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The (Catholic?) Soul of the (American) Republic: Aristotle, Cicero, and Charles Carroll on the Proper Seat of Virtue

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American history and the American political tradition have not always been friendly to Catholicism and Catholics. This is true even in the case of the English colony originally founded to be Catholic (famously named for that lady to whom Catholics give so much devotion), the state of Maryland. Yet in the late days of the colonial period and the early days of the US Constitution, one of the foremost Catholic families of Maryland became one of the foremost families of the fledgling United States. Its most famous member was Charles Carroll of Carrollton, the "of" moniker being necessary because at least four consecutive generations of Charles Carrolls were prominent in one way or another. This Carroll was the only Catholic to sign the Declaration of Independence and served his state and country in numerous other capacities during the period, though his route to service was blocked at first. Despite its foundation as a Catholic colony, Maryland had, by the eve of the American revolution, disenfranchised Catholics and barred them from holding public office or even practicing law. This would have been particularly galling to one as educated as Carrollton, who had

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spent more than fifteen years in some of the finest educational institutions in Europe and England, receiving there an exposure to and world-class training in philosophy, humane letters, and the law.[1] Carroll's education brought with it a set of convictions and arguments about the way that his faith and his country's politics not only might exist alongside each other but also might mutually reinforce each other.

Carroll was perhaps nearly as well known as Alexander Hamilton for arguing the importance of the aristocratic elements in a political order.[2] Though in some circles (both in Maryland and beyond) this was viewed with a kind of democratic suspicion (and particularly so when paired with his Catholic faith), his contributions to controversies of the time evinced a dedication to republicanism sound enough to garner the friendship and appreciation of both Benjamin Franklin and John Adams.[3] To understand how his aristocratic and republican convictions fit together, it is necessary to take a detour through some features of his thinking that are not strictly or directly political. In particular, I want to suggest that his deep republicanism relies on a series of Aristotelian, Ciceronian, and Catholic anthropological and metaphysical distinctions to which he would have been exposed in his European schooling. Though his exposure to these ideas occurs early, I argue, he does not make full sense of them until late in his life. In the end, Carroll is a true republican whose republicanism represents a unique synthesis of politics and philosophy that can contribute to how we conceive of our political order.

I

Charles Carroll firmly believed in the ancient maxim that the character of a people was the true basis of the politics of a country:

> It has been observed, and the observation is confirmed by experience, that the manners and genius of a People are much influenced by the nature of the government, and it must be allowed that the manners and genius of the People reciprocally influence their government. Hence the maxim

> that a Republic ought rather to be governed by manners than laws; unquestionably the latter receive their colour and complexion from the former. Who would look for wise and just laws among a people generally corrupt and vicious?[4]

To Carroll, then, the character of a people determines the nature of its politics. And the manner in which one affects the other hearkens back to one of Aristotle's foundational distinctions, the "four causes," which can be seen in virtually all his work, including his political philosophy. Book III of Aristotle's *Politics* famously centers on the nature of citizenship, but the reason for this comes specifically from this aspect of his thinking. Note the beginning of III:

> He who would inquire into the essence and attributes of various kinds of governments must first of all determine "What is a πόλις?" At present this is a disputed question. Some say that the πόλις has done a certain act; others, no, not the πόλις, but the oligarchy or the tyrant. And the legislator or statesman is concerned entirely with the πόλις; a constitution or government being an arrangement of the inhabitants of a state. But a πόλις is composite, like any other whole made up of many parts; these are the citizens, who compose it. It is evident, therefore, that we must begin by asking, Who is the citizen, and what is the meaning of the term?[5]

To understand the true nature of cities, according to Aristotle, you have to know something about the things that make them up. Here, then, is a rumination specifically on the true material cause of cities, which he ultimately names citizens. Uncovering that true material cause allows for Aristotle's account of politics to become truly and fully fleshed out. Dwelling on this, more or less, through III.13 allows him to open up the question of the formal cause of cities more formally from III.14 to IV.10. Near the beginning of Book IV, he says that in seeking to "consider

what government is best and of what sort it must be," we "should be able further to say how a state may be constituted under any given conditions; both how it is originally formed and, when formed, how it may be longest preserved."[6] Putting together the pieces into their most suitable form requires an intimate familiarity with the sorts of pieces with which the statesman is working. Just as a carpenter must be a master of the various general varieties of wood and their respective suitability for various wood products, so also must the carpenter be acquainted with the particular piece of wood in his hands and its best use. This makes it all the more important for us if we are to understand Aristotle or his thinking on popular government, to understand what he thinks about the pieces that are most fitting and proper for it. His arguments turn on other classic Aristotelian distinctions: (1) the distinction between the "actual" and the "potential" and (2) his idea that the true nature of a thing is revealed by examining its function. This can be seen in an examination of Book III, which follows.

Book III begins by noting the lack of a generic term for the "office" (ἀρχή) that includes sharing in the power of both the jury and the assembly. Aristotle concludes that discussion by stipulating a new term: the "indefinite office" (ἀόριστος ἀρχή). Persons who hold this office can be called citizens (πολῖται).[7] After connecting this to reflections on how figures who hold the "supreme power" show up differently in different governments, he concludes by saying that "[h]e who has the power to take part in the deliberative or judicial administration of any πολίς is said by us to be a citizen of that state; and, speaking generally, a πολίς is a body of citizens sufficing for the purposes of life."[8] This is, as he says later, not just for "mere life" but for the "good life."[9] Today we would perhaps say that for Aristotle politics is both an economic and a moral partnership. Book III's chapter 2 famously includes a discussion of the definition of a citizen by Gorgias of Leontini, but only to isolate the issue of the true nature of citizenship and not by way of endorsement: The central issue under investigation is "whether *he who is* [a citizen] *ought to be* a citizen."[10] Chapter 3 considers the question

of the proper identity of the πολίς, rejecting the superficial view about mere location or mere encircling by a wall. Chapter 4 raises the issue of the possible (and, ultimately, necessary) distinction between the good man and the good citizen. There he relies on the Book II arguments for cities always being composed of "unlikes," which therefore precludes the possibility of the good man and good citizen necessarily coinciding except in the case of the ruler of the good city. For those interested in the nature of citizenship and rule in a democracy, this is where it gets interesting.

