The Image of an Executioner: Princes and Decapitations in John of Salisbury’s Policraticus

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1. A Medieval Humanist

John of Salisbury’s eclectic compendium of moral philosophy, personal reflection, court satire, and exegesis, the Policraticus, is a staple text in the history of European political thought.¹ Completed in 1159, it is the first treatise of political theory since antiquity and a work praised for its balance, reasonableness, classicism, and moderation.² John, after all,
defends liberty and a commonwealth based on the rule of law, even justifying the assassination of a lawless ruler. And John’s style is crisp and playful, with none of the turgidity so often associated with scholastic theologians.

Contemporary scholars have repeatedly exalted John as a learned humanist. For instance, Cary Nederman, John’s foremost biographer, calls him “the quintessential figure of twelfth-century humanism,” whose professed loyalties to “the moderate skepticism of the New Academy” “restrained him from any form of fanaticism.” Likewise, Christopher Brooke, one of John’s editors, notes that those who read John find it “impossible to believe that he has been parted from us for so long,” for John speaks in a “familiar voice” with “cosmopolitan flavour,” filled with “respect and sympathy for almost all.” Medievalist Sigbjørn Sønnesyn describes John’s “anticipation of distinctly modern ideas” such as his “doctrine of moderation” and his “preoccupation with liberty.” Historian Walter Ullmann mentions “the fastidious elegance of John’s style, the
comprehensiveness and logical consistency of the thoughts . . .
his dispassionate approach . . . [and] high moral sense.”
In the words of political theorist Quentin Taylor, John is “the most readable of medieval authors . . . as a humanist he speaks in a language intelligible to modern readers . . . remarkably progressive” (emphasis original). At times, hearing John’s acclaim, one cannot help imagining that the Englishman walked out of an Anthony Trollope novel—a stiff-upper-lipped vicar with a cup of tea in one hand and a Tory pamphlet in the other.

John was more than a humanist, though; John was also a thinker fascinated with public execution, as this article depicts. What explains the tension between these two sides of his thought? Admittedly, “humanist” is an ambiguous word, especially when prefaced by “medieval.” Sir Richard Southern famously defined medieval humanism as the belief in human dignity, the dignity of nature, and an orderly universe accessible to reason. By that standard, John of Salisbury was a humanist. He accepted all three, at least in attenuated forms. Indeed, Southern cited John as a representative figure of medieval humanism. John was also a humanist in the literary sense of an author who studied Roman literature and the trivium and who imitated classical style. Yet, John’s humanism does not guarantee that his political ideas strike modern sensibilities as familiar, sympathetic, non-fanatic, or even attractive. John could be a humanist as Thomas More was when he applauded the burning of several Lutherans or as Erasmus was when he commended the massacre of rebel German peasants. A close reading of the Policraticus reveals that John’s humanism functions alongside and in harmony with a pessimistic political theology: his concept of the prince-headsman.

John’s pessimism matched his personal and intellectual context; it fit well with his humanism. For, as medievalist Ste-
phen Jaeger has noted, twelfth-century “humanist masters” such as John often exude “melancholy world-weariness” and a sense that “a culture they admired . . . [was] threatened, indeed, overwhelmed by a new culture that appeared to them shallow, corrupting, vulgar”; Jaeger describes John’s writings as “a conservative, rearguard action.”

Because of his Augustinianism and Platonic skepticism, John doubted that laws, reason, or public institutions could control human sinfulness without the support of exemplary violence. Reason is limited; humans sinful; laws and institutions fragile. In times of emergency, power in this world must depend instead on violence, ostracism, and decapitation. John portrays public execution as the central ritual of monarchical rule; it serves as much to persuade spectators as to coerce criminals. His fascination with execution shapes arguments in the Policraticus about public offices, civil law, mass spectacle, and tyrannicide. In John’s pessimistic vision, the prince is, at bottom, “the image of an executioner,” who must dwell beyond the boundaries of ordinary society and its laws in order to preserve the commonwealth from self-destruction. Without the shedding of blood, there is no body politic.


14 Carnifici . . . imaginem, John of Salisbury, Policraticus, 4.3.11-12, CCCM 118.236.
2. The Office of a Prince

A reader who has only perused extracts from the Poliocraticus can understandably misinterpret John as an arch-monarchist. Certain passages in John’s treatise display an extraordinary reverence for the prince. At times, his language points forward to the divine-right monarchy of early modern theorists like Jacques-Bénigne Bossuet or Robert Filmer. The king is, for John, the divinely appointed head over the body politic, an “image of divinity,” protected with terrifying punishments against lèse majesté. Nonetheless, this depiction of the prince as god-on-earth has a limited place in the Poliocraticus, restricted to a few excerpts where this language illuminates John’s larger concept of the body politic. The dominant picture of the prince in John’s treatise is less glorious—not a god, but an executioner.

