoke something quite different from the 'society' of Leonardo Bruni's fifteenth century Latin translation, *societas civilis*.[7]

Schütrumpf (2014), Riedel (1975), Schmidt (1986), and Hallberg and Wittrock (2006) are among those who have recently paid close attention to the late medieval and early modern conceptions of civil society.[8] All of the scholars discuss the translation history of *koinōnia*

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[7] Of course, the term 'society' is understood now in a comprehensive way that departs from anything even Bruni would recognize. Yet I want to suggest that this was already implicit in Bruni.

[8] There is a large literature about the political discourses of medieval society. Antony Black (1991, 1992), working within this broader frame, has given attention to

politikē in the important early efforts by William of Moerbeke, a Flemish Dominican, in 1265, where he uses the Latin *communicatio politica* for the translation, and by Leonardo Bruni, a Florentine humanist, in 1438, where he uses *societas civilis*. The translation choices of Moerbeke and Bruni are fundamental.

Eckart Schütrumpf (2014), engaged these matters in his Morphomata Lectures at the University of Cologne. Moerbeke and Bruni differed not just in their translations, as we will see, but also in their approach to translation. The methodology of classical translation distinguished between *ad verbum* and *ad sensum*, the one focussed on the fidelity of exact translation, and the other on its sense or intelligibility. Using the *ad verbum* approach, Moerbeke made, "in general, a very accurate rendering" (Dunbabin, 1982: 723), although its intelligibility suffered. He "had access to old and excellent Greek manuscripts" (Beullens, 2005: 515), and was conscientious to the point of creating Latin transliterations of the Greek, when the existing Latin vocabulary was not adequate. Beullens comments that "William allowed himself to adapt the Latin language accordingly. In his view Latin must still have been an evolving, if not a living, language … Undoubtedly Moerbeke *intended* to shape a new technical vocabulary through his Aristotelian translations as an attempt to get as close as possible to the Greek original" (2015: para. 7). Bruni, however, adopted the *ad sensum* approach – the Ciceronian approach to translation. By doing so, though, Beullens suggests that Bruni "at times ran the risk of Romanizing Aristotle's text" (2015: para. 6), and reports on an instance where Bruni in fact did so. It is clear that Schütrumpf favours the more 'graceful' translation of Bruni, but it is hard to escape the conclusion that his own judgement is all too obviously consistent with the judgement of history. The Moerbeke translation is of interest just because of its counterfactual potential.[9]

Similarly, Riedel (1975), in a seminal essay, titled "Gesellschaft, bürgerliche", argued for the superiority of the translation of *koinōnia politikē* as *societas civilis*, based on a synonymy of terms in Aristotle, and refers to these as "linguistic actualities" ["sprachlichen Tatsachen"] (pp. 726-727). However, there are just no linguistic actualities, only

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the different political languages of the late medieval world. He draws attention to five different 'languages': the language of Roman law, the legal language of Germanic custom, the theological language of Christianity, the Aristotelian language of classicism, and the Ciceronian language of humanism (1991: 317-318).

[9] For a review of the Schütrumpf lecture making much the same point, see Robinson (2015).

linguistic practices – *langue* is simply an idealization of *parole* (Rayner, 1988, 1990). Riedel's references to Cicero in the article are the key to his own understanding. He refers to a unity of conception in Aristotle of the terms *polis* and *koinōnia politikē*. Schmidt (1986: 296-298), however, argues that the re-wording, or substitution, by Aristotle of *koinōnia politikē* for *polis* constitutes an expansion of the concept. This expansion allowed Aristotle to make a distinction among three different forms of *koinōnia* – the *polis*, the *kōme* (village), and the *oikos* (household) – and, by making this distinction, he was able to compare these forms to each other, and to other organizational forms, such as alliance or empire. What unites the several forms of *koinōnia* is a common goal: "Their pursuit of this goal is marked by a concern with justice, fairness, and reciprocity [*to dikaion*] and they are united in this pursuit by bonds of good will and fellowship [*philia*]. These two traits – *to dikaion* and *philia* – are, as Aristotle stressed in the *Ethics*, the hallmarks of every *koinōnia*" (p. 297). While Cicero referred to his translations of classical Greek as "my philosophical writings differing very little from Peripatetic teachings" (*De Officiis* I.2, quoted in Nicgorski, 2013/14: 34), he understood and translated *koinōnia politikē* in light of the "horizons of possibility" of his own location, as *societas civilis*. At least, Hans Baron argues just this – that Cicero "set himself the task of adapting the Greek spirit of philosophical investigation to the needs of Roman citizens … incorporating significant changes that he allowed himself to make in his Latin adaptations of his Greek models" (1988: 97-98).