Aristotle understands that because a city is necessarily composed of "unlikes," the virtue of rulers and ruled cannot be the same. This is obvious to anyone who reflects on it, he says, because a virtuous citizen is "praised for knowing both how to rule and how to obey."[11] But even among kinds of ruling there seems to be a distinction. Aristotle notices that the virtue of the managers of a large household differs in kind from virtuous rule over "freeman and equals by birth."[12] In the former case, the household manager need not know about how best to scrub toilets or order supplies. He can direct the toilet scrubbers and shoppers adequately without this knowledge or virtue or skill. But in the case of the latter—that is, rule over freemen—the citizen-ruler must "learn by obeying," which suggests that the sort of virtue exhibited by the good citizen *as ruler* is learned not (or at least not only) when *exercising rule* but also when *exercising obedience* as a citizen-subject. When observing or undergoing rule as a citizen-subject, one understands, presumably, the pitfalls into which it is easy to fall as a citizen-ruler. It is easy to imagine that citizen-rulers' chief blunders probably occur insofar as their connection to themselves as citizen-subjects is lost or obscured. Commanding in such a way as to garner the obedience of freemen is easier if the citizen-ruler has already been a citizen-subject, since he knows from the inside what worked and did not work on him. And though Aristotle does not seem to suggest it here, a similar but opposite insight might be put thus: Obeying is easier when the citizen-subject has previously been the citizen-ruler and, therefore, understands intimately the challenges of ruling well. The reciprocity between and the equality of the

citizen-ruler and the citizen-subject is key to the account and makes possible some other insights.

For Aristotle, the reciprocity involved in learning well to rule and obey does not necessarily require any kind of universal equality between each and every citizen. Chapter 4's discussion about citizens occurs in the middle of a section premised on the notion that differing roles in the city require differing virtues and abilities. The interesting question, then, is whether and to what extent Aristotle's account of citizenship can accommodate such differences. At work here, I argue, is something not dissimilar to what others have famously suggested about another set of arguments in Aristotle—namely, on natural slaves. It is at least compatible with Aristotle's argument (if not his clear argument itself) that natural slaves both exist and form a minutely small portion of the population.[13] In other words, while the prevailing thought of Aristotle's day might have accepted the reality of natural slaves, it would also have conceived of this as a fairly large category, justifying thereby a very common practice. But Aristotle's description of natural slaves in *Politics* I seems to be so narrowly drawn that it could conceivably be either a null set or a set of people with what we would today call profound intellectual disabilities. What if a similar logic were at work on the set of people he believes capable of the full virtue of citizenship?

Aristotle argues that the kind of ruling involved in managing menial laborers is not the kind of ruling that imparts the knowledge or abilities needed by the good citizen. Ruling in a manner that uses laborers as instruments does not actually teach the ruler the central thing he needs to learn—namely, what it means to obey and to obey well as a freeman. Because of this, it does not teach a ruler how to adequately understand the rule of freemen, who are self-directing. Knowing how to rule self-directing freemen can be learned only by both undertaking and undergoing that rule. And because citizenship consists in ruling and being ruled in turn (i.e., both ruling and obeying), doing so well must be learned by ruling one's equals in a manner befitting their equality as intelligent agents capable of their own development, flourishing, self-direction, and virtue. Good citizens are the ones capable of being good

rulers and good subjects, but this is a capability activated only over time in and through the formation undergone simultaneously with the act of ruling and obeying. That does not mean that it is impossible to limit the citizenry to some subset of the whole society, but when looked at through the lens of virtue and human nature, the subset seems to be particularly large. What, after all, would be the limiting criterion by which a certain subset of a city's people are incapable of attaining such knowledge and character? If ruling equals is the activity that makes possible the cultivation of the habits of citizenship, and if the equals in question are precisely equals because of the sort of agency endowed by reason and freedom, there seems to be no principle by which citizenship could be severely limited. The kind of thing that is rational and self-directing, a human being, just is the kind of thing that can develop the excellence of the good citizen—and is also the kind of thing that *must* so develop if the other members of that kind are to exercise their abilities and develop, themselves, into good citizens. The function of a human being reveals his nature. Man is a ζῷον πολιτικόν because he is constantly observed acting politically—that is, the way one acts in ruling and being ruled by equals. There is not some other characteristic in terms of which Aristotle suggests good citizenship develops. If this is true, of course, the potentiality for being a good citizen grows out of man's essential nature and not the vicissitudes or accidents of culture or circumstance (though of course these could be a help or hindrance). Thus, on this reading, the potentiality for citizenship seems to be quite universal. The universality of the capability across the population, when combined with the necessary *identity* of that capability in both the rulers and ruled (who are the same kind of thing, though at different moments), makes Aristotle sound more egalitarian than we are used to hearing. This is in part because of other passages in the text that resist such an interpretation.

Politics III, chapter 5, seems to undercut the foregoing conclusion: "There still remains one more question about the citizen: Is he only a true citizen who has a share of office, or is the mechanic to be included?"[14] Aristotle seems to say that in at least some cases

the mechanic must be a citizen because he is clearly not a slave or a foreigner, but Aristotle is puzzled about this because it does not seem possible for the mechanic to perform the function of the good citizen and also that of a mechanic. Clarifying the point a few lines later, Aristotle says, "Nay, in ancient times, and among some nations the artisan class were slaves or foreigners, and therefore the majority of them are so now. *The best form of state will not admit them to citizenship; but if they are admitted, then our definition of the virtue of a citizen will not apply to every citizen nor to every free man as such, but only to those who are freed from necessary services.* The necessary people are either slaves who minister to the wants of individuals, or mechanics and laborers who are the servants of the community."[15] The unnamed possibility contemplated here is that a nonslave, non-foreign "mechanic" might exist. But soon after this Aristotle suggests that the omission might be attributable to the logic of the functions in play: In an aristocracy, "in which honours are given according to virtue and merit," mechanics will not be officeholders, since "no man can practice virtue who is living the life of a mechanic or laborer."[16] Development and acquisition of the virtues is a task so time- and attention-consuming that one who works for a living cannot adequately undertake it.

The virtues are, for Aristotle, the full, flowering development of the capacities given by a thing's nature. A thing's nature is evinced by its function. The function of the democratic citizen is to rule and to be ruled in turn—and specifically to rule freemen in a fashion appropriate to their freedom. Now, Aristotle concedes that a mechanic "may" become a citizen in an oligarchy because "an actual majority of them [mechanics] are rich." But then what is to stop the citizen of the oligarchy, rich and with means, from using those means and that time to practice the virtues that enable one justly to claim the title "best"? Nothing, according to the bare logic here. Is it that he is not "wellborn"? But then this would mean that the traits, capabilities, or capacities developed by "the best" into habitual excellences would not be developed *qua* human but *qua* "wellborn" or some other qualified and nonuniversal subset of

humanity. Conversely, if *arguendo* a non-wellborn rich man heard Aristotle's own lectures on ethics, what is to stop him from seeing, understanding, and adopting the life of virtue? If Aristotle's position is that this sort of man cannot become virtuous, it seems that this is in tension with what he has said about the excellence of the good citizen on the reading above—namely, that such excellence is developed in and through the goodness of the exercise of rule over freemen. So, which is it? That men become good citizens by performing well the function of citizen-subjects and citizen-rulers? Or that citizenship and its virtues are closed to some men as a consequence of some other set of characteristics or functions, such as being wellborn?

There are perhaps several ways to resolve this tension. First, and unsatisfyingly, it could be that Aristotle does not see this as a tension because of some cultural blind spot. While this as a real possibility (and ultimately I will espouse a nonrelativist version of this), I am loathe to conclude that Aristotle, who saw so effectively and so far in so many ways and on so many issues, was in this case merely shortsighted or logically inconsistent. It does not seem simply to be the case that Aristotle saw no problem in distinguishing between two kinds of freemen. Rather, he seems unable to avoid detecting such a distinction. Consult your own experience. Whatever your philosophical commitments, is it not intuitive that the average person may not be capable of ruling well though obviously in possession of reason and other human capacities? Some, we say, are "natural born leaders." And putting this in the context even of the group work we engaged in as students or edited book projects, we experience the process in this way; the final project has an uneven quality depending on the one in charge. Aristotle must have seen this but, having no qualms about distinguishing between kinds of people, simply said what he saw.

To answer further the limits of this distinction, Aristotle introduces a new term at the end of chapter 5, πολιτικὸς, which is often rendered as "statesman" in English. The term can have any number of meanings and shades of meaning, but it seems appropriate here to pursue Aristotle's usual procedure of seeking out a thing's nature

by examining its function. This suggests that the conjunct used there, viz., "those who have or may have, alone or in conjunction with others, the conduct of public affairs,"[17] is, if not definitional, at least indicative of something like a definition. It is important to mention this because of the presumed distinction between the statesman, on the one hand, and the regular citizen, on the other. In this passage, Aristotle seems to suggest that a citizen can truly be so called only if he helps to conduct public affairs. Someone excluded from the "honours" (τιμῶν) of the state is not a citizen in the "highest sense" but is "no better than an alien,"[18] who, of course, would not have been admitted to a city's offices.

The question for me is whether and to what extent citizenship is itself for Aristotle an office in the strict sense. At almost every turn, he suggests it is not, though it can be "assume[d]" to be the same as the "indefinite office."[19] The ambiguity in Greek is not reflective merely of some limitation in that language but is found also in the English term and how we use it. No one really holds the office of citizen, but it is citizens who are, because they are citizens, capable of becoming jurymen or legislators, two obviously genuine albeit temporary offices. Citizenship, then, in Greek and English (and perhaps other languages) is a kind of potentiality for office-holding rather than an office in and of itself. Understanding this helps teach us something about the nature of officeholding in a democracy. And it relies on Aristotelian metaphysics (act and potency) and moral theory (potentialities require activities for their activation). Citizens in a democracy, as we know and as Aristotle knew, are always *potentially* in office but not always *actually* in office. They must actually be in office in order to rule and to exercise that kind of ruling that is required to be both a good citizen-ruler and a good citizen-subject. What we get from this is perhaps astonishing, coming from Aristotle the great and often somewhat neutral taxonomist of governments: It is not just that certain forms of government require certain kinds of citizens but that good citizenship itself actually requires a certain form of government in which the widest possible rotation of equals regularly passes through offices. If the city's offices are not open to you, you cannot

become the good citizen of which you are capable in the abstract and according to your nature, which means you can never activate the potentiality of good citizenship. To be a good citizen, then, requires having both the potentiality (which is latent and universal) and actuality of good citizenship (which is activated only with activity and practice). This means, in the end, that to have the proper matter (material cause) of the city—namely, good citizens—a certain form of the city (formal cause) is required. This is why in chapter 6 Aristotle turns to the question of the arrangement of offices; consider its opening lines:

> Having determined these questions, we have next to consider whether there is only one form of government or many, and if many, what they are, and how many, and what are the differences between them.
>
> A constitution is the arrangement of magistracies in a state, especially of the highest of all. The government is everywhere sovereign in the state, and the constitution is in fact the government. For example, in democracies the people are supreme, but in oligarchies, the few; and, therefore, we say that these two forms of government also are different: and so in other cases.[20]

This leads Aristotle to once again creep up to and nearly resolve the tension inside democratic citizenship—namely, that it must be an office in which a man works in order to attain the excellence of ruling and when not in office obeying well. He seeks to do this by returning to the nature of the rule of a natural master over natural slaves, but notably he does not directly equate this with anything like a distinction between citizens and mechanics or citizens and statesmen:

> The rule of a master, although the slave by nature and the master by nature have in reality the same interests, is nevertheless exercised *primarily with a view to the interest of the master*, but accidentally considers the slave, since, if the slave perish, the rule of the master perishes with him.