Let us return, then, to our discussion of Moerbeke and Bruni. The translation choices which they each made are analyzed by the scholars mentioned (Schütrumpf, Riedel, Schmidt, and Hallberg and Wittrock) in terms of the late medieval theology of William of Moerbeke and the early modern civic humanism of Bruni: a two-category model of the conceptions of "civil society". However, in a later paper, Schmidt (1995) suggests a three-category taxonomy which provides better traction, in my view, for understanding the conceptual transition which occurred from Moerbeke to Bruni .

Slightly adapting Schmidt's language, the contrasts which define civil society at this time are (a) *civilized*, not barbarous (the 'theological conception'), (b) *orderly*, not without rule (the 'political conception'), and (c) *worldly*, not ecclesiastical (the 'economic conception'). In the following, I want to pick up and advance this version of Schmidt's taxonomy and apply it to the Moerbeke and Bruni conceptions.

The Scholastic Conception

William was born between 1215 and 1235 in Moerbeke, in what is now Belgium (Beullens, 2005: 515)[10] and "probably entered the Dominican convent at Louvain as a young man" (Dod, 1982: 63). Reported to be "a friend and collaborator of Thomas Aquinas" (p. 63), both of whom were Dominicans, he had become the confessor to the pope by 1271, and was consecrated as Archbishop of Corinth in 1278. Moerbeke "translated virtually all of the genuine works of Aristotle from Greek into Latin, either in the form of revisions of previous translations … or new renditions of texts that had never before been translated directly from the Greek (Beullens, 2005: 515). Such was the case with Aristotle's *Politics*, where he provided the first translation to the Latin West. His translations "became the standard texts of Aristotle up to and beyond the Renaissance" (Dod, 1982: 62-64; cf. Rubinstein, 1987: 42), and "laid the basis for the rich scholastic commentary tradition" (Beullens, 2005: 516).

Moerbeke might have used *civitas* or its derivative as a translation, but, Schmidt (1986: 305) argues, *civitas* had become quite ambiguous. It had both a legal connotation as a physical space and a philosophical connotation as a social space.

The legal connotation had its origin in Roman law, where *civitas* referred to a territory, and was constituted by order of a magistrate with the appointment of a 'defender of the city', a *defensor civitatis*. While this linguistic usage survived the long withdrawal of the Roman Empire, the medieval polity was centred on the parish, in a world where "the Church was the sole claimant to the title of *defensor civitatis*" (Schmidt, 1986: 305). St Augustine's two cities – the City of God and the City of Man – had an earthly parallel: political space was at once a diocese or a parish as well as a city or village. As Schmidt suggests, "Aristotle's category of *koinōnia politikē* was being inserted into a tradition which was poorly equipped to make a clear distinction between what was political and what was not" (p. 312).

What's more, St Augustine, in common with other early Christians, understood *civitas* as a social space, not as a territory. "Early Christians", Chadwick (1988: 11) contends, "understood the Church to which they adhered to consist of a community called out to serve

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10 Beullens (2005) indicates William's birthplace might have been Morbecque, France, not Moerbeke, Belgium.

God as his people". Figgis ([1921] 1963: 51) argued that St Augustine's "primary distinction is always between two societies, the body of the *reprobate* and the *communio sanctorum*; not between Church and State". These societies are not two corporate bodies, though, but departures from, or abidance in, a life of sanctification. Figgis (1913: 199) indicates that "nobody in the Middle Ages denied that the king was God's minister, or that the bishops were great lords in the commonwealth. Pope and emperor, when they quarrelled, quarrelled like brothers, as members of the same society, the *civitas Dei*".[11] Or as Chadwick (1988: 13) notes, in a comment on St Paul: "The magistrate will get no one to heaven, but may yet do something to fence the broad road to the hell of anarchy which, as Thucydides first observed with disturbing eloquence, brings out the full human capacity for depravity". The two cities in the Augustinian tradition, then, were ideal-types, mixed together in practice, and would "only be distinguished eschatologically, that is at the last judgement" (Canning, 1996: 41).