The rule of a master is essentially aimed at himself and his own good. This is distinguished from the rule of the head of a household, in which the rule is "essentially" aimed at the good of the ruled over even any sort of "common good of both parties." Political offices, he says, are like the latter:

> And so in political offices (πολιτικὰς ἀρχάς): when the state is framed upon the principle of equality and likeness, the citizens think that they ought to hold office by turns. Formerly, as is natural, every one would take his turn of service; and then again, somebody else would look after his interest, just as he, while in office, had looked after theirs.

Such a situation is corrupted, however, by the possibility of paid government service, which leads citizens to pursue office, seek to remain in it, and, it is likely, exercise the function of the office in a manner aimed at the good of the officeholder rather than the good of the city.[21]

To put it in the language used earlier, the political problem arises when the citizen-ruler ceases to also behave as a citizen-subject to whom the rules and judgments of the citizen-ruler equally applies. Not at all unique in the history of political theory, this seems to be an insight similar to Locke's in the *Second Treatise* when he argues that "Civil Society" was itself invented to avoid the "inconveniencies of the State of Nature, which necessarily follow from every Man's being Judge in his own Case,"[22] or to Publius's when in the middle of *Federalist* No. 10 he invokes something similar as an aphorism, saying, "No man is allowed to be a judge in his own cause; because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity."[23] Whereas Locke and Publius seem to speak in more general terms than Aristotle does in the preceding passages, the problem seems nonetheless to be the same one: How might a city ensure that its public servants are serving the public rather than themselves?

For Aristotle, one way to achieve that might be to somehow place into office "the best" citizens (in the sense of morally best), those who from the very nature of their character would make choices, pursue policies, and enact laws aimed at the common good

of the whole city. Neither Publius nor Locke would be satisfied to leave it at that, convinced as they are of the reality of original sin.[24] Instead, they believe that institutional arrangements can help make up for the "defect of better motives."[25] Yet the problem is similar enough to admit of the same solution: The moral character of the public servants must be strong enough to provide at least some ability to resist such temptations. For Aristotle, this suggests a bar from citizenship for some figures who seem otherwise suited to it, the "mechanics." Though Aristotle and his arguments are justly famous today, at the time of the American framing familiarity with him and his arguments would have been eclipsed by Cicero.[26] We should turn to the Roman writer if we are to understand better the formation of Carroll and his understand of the American republic.

II

Carroll himself had Cicero as a "constant companion during his earthly journey" and once remarked that the Roman ranked perhaps second only to Holy Scripture: "'After the Bible,' he told a priest in 1830, 'and the following of Christ, give me, sir, the philosophic works of Cicero.'"[27] This fondness shows up particularly in Carroll's favor of a mixed constitution. Cicero shares the Aristotelian view on the enduring nature of the various strata in society and seeks to explain how they might best fit together to achieve the political good. An exhaustive rehearsal of Cicero's writing is not needed, since its logic scarcely differs from Aristotle's. Yet several passages from *De Officiis* and *De Republica* are worth noting, as they confirm Aristotle's view of the common laborer.

Two passages in *De Officiis,* Book I, explicitly express Cicero's skepticism about political participation by those in the working class. First, after introducing the notion that different seasons of life entail differing duties from citizens, Cicero turns to the possible distinctions between magistrates and "private citizens," on the one hand, and those between citizens and foreigners, on the other:

> The private individual ought first, in private relations, to live on fair and equal terms with his fellow-citizens, with a

> spirit neither servile and grovelling nor yet domineering; and second, in matters pertaining to the state, to labour for her peace and honour; for such a man we are accustomed to esteem and call a good citizen.[28]

The key distinction here is the independence with which a citizen approaches his work with fellow-citizens; he should be neither too proud nor too meek with them. Though not made explicit in Cicero, this would fit, of course, with the Aristotelian notion that the function of a citizen is aimed at that common deliberation that takes place in the courts and assemblies, which provide the main fora of a citizen's work. The middling dignity Cicero recounts here would be a boon and aide to such deliberation, since it would lead neither to automatic acquiescence nor to prideful intransigence.

In another, later passage, Cicero is more direct about which ways of life are more respectable or fitting for "a man of rank and station."[29] The discussion ranges from the style of house he ought to have to the proper style of dress. It should be no surprise that he moves also to a discussion of the proper mode of providing for one's necessities, during which discussion he makes distinctions very similar to those found in Aristotle:

> Now in regard to trades and other means of livelihood, which ones are to be regarded becoming to a gentleman [*liberales*] and which ones are vulgar, we have been taught, in general, as follows. First, those means of livelihood are rejected as undesirable which incur people's ill-will, as those of tax gatherers and usurers. Unbecoming to a gentleman [*illiberales*], too, and vulgar are the means of livelihood of all hired workmen whom we pay for mere manual labour, not for artistic skill; for in their case the very wage they receive is a pledge of their slavery. . . . And all mechanics are engaged in vulgar trades; for no workshop can have anything liberal about it. . . . But of all the occupations by which gain is secured, none is better than agriculture, none more profitable, none more delightful, none more becoming to a freeman.[30]

In these passages, Cicero is not explicit that "mechanics" are unworthy of the office of citizen. There are at least two good reasons for this. The weight of Roman history and political development has changed the terms of this sort of question substantially. While the active, contributing citizenship exhibited in the functioning citizen of the Greek πολίς would perhaps be equally lauded by Aristotle and Cicero, Cicero's thinking is shaped by the reality that the Roman republic freely admitted a great and wide variety of people to citizenship who would not have ordinarily counted under the Aristotelian model. Put another way, Cicero would have no qualms making these distinctions and at the same time suggesting that the aristocratic elements in society ought, properly, to be the driving force of politics. In the interest of comparing apples to apples, then, perhaps the question of any commonality between Cicero and Aristotle on this count ought to center on what Aristotle addresses overtly and implicitly about citizens, on the one hand, and what Cicero speaks about men in "high office and conspicuous station," on the other. In this regard, a third passage of *De Officiis* may indirectly shed a great deal of light.

The early passages of *De Officiis* II begin with a narration of Cicero's own writing and the various reasons for its ebbing and flowing over the years. In times of greater duties to the republic, his writing suffered. At times when his service was prevented, his writing flourished: "Now, as long as the state was administered by the men to whose care she had voluntarily entrusted herself, I devoted all my effort and thought to her. But when everything passed under the absolute control of a despot and there was no longer room for statesmanship or authority of mine," he turned to writing.[31] In the same section, he goes on to suggest that the state had so often taken "all my care, thought, labor" such that philosophy was crowded out, save for some reading time. The overall picture that results is one in which the good citizen, embodied here in Cicero's own behavior and choices, always gives his utmost in service to the state. Service to the state ought to take precedence, in this view, over philosophy and other pursuits. While philosophy itself might be considered a kind of

public service, apparently Cicero ranks his own such work as secondary behind both his service in the Senate and even his pleading of cases in the courts. This is but one of many examples in Cicero's writing in which he can be seen holding up the Stoic view that the good of the community or society ought properly to be pursued for its own sake and, if need be, to the detriment of the individual member of that society. Good citizens, then, ought to be selfless in their service to the common good of the state or society. But this leaves aside the question of the good citizen as relative to the various regimes, which he ultimately takes up in *De Republica*. Indeed, the main speaker in *De Republica*'s dialogue, Scipio, is asked directly about this by Laelius.

After outlining the basic forms of government (a monarchy, aristocracy, or democracy) in their "proper and regular administration" as well as their "faults and defects" and "dangerous vices" into which they are each respectively likely to fall, Scipio concludes thus: "Therefore I consider a fourth form of government the most commendable—that form which is a well-regulated mixture of the three which I mentioned at first."[32] Dissatisfied with the answer because "we may not be able to attain this mixed government," Laelius presses Scipio to come down more clearly on the side of one of the three main regime types, which leads Scipio to reflect on the good and bad features of each. Democracies bring instability into a society's politics, he says, by their very nature:

> If [the State] leaves [the selection of its rulers] to chance, it will be as quickly overturned as a ship whose pilot should be chosen by lot from among the passengers. But if a free people chooses the men to whom it is to entrust its fortunes, and, since it desires its own safety, chooses the best men, then certainly the safety of the State depends on the wisdom of its best men, especially since Nature has provided not only that those men who are superior in virtue and in spirit should rule the weaker, but also that the weaker should be willing to obey the stronger.[33]

For all the desirability of a free constitution (read "democracy"), which Scipio does plainly admit,[34] his judgment seems to firmly place the fate of a people into the hands of its aristocracy—and thus the virtue of this part of the population determines the character of the society overall. Giving voice, he says, to the best argument for an aristocracy, he notes that "between the weakness of a single ruler, and the rashness of the many, aristocracies have occupied that intermediate position which represents the utmost moderation."[35] When pressed again, Scipio turns to monarchy and seeks to convince Laelius that it is the regime favored (a) by the Olympians and also (b) by any people early in its development (a kind of universal first government). Furthermore, it is favored also (c) by an analogy between a society and an individual soul, ruled, as it should be, by a single mind.[36] Finally, (d) Scipio recommends monarchy out of a kind of expediency, since it seems more likely to go well when the ruler is decent—that is, when he has the virtue requisite to the task. Perhaps this is but another way of saying that it is easier, all other things being equal, to find one decent ruler among a people than to find a number of them (or a great number) who will work together harmoniously and for the common good. This is not to say that a monarchy is the best in any absolute sense—that judgment Cicero reserves for his mixed regime, which is embodied, he goes on to say, in the Roman constitution itself.[37]

In the end, it seems clear enough that for Cicero the ideal citizen will be independent and steady in character, give selfless service to the state, and be himself ruled by prudence and reason and conscience. Each of these features, he says implicitly in some places and more explicitly in others, would only with difficulty be realized in the "mechanics" who work with their hands and, so to speak, from hand to mouth. It is perhaps surprising, then, that Charles Carroll of Carrollton, whom one biographer dubbed the "American Cicero,"[38] seems to contradict the Roman on precisely this point.

IV

On July 4th, 1828, Charles Carroll undertook one of his last public acts. He was the principal guest of honor at the laying of the

cornerstone of the new Baltimore and Ohio Railroad line, in which he was an investor and for which he served as a member of the board of directors. A parade wound its way through the streets of the city for more than two hours before arriving at the terminus around 10:00 a.m., where Carroll waited with other dignitaries, including the sitting Speaker of the US House and the governor of the state of Indiana. Carroll was addressed with honor throughout the extensive ceremonies—and understandably so as the last living signer of the Declaration of Independence being commemorated that day. Another member of the board opened the proceedings, urging those present to mark the date well as one that would change the United States for the better and, among other things, would "bind" east and west more closely together "beyond the power of an increased population or sectional differences to disunite."[39] For the audience, of course, the memory of the Missouri crisis of 1820–1821 was not far distant. The antagonisms that brought that crisis to a boiling point still simmered. As part of the order of ceremonies, an association of local "black- and white-smiths" presented Carroll with several commemorative tools with which the construction of the railroad might be officially begun that day. They offered, they said,

> a pick to break the soil, the spade to remove it, the hammer to break of[f] rough corners, and the trowel to lay the cement which is to unite the east to the west, for the commencement of this great work which will commemorate an epoch in the history of the internal improvements of our beloved country and that too on the illustrious day, which is celebrated as the day that tried the souls of men—the day that gave birth to a nation of freemen—the day, venerated Sir, with which you are so conspicuously identified—the day that shall be the polar star to future ages, advertising them, that men dare declare themselves a free and sovereign people, *that republics can exist*, that neither require the royal diadem nor military rule to direct the great helm of State in safety.[40]