Late medieval theology, however, departed from the Augustinian position. The recovery and translation of the texts of Aristotle and other Greek philosophers played a key role in this. While Boethius had translated some of the classical texts in logic during the sixth century, they remained little known. The major translation effort of Aristotle began in the twelfth century with a progressive translation of the entire corpus over a period of about 150 years – William of Moerbeke being the last of the great translators.

Further, translations of Aristotle were often made from Arabic to Latin, and there was a reception of Muslim and Jewish Commentaries. Luscombe and Evans (1988: 334) note that "Latin translations of the writings of Maimonides, Avicenna and Averroes were to exert an incalculably wide and deep influence on the scholastics". The translation effort and the wide reception of the Greek, Jewish, and Islamic works was only possible because of cultural developments within Europe – the emergence of the schools, the formation of new religious orders, the formation of medieval cities, and the growing trade and circulation of goods, ideas, and technical skills, contributing the most. This cultural development led to a scholastic flowering within Christian theology, the most important of which was the

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[11] In this, as in all things, medieval theologians were not unanimous. St Ambrose, one of the "Doctors" of the Church, for instance, held to the dualism of church and state (Chadwick, 1988: 19).

synthesis of Augustine and Aristotle by Thomas Aquinas.[12]   Antony
Black (1992: 2-3) has a good summary of these developments:

> The period 1250-1350 was especially innovative in philosophy.
> Mental life was not merely a repetitive rediscovery of past
> achievements; new problems of understanding and action were
> perceived and new conceptions sought. With Aquinas, Scotus and
> Ockham, ideas about God, human beings, social life and ethics
> developed anew and were perceived as improvements … The
> ultimate driving force was the tension and complementarity
> between the Judaeo-Christian and the Graeco-Roman. This was
> surely why 'Europe' developed along such different lines,
> intellectually and in the long run politically, from eastern
> Christendom and the world of Islam.

This was the world in which Moerbeke lived. He was a Dominican,
and was particularly influenced by St Jerome's translation of the Greek
New Testament, where *koinōnia* "plays an especially important role in
the writings of St. Paul … Paul used the term in the joint sense of a
fellowship between believers and their *participation* through the
Eucharist, in the body and blood of Christ" (Schmidt, 1986: 300).
Moerbeke, in the end, translated *koinōnia politikē* into the Latin
communicatio politica – something which is referring to politics as 'a
making common of'.

Legal Counter-Tendencies

The political and moral philosophy of the theologians was understood
as a form of knowledge, an *episteme*: "it was concerned not with the
understanding of the human (or positive) law, but rather with the
interpretation of the law of nature, the *ius naturae*, that body of
rationally perceived first principles which God has inscribed in the
hearts of all men" (Pagden, 1987: 3). The jurists, on the other hand,
worked in a domain of practical wisdom, *phronesis*: "for legal (as for
social) judgement pure logic must be subordinate to practical reason,
rational consistency to human values (good or bad), explanation to
interpretation, and universal to 'local knowledge'" (Kelley, 1987: 76).

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12   See MacIntyre (1990).

While the thirteenth century saw a great blossoming of Christian theological advances, there had already been a considerable development of juristic practice. This juristic development was the result, in the first instance, of the recovery of Roman law in the late tenth and early eleventh centuries,[13] formalized in the *Corpus Juris Civilis* of Justinian, but more abidingly from the development of canon law, formalized in the *Corpus iuris canonici*, completed in the fourteenth century. Under this steady development, the Church became a "universal juridical entity" (Meyjes, 1991: 299).