While grand commemorations of Independence Day such as this were already commonplace by 1828 and presented an important opportunity for communities to gather, it is interesting to note the elision by these speakers of this commercial event with the customary patriotism celebrated each year on July 4th. In the twenty-first century, perhaps, it seems odd to draw these two together, but the close association of public-oriented commercial projects like this "Great Road" with more straightforwardly political efforts was not necessarily unusual in an era that saw the budding importance of the National Republicans (and later Whigs), who were convinced that such "internal improvements" were vital to both the survival and the thriving of the United States in the years to come. That there was a link between the two efforts was also acknowledged in Carroll's remarks in response:

> You observe that Republicks [*sic*] *can* exist and that the people under that form of government can be happier than under any other. That the Republick [*sic*] created by the declaration of Independence may continue to the end of time is my fervent prayer. That protracted existence, however, will depend on the morality, sobriety + industry of the people, and *on no part more than on the mechanics* forming in our citizens the greatest number of their most useful inhabitants.[41]

While the precise meaning of these very brief remarks by an aging man in the context of such a ceremony might be dismissed as unworthy of extended reflection, the point and the term Carroll uses seem to be anything but offhand.

Carroll's education consisted in no small part in a study of the classics. At St. Omer's and elsewhere he would have studied the Greek and Roman ancients deeply (with an emphasis on the latter), as would any well-educated man of the age. After completing his studies there, he spent some time on the European continent traveling between another Jesuit institution, the College of Rheims, and Paris. He later eventually enrolled at the Jesuit College of

Louis-le-Grand in Paris, where he studied ancient languages so deeply that he came to speak them "as in his own town."[42] These features of his education bear directly on how we ought to understand his words. The term "mechanic" used in nineteenth-century translations of figures like Aristotle and Cicero would have certainly carried similar connotations in English to those evident in the ancient philosophers' works: In Carroll's time and in Aristotle's or Cicero's, a "mechanic" was someone who worked with his hands and who did not own the means of his own subsistence, such as a farm.[43] According to the ancients, this made the pursuit of a life of virtue a dubious or difficult endeavor. Further, and along the same lines, this meant even that a genuine sense of political and economic independence in such persons could not be taken for granted. Moreover, the circumstances and arguments that led Aristotle and Cicero to advocate against the inclusion of "mechanics" among the important citizens of a republic would not have changed between their time and America in the late 1820s. The Industrial Revolution, which could arguably have changed perceptions of the dynamic analyzed by Aristotle, was in the United States just not yet in the offing. At best, one might say, that these underlying economic circumstances were in the process of changing. But in 1828 they were still in their early days. Only by an incredible leap into technological optimism could one have accurately guessed what would ensue in the next twenty years.[44] Whatever explains Carroll's difference from the ancients late in life, it does not seem to be the new socioeconomic circumstances that had yet to fully come to fruition. What might explain it, then?

Is there anything fundamentally different about the ancients' understanding, to whom Carroll looked for political wisdom, and his own understanding as it was developed through the course of his life? Consider one preliminary suspicion against which I have yet to find evidence. Carroll, a lifelong student of the Western tradition and his Catholic faith, might in his later years have followed to this conclusion one of the fundamental anthropological insights of Christianity: the fundamentally equal and universal dignity of each human being. And in doing so he might have found

a way to make the ancients' republicanism even more consistent with itself.

Carroll was drummed out of office in the "Revolution of 1800" alongside great numbers of fellow Federalists in all but their staunch New England strongholds. He took the opportunity as a welcome retirement from public life, and although he remained active and lucid up to the point of death in 1832, he never returned to public office. His next thirty years were employed in the management of the family fortune, its landholdings and investments, correspondence, and reading. Brad Birzer observes that in his retirement Carroll read deeply and widely, and particularly in Catholic theology; in retirement he religiously "kept his favorite company: Marcus Cicero, Horace, Virgil, Alexander Pope, and Joseph Addison."[45] From the first of these, perhaps, he learned and voiced a lifelong support for the "mixed regime." While certainly not partial to the kingly overreach characterizing English and American controversies in the 1760s, neither was he a radical Whig yearning for the abolition of the monarchical and aristocratic elements in the British constitution. Both the Whigs and the Tories represented passing ideologies of the day, he wrote to his friend William Graves: "The genuine Principles either of Whigism [*sic*] or Toryism are equally dangerous to our constitution. . . . [The] power of the King & Lords would be annihilated by the former, by the latter the Liberty of the subject would be taken away & despotism established in its stead."[46] Like Cicero before him, he saw the attractions of liberty as a central part of the political system, but he did not care to found any system on it alone. Similarly, he understood the value and importance of the other elements in society, but he never wished in his accounting to overemphasize the aristocratic. That does not mean he held up all Americans to be uniquely qualified as republicans. To the contrary, his first impressions upon returning to Maryland in 1765 after sixteen years of schooling in Europe seemed to be of a people in great need of learning and formation. Though he broadly agreed that the Stamp Act and other actions of the British were genuinely oppressive in character, he was,

Ronald Hoffman wrote, "appalled and offended by [the growing] democratic protest . . . : 'The clamour of the people out of doors proceeds from their ignorance, prejudice and passion; it is very difficult to get the better of these by reasoning.'" Carroll even saw the Sons of Liberty more as opportunistic than patriotic: They were, in general, "ambitious, deceitful, inconsequential men" who "sought, not the public good, but private advantage."[47] Quotations and anecdotes underscoring Carroll's general suspicion of democracy and the radical democratic tendencies ascendant on the eve of American independence could be multiplied. But these few are enough to suggest that Carroll's late-in-life endorsement of the importance of "mechanics" is puzzling. It fits poorly with his classical education. It fits poorly with his general attitude and comportment up to this period. But it fits well, perhaps, with a way of understanding the Christian view of human nature that had not fully worked itself out in his mind until the twilight of his life.