During the thirteenth century, Albertus Magnus, building on ancient and patristic writings, played a central role in establishing a 'hierarchy of the sciences', arguing that "theology is higher than all the other sciences in six ways: in honour or nobility, in origin, in trustworthiness, in applicability, in demonstrative force, and in infinity of its object" (Stone, 2000: 43). By this standard, "the task of theology is to deduce the catholic truths from the sources of revelation. The results of theological study are taken by the canonists as the starting point of their discipline" (Alphonsus van Hove, quoted in Meyjes, 1991: 300-301). However, influenced by (a) the growing extension of the civil law into wider domains, (b) the interpretative practices of commentary and interpretation which developed among jurists, and (c) the development of corporation theory, a growing separation developed between theology and canon law:

> While in Gratian's age [*Decretum Gratiana*, c. 1139-1150] theology and canon law were closely connected, and their practice even combined by the same person … a separation between the two disciplines began to emerge in the thirteenth century. Breaking away from the guardianship of theology, canon law in this period became involved in a process of emancipation and developed into an independent discipline … In the fourteenth and fifteenth centuries this opposition grew even more pronounced. (Meyjes, 1991: 302-303)

Meyjes argues that the focus on positive rules – the *lex canonica* of the jurists, rather than the *lex divina* of theology – could only lead to an elision of the spiritual and the temporal. "The result of this would be an unwanted over-emphasis on the exterior of the Church, its power and wealth, and an intolerable secularization" (Meyjes, 1991: 312).

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[13] "In fact, as we have seen, the works of Justinian's *Corpus*—with the exception always of the Novels—were virtually unknown between the sixth and the eleventh centuries (Radding and Ciaralli, 2007: 211)

A complementary account is given in Canning (1988) who examines the conceptual development within the legal commentaries of the jurists from the late thirteenth to the mid-fifteenth century. He argues that the juridical discourse concerning the relationship between positive law and divine law, the role of norms, will, and feudal custom, the rights of the community, and the enforceability of normative structures, led to "a specifically juristic contribution to the emergence of the idea of the state" (1988: 454).

Economic Counter-Tendencies

With foundations built upon the Roman legal system, however, "law was also Christian society's instrument for protecting the weak against the strong, and securing the personal rights of the poor and defenceless" (Black, 2001: 33). Roman law secured individual property ownership and regulated its transfer and use, and the emerging Christian understanding of natural law accommodated that. Antony Black argues that "the legitimacy of commerce and the opportunity to trade were inherent in the system" (p. 34).

With the Gospels, and the commentaries of Augustine and Ambrose, the fundamentals of early Christian economics were in place by the end of the fifth century. Doctrines related to wealth, property, and gain were left largely intact until the twelfth century scholastic awakening. Aquinas broke with the communal conception of wealth in the early Church. While condemning avarice, he argued that "what the state of innocence might have permitted has become impossible through the Fall", and that the ownership of wealth is part of the natural order in a fallen world (Le Bras, 1963: 558). The scholastic doctors addressed, secondly, the question of 'exchange'. While work is the desirable means of creating goods and property, exchange can be mutually beneficial. Building on the Nicomachean Ethics, the foundation of exchange was the concept of *just price*, and St Albert the Great and St Thomas held that the chief point of that was "the need of the purchaser, the demand" (p. 563). Finally, the principal issue concerning lawful gain was the prevention of usury. While Scripture and patristic thought justified its prevention, the translation of the works of Aristotle, together with the available Jewish and Arabic commentaries, only strengthened the opposition to usury by the Scholastics. Le Bras notes that "such severity, which interfered with business and impeded all those who derive avowed or unavowed profit therefrom, was bound to give rise to many objections" (p. 567). These

pressures resulted in various relaxations of the principle for specific exceptions, with the result that "an ever-increasing firmness in the statement of principles was accompanied by an increasing flexibility in the comprehension of facts" (p. 570). This doctrinal framework was, therefore, both an opening of *societas Christiana* to the great commercialisation that had begun, and a setting of standards of justice for the *koinōnia politikē*, albeit standards that were significantly changed from the Patristic period of Christianity. How, then, did economic development play out?

The High Medieval period was the site of rapid economic development. "Vast land reclamation characterizing the eleventh and twelfth centuries" (Lyon, 1957: 47), and in England alone "involved the cultivation of hundreds of thousands of previously under-utilized acres" (Bailey, 1989: 1). The development of towns involved in long-distance trade "set in motion the process of urban development" (van Werveke, 1963: 22). The fairs and markets of these centres were often important sites for itinerant traders (Verlinden, 1963). Richard Britnell, in discussing the medieval English economy, notes that "even villagers whose transactions were predominantly of a mixed character needed both coinage and some goods their neighbours could not produce. By 1086 there were many contexts in which goods changed hands not according to traditions of kinship, neighbourhood or community but according to rules of the market" (1993: 7). The development of guilds provided skill training, improved labour mobility, and established standardization and quality control (Thrupp, 1963; Richardson, 2001).[14] As trade volumes increased during the twelfth and thirteenth centuries, "the techniques of credits and payments greatly improved" (Postan, 1973: 10), capital pools were accumulated, banking and credit intermediation was developed, and by 1300 "permanent representation abroad by means of partners, factors or correspondents" (de Roover, 1963: 43) was slowly being established. Between the eleventh and fourteenth centuries, Janet Coleman notes:

> the population increased threefold, urban centres attracted an increasingly mobile populace and there was a massive minting of money … More generally, the commercial revolution of this period produced a market economy centred on towns; and the agriculture which was still the main activity of medieval men and women became organised for that economy. (Coleman, 1988: 607)

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[14] For a wider discussion of guilds, pertinent to our purpose, see Black (1984).

Michael Postan pushed back against the "commercial revolution" thesis by arguing that "in the late Middle Ages, as in earlier centuries, agriculture was still by far the most important form of employment and the largest source of national income", which must still "have accounted for 90 per cent of the entire income of western Europe" (1973: 22). The economic picture, though, is complicated by the Black Death, which decimated European populations during the fourteenth century when some one-third of the total population died, and this inevitably had a dramatic impact on economic output. The economic impact of the Black Death, though, is generally consistent with what we would expect on the basis of economic theory:

> With the decline in population, total output also fell but the decline in output was not as large as the decline in population; output per capita increased after 1350 … Due to differences in age-specific mortality rates, the labour force may have declined even more than the population … Real wages doubled in most countries and cities during the century following the first occurrence of the plague. As land became more abundant relative to labour, prices of agricultural goods declined relative to manufactures, especially in relation to manufactures with high labour content … Agriculture as well as manufactures began to develop along more capital-intensive lines as a result. (Pamuk, 2007: 294)[15]

The conditions were ripe then for a new growth push. And it was just this series of slow improvements in skill development, industrial organization, production technique, capital development, and institutional support over several hundred years that laid the foundation for that growth. It is in these circumstances that Bruni made his translation of *koinōnia politikē* in 1438.

The Early Modern Finesse

Almost two centuries after Moerbeke, Leonardo Bruni, living in Renaissance Florence, then at its zenith as a city-state, was located in a quite different social milieu. Florence was the centre of international merchant banking and textiles in the Mediterranean arena – an instance of what Max Weber called the "merchant city" ([1922, 1968] 1978: 1215-1217). Home of the Medici family, the social networks of

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15 See also Britnell (2015) for a review of the Postan argument.

Florence resembled those of the great patrician families of the Roman empire.[16] Bruni understood Florence, and was not a spectator to this, but a political champion. His most important work was *Histories of the Florentine People*, a text which "embodies the civic Humanism of early Quattrocento Florence like no other literary product of the time" (Baron 1988: 43).

Florence in the Renaissance shimmers for us now as the beginning of modernity. This aesthetic image is captured by the great art of Leonardo of Vinci, a town within the city-state of Florence. But it is the political image which gave it fire. Hans Baron gives expression to this. By the year 1400, he wrote,

> the civic society of the Italian city-states had been in existence for many generations and was perhaps already past its prime; and the hour when the Italian courts would transform Renaissance culture to their likeness still lay in the future. The places which held cultural predominance in the first decades of the Quattrocento were not as yet the seats of the tyrants, later to become famous, but rather the remaining city-state republics led by Florence. Yet at that very moment, with comparative suddenness, a change in Humanism as well as in the arts took place which ever since has been considered to have given birth to the mature pattern of the Renaissance. (Baron, 1966: xxv)

The "comparative suddenness" which Baron claimed in this passage has been criticized since he wrote those words, but this has not weakened the significance or validity of the Renaissance moment (Witt, 1996).