V

The heart of Christian anthropology might lie at the beginning of the Scriptures. In describing man as made in the image of God, the Book of Genesis establishes the nonobvious truth that all humanity is equal in dignity and worth regardless of differences in rank, power, wealth, and other distinctions. What matters to Christians is the *imago Dei*. The equality of each human being to each other human being does not mean that there exists in society no differences in ultimate desert in the rewards of this life. But it does seem to mean that the highest rewards in existence are not received in this life and that those rewards are accessible by any and all on the same terms. Such anthropological insight cannot but have political implications, as Aristotle knew.

In beginning to make the distinction between oligarchies and democracies in *Politics* III, Aristotle starts with the "common definitions" of the terms and their respective understandings of justice. "For all men cling to justice of some kind, but their conceptions are imperfect and they do not express the whole idea. For example,

justice is thought by them to be, and is, equality, not, however, for all, but only for equals. And inequality is thought to be, and is, justice; neither is this for all, but only for unequals."[48] Convinced oligarchs and democrats alike, he says, mistake their respective partial understandings of justice for the whole of justice, which leads to a misunderstanding of the respective roles each might play for the good of the whole city. They are, consequently, "bad judges in their own affairs,"[49] individuals who stand in need, somehow, of an education and formation toward the good of the whole. Whatever this good is and however it might be achieved, it is not achieved somehow by the work of another city, he says. Whatever else it does, a government never takes care to educate the citizens of *another* city; but "those who [do] care for good government take into consideration virtue and vice in states. Whence it may be further inferred that virtue must be the care of a *state which is truly so called* [ἀληθῶς ὀνομαζομένη πόλει], and not merely enjoys the name."[50] The kind of education that helps generate this kind of city and citizen would necessarily be an education for the good of the political whole, an education that accordingly teaches a truer knowledge of the parts, and so enables a kind of self-knowledge that is peculiarly important in a republic or democracy.

Since rulers and ruled must, in a republic, be drawn from the same pool of citizens, and since, if the fate of the republic is to be a favorable one, the rulers and the ruled must ultimately be the same kind of men in terms of their virtue, the citizens' convictions about equality and genuine equality of character are both important. For a republic to succeed, it is not enough that there exists some top echelon to run the machinery of government (as Cicero seems to have it). At any moment those figures could be ousted through legal or electoral means. Those who replace them will undertake the same work and face the same challenges as those whom they replace. And this means rulers ought always to possess a virtuous character and genuine knowledge about the politics of their country. They must recognize that their opponents, no less than their friends, deserve respect and a degree of republican deference. Opponents must be treated as equal in

dignity and learn to be treated as such. Rulers must themselves understand how to obey and also to rule freemen *as* freemen. They must cultivate an understanding of human nature that never sees rulers and ruled as differing kinds of human beings but as fundamentally the same. In other words, they must see and embody in their account of their friends, family, neighbors, and opponents the kind of equality of dignity that they wish to be extended to themselves by those groups and by members of those groups. Among the myriad ways, logically, this might occur is for a more general diffusion of a true and operative Christian anthropology in the citizenry, top to bottom. If that were to occur, it might truly be said that the republic is good, the soul of the republic saved and preserved.

Notes

1. For more detail on his education at the College of St. Omer's in then-Spanish Netherlands, the College of Louis-le-Grand in Paris, and his study of the law at the Inner Temple in London, see Bradley J. Birzer, *American Cicero: The Life of Charles Carroll* (Intercollegiate Studies Institute, 2010), 3–15.
2. See, e.g., Carroll's contributions to the Maryland State Constitution, especially its aristocratic Senate, which was later admired by Alexander Hamilton at the Constitutional Convention and Publius in *Federalist* No. 63. See Birzer's discussion in *American Cicero*, 122–25.
3. Original transcription of letter of Charles Carroll of Carrollton to the Blacksmiths' Association, July 15th, 1828. Found in Thomas O'Brien Hanley, ed., Charles Carroll Papers, microfilm, Document 1788, https://msa.maryland.gov/msa/refserv/quickref/html/carroll.html. Hereafter cite as Hanley, "CCC Letter to the Blacksmiths' Association." This document contains both the address from the blacksmiths, written in the hand of their representative William Baer, and Carroll's reply, written in his own hand. Although the statement about happiness and "Republicks" (*sic*) in the letter is a restatement and acknowledgment of something the head of the Blacksmiths Association said in his address to Carroll during the July Fourth festivities that year, its context and his wider writings makes it plain that he agreed with them on this point.
4. Drawn from Edward C. Papenfuse, "An Undelivered Defense of a Winning Cause: Charles Carroll of Carrollton's 'Remarks on the Proposed Federal

Constitution,'" *Maryland Historical Magazine* 712 (Summer 1976): 247–48. Spelling was modernized by me.

5. See Aristotle, *Politics* III.1, 1274b30–40, in *The Basic Works of Aristotle*, ed. Richard McKeon (Modern Library, 2001), 1176. Unless otherwise noted, the English in this article is taken from that edition. Bekker numbers here are based on the marginal indications in *Basic Works*, the page number of which is also provided here and below.
6. 1288b25–30, 1205. The Loeb edition renders it differently: The "good lawgiver and the true statesman must be acquainted with both the form of constitution that is the highest absolutely and that which is best under assumed conditions . . . for he must be also capable of considering both how some given constitution could be brought into existence originally and also in what way having been brought into existence it could be preserved for the longest time." Loeb's "brought into existence" has connotations of Aristotle's notion of the city as a composite thing, as something possessing matter and form but is not, actually, until attaining that form (i.e., a certain constitution). See Aristotle, *Politics*, trans. H. Rackham (Harvard University Press, 2005 [1932]), 278–79.
7. 1275a25–35, 1177.
8. Chap. 2, 1275b, 15–25, 1177–78.
9. The quote is from chap. 9, 1280a30–1280b10, 1187–88.
10. 1276a1, 1178. Emphasis mine.
11. 1277a25–30, 1181.
12. 1277b5–10, 1181.
13. See, e.g., Mary P. Nichols, who argues that "Aristotle intentionally fails to demonstrate the existence of natural slavery." See M. P. Nichols, "The Good Life, Slavery, and Acquisition: Aristotle's Introduction to Polities," *Interpretation* 11, no. 2 (1983): 171. Found in Kevin M. Cherry, "Does Aristotle Believe Greeks Should Rule Barbarians?," *History of Political Thought* 35, no. 4 (2014): 632n3.
14. 1277b35–1278a5, 1182.
15. 1278a5–10, 1183. Emphasis added.
16. 1278a20–21, 1183.
17. 1278b5, 1184.
18. 1278a35–40, 1183.
19. 1275a30, 1177. It is unclear whether and to what extent Aristotle or the translator is making a joke or merely playing on words when he says that "indefinite office" is the "most comprehensive definition of a citizen." The Loeb edition renders it differently: "For the sake of distinction therefore

let us call the combination of the two functions 'office' without limitation. Accordingly we lay it down that those are citizens who 'participate in office' in this manner." See Aristotle, *Politics*, trans. H. Rackham (London, England and Cambridge, Massachusetts: Harvard University Press, 2005 [1932]), 177.

20. 1278b5–15, 1184.
21. The direct and indirect references in this paragraph are all taken from 1278b30–1279a15, 1184–85.
22. See John Locke, *Second Treatise of Government*, ed. C. B. Macpherson, (Indianapolis, Ind.: Hackett Publishing Co., Inc., 1980), §13, p. 13.
23. See Alexander Hamilton, John Jay, and James Madison, *The Federalist*, ed. George W. Carey and James McClellan (Liberty Fund, 2001), *Federalist* No. 10, 42. Hereafter references to *The Federalist* will list only the essay number and page number of this edition.
24. Daniel Walker Howe detects the doctrine even in the famous discussion of "faction" in No. 10: "'Faction' was not a value-free concept for Publius; a faction was by definition evil. The idea of inevitable evil in human nature did not surprise men who were well acquainted with the Christian doctrine of original sin and its secularized versions in eighteenth-century faculty psychology" (502). See his justly famous "The Political Psychology of *The Federalist*," *William and Mary Quarterly* 44, no. 3 (1987): 485–509.

    For an illuminating discussion on Locke's views on original sin, see W. M. Spellman, "Locke and the Latitudinarian Perspective on Original Sin," *Revue Internationale de Philosophie* 42, no. 165 (1988:2): 215–28, esp. 223, where he discusses commonalities between Locke and Thomas Aquinas. See also Greg Forster and Kim Ian Parker, "'Men Being Partial to Themselves': Human Selfishness in Locke's Two Treatises," *Politics and Religion* 1, no. 2 (August 2008):169–99.
25. *Federalist* No. 51, 269.
26. Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought," *American Political Science Review* 78, no. 1 (1984): 189–97. See table 3, p. 194, in which Cicero ranks number 11 of the top 36 European authors cited in the 3,154 citations catalogued by Lutz from American political writing between 1760 and 1805. Aristotle does not make the top 36.
27. Birzer, *American Cicero*, xiv–xvi.
28. Cicero, *De Officiis*, trans. Walter Miller (Harvard University Press, 1913), no. 34, 126–27.
29. Cicero, *De Officiis*, no. 39, 140–41.
30. Cicero, *De Officiis*, no. 42, 152–55.

31. Cicero, *De Officiis* II, no. 1, 168–71.
32. Marcus Tullius Cicero, *De re publica (On the Republic)* I, trans. Clinton Walker Keyes, Loeb Classical Library no. 213 (Harvard University Press, 1928), chap. 29, pp. 70–71. Hereafter, this edition is cited as Cicero, *De Republica*.
33. Cicero, *De Republica*, no. 34, 76–79.
34. Cicero, *De Republica*, no. 31, 70–73.
35. Cicero, *De Republica*, no. 34, 81.
36. Cicero, *De Republica*, no. 35, 83.
37. "Thus the ruling power of the state, like a ball, is snatched from kings by tyrants, from tyrants by aristocrats or the people, and from them again by an oligarchical faction or a tyrant, so that no single form of government every maintains itself very long.
    "Since this is true, the kingship, in my opinion, is by far the best of the three primary forms, but a moderate and balanced form of government which is a combination of the three good simple forms is preferable even to kingship." See Cicero, *De Republica*, no. 45, 102–5. His claim that Rome is a sound embodiment of his preferred mixed regime is mentioned at the end of Book I as a transition to Book II, in which he substantiates the claim with an examination of Roman history and institutions.
38. Birzer, *American Cicero*.
39. Quoted in Archer B. Hulbert, *The Paths of Inland Commerce* (Yale University Press, 1920), 149.
40. Hanley, "CCC Letter to the Blacksmiths' Association." Emphasis added.
41. Hanley, "CCC Letter to the Blacksmiths' Association." Emphasis added.
42. Birzer, *American Cicero*, 9
43. Benjamin Jowett produced his translation of Aristotle's *Politics,* cited throughout this paper and in common use since then, between 1882 and 1886, and he died in 1893. More proximate, use of the term "mechanic" in *The Federalist* carries none of the pejorative connotations found in the classical authors. See *Federalist* No. 12, 55; No. 14, 63; No. 35, 170–71; and No. 36, 173.
44. As Daniel Walker Howe put it, "During the thirty-three years that began in 1815, there would be greater strides in the improvement of communication than had taken place in all previous centuries." See his *What Hath God Wrought: The Transformation of America, 1815–1848* (Oxford University Press, 2007), 5.
45. Birzer, *American Cicero*, xiii–xiv.
46. CCC to William Graves, August 12, 1766, quoted in Birzer, *American Cicero*, 38.

47. Quotation of CCC to Daniel Carroll, March 17, 1766, found in Ronald Hoffman with Sally D. Mason, *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500–1782* (University of North Carolina Press, 2002), 283–84.
48. 1280a5–5, 1187.
49. 1280a20–25, 1187.
50. 1280b5–10, 1188. Emphasis added.