"Civic humanism has come to stand for the view that, during the Italian Renaissance, there existed a powerful symbiosis between the republican traditions of city-states such as Florence and Venice, on the one hand, and that strain of Renaissance literary and intellectual life known as humanism, on the other" (Hankins, 2001: ix). What is that republican tradition? It is not just a conception of the virtue practiced by its citizens, but of citizenship itself, the practice of citizens who actively engage in political affairs. "Civic humanism denotes a style of thought … in which it is contended that the development of the individual towards self-fulfillment is possible only where the individual

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16 See the work of John Padgett, Christopher Ansell, and Paul McLean on the social networks of Florence: The Paper by Padgett and Ansell (1993) provides an entry to this work.

acts as a citizen, that is as a conscious and autonomous participant in an autonomous decision-taking political community, the polis or republic" (Pocock, 1971: 85; quoted in Skinner, [1971] 1982: 1).

Recent historiographical work has exposed a deep "prehistory" to Bruni's civic humanism in medieval thought (Witt, 2012, Hankins, 2000, 2007). What is of more interest for our purposes, though, are the different elements of republican citizenship and humanist virtue which were brought together by Bruni in his formulation. Bruni's commitment to 'popular' government, though, was not to democratic participation, but to the equality of all before the law: "Therefore the only legitimate form of governing a state which remains is the popular one … in which there is true liberty, in which all citizens are treated fairly and equally before the law" (Bruni, 1428; quoted in Black, 1992: 133).[17] What is shimmering in Florence is not the 'city on a hill' of Christianity (Matthew 5: 14), but commercial success under the rule of law, "in which people can studiously pursue the virtues without being suspect" (Bruni, 1428; quoted in Black, 1992: 133).

What I have referred to as the countervailing tendencies which developed in the legal and economic spheres met in Florence. And it was just because of that volatile theoretical mixture that it was *practically* unstable:

> The close of the Middle Ages, and in Italy the deepening of the Renaissance, saw the rise of the Medici in Florence and the decline of civic independence in some places. Cities and city-states soon ceased to be treated as a *genus* apart with any distinctive political role in European society. (Black, 1992: 135)

In his translation of Aristotle's *Politics*, Bruni had drawn parallels between Florence and the ancient city-states. In doing so, he rejected Moerbeke's language with an alternative that affirmed and strengthened the *conditions of possibility* within his home of Florence. He, therefore, translated *koinōnia politikē* into the Latin *societas civilis*.

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[17] What we might call 'democratic equality' is something quite different. Pocock outlines the criteria of republican citizenship as follows: "To qualify for equality and citizenship, the individual must be master of his own household, proprietor along with his equals of the only arms permitted to be borne in wars which must be publicly undertaken, and possessor of property whose function was to bring him not profit and luxury, but independence and leisure. Without property he must be a servant; without a public and civic monopoly of arms, his citizenship must be corrupted" (Pocock, 1983: 236).

This translation remained intact until it was taken up again in the Enlightenment.

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We have, therefore, two translations of *koinōnia politikē* – the Moerbeke translation as *communicatio politica* and the Bruni translation as *societas civilis* – each embedded in their respective historical locations, and both reflecting and pushing the theological, political, and economic formations at each moment.

Bruni formulated a conception of civic humanism, buttressed in part by his particular translation of *koinōnia politikē*. Beyond that, it remains an open question about the extent to which he extended and deepened it as well with his Ciceronian interpretation. In the following centuries, the various commercial and political connotations of Bruni's translation became ever more dominant with the *polis* becoming the State, and the theological conception was pushed farther and farther back, such that it was almost forgotten.

We now have a benchmark, therefore, against which to measure the development of the modern conception of civil society. The next major conceptual overhaul doesn't happen until the *Sattelzeit* of the mid-eighteenth and early nineteenth centuries. In the following pair of chapters, I survey the long effort at political reform within the Catholic tradition, its final apostasy in the universal sovereignty of the French Revolution, and the gradual recovery during the nineteenth century of a deeper and more authentic understanding of the subsidiary character of all authority.

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