John of Salisbury repeatedly describes the prince as an executioner (carnifex). He begins the Poliocraticus, for instance, by satirizing the aristocratic pastime of hunting. John mocks nobles for considering this “art of execution” worthy of comparison with a liberal education. Evidently, John perceived similarities between hunting and execution. In Latin, venatio can mean both hunting animals and fighting beasts in the arena: a normal method of execution in Rome. Moreover,

15 John distinguishes the “image of God” (imago dei), which is in all humans, from the “image of divinity” (imago deitatis, imago diuinitatis), which is in the Prince alone: imago deitatis, princeps amandus uenerandus est et colendus, John of Salisbury, Poliocraticus, 8.17, Webb, 2.73; for lèse majesté (crimen maiestatis), see John of Salisbury, Poliocraticus, 6.25-27, Webb, 2.73-82; John of Salisbury, Vita Anselmi 8, PL 199.1024D; on the prince as head, John of Salisbury, Poliocraticus, 5.2, 5.6, Webb, 1.282, 298.


hunting and execution were both elite spectacles that the political leaders performed—in the arena, on the scaffold, or in restricted royal forests—before the eyes of a non-participating population.

For John, the hunter—like the executioner—is a liminal figure, who serves a useful, though distasteful, role. According to John, in a just commonwealth, only a small marginal group would hunt, for “the pagan political philosophers fashioned justice by requiring that each person be content with his own office, and so they shut hunters off from nobles and city-dwellers.”

John scorns the Thebans—who supposedly required that all their citizens hunt—as a “polluted race” (gens foeda), which wallowed in the asocial sins of parricide, incest, and oath-breaking. The Thebans, thus, were uncivilized in the pure sense—feral and alien from civic behavior. According to John, kings, popes, nobles, and hunters have different offices in the body politic; only a foolish prince would ever “usurp the hunter’s task of executing.” No wonder that Nimrod the mighty hunter “learned contempt for God through the slaughter of animals” and then set himself up as the world’s first tyrant over Babel—the archetype for the depraved city of man.

By associating hunting and execution, John plays on an ambiguity in Latin. In Medieval Latin, carnifex—etymologically...
ically a “meat-maker”—denotes either a butcher or an executioner; in Classical Latin, though, the word always means “executioner.” Since John was well-read in Roman literature and classical florilegia, he would have known this distinction. The Latin Vulgate, for example, employs carnifex only once, while depicting how the tyrannical Hellenistic king Antiochus IV slew the Maccabean Martyrs. In the Polericaticus, carnifex translates as “executioner,” for John frequently portrays the prince putting criminals to death, as discussed below. But the double meaning lingered.

This opening section of the Polericaticus links execution not with princes, but with tyrants like Nimrod: for John, the opposite of law-abiding princes. This usage parallels sections in other works by John. In his didactic poem, the Entheticus Maior, for instance, John refers to the tyrannical king Stephen of Blois and his son Eustace—both dead at the time of writing—as “executioners” (carnifices) and the corrupt royal court as a “place of execution” (carnificina). In two of his letters, likewise, John speaks of “the execution grounds of tyrants” (carnificinas tirannorum), contrasting such killings with the proper use of the sword by the prince and his magistrates.

Elsewhere in the Polericaticus, though, John ties the executioner to the prince. John saves his adulation for the pope, not the prince. The pope, John emphasizes, should have nothing to do

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25 The English translation renders the word “butchers” here, but references to hanging (suspensia) and crucifixion (cruce) soon afterwards demonstrate that John intended “executioners”; John of Salisbury, Entheticus Maior, ed. Jan van Laarhoven (Leiden: Brill, 1987), ll. 1297-1300, 1315, 1327, 1412-1416.

with bloodshed and is not an executioner. At various places in his treatise, John worries lest a usurping pope eventually drag the papacy down to the level of a headsman.\textsuperscript{27} But, for John, the distinction between tyrants and temporal princes is not that one is an executioner and the other not, but that one kills illegally and the other in accordance with the law.

Early in Book 4, for instance, in a section contrasting the prince and the tyrant, John describes the prince as an inferior minister, who “receives a sword from the church” in order to “coerce bodies” on behalf of the priesthood.\textsuperscript{28} A good Gelasianist, John distinguishes between royal power and priestly authority. The “pious office” of the prince is “exercised in the punishment of crimes and represented in the image of an executioner.”\textsuperscript{29} Indeed, according to John, the ritual of public execution is only possible due to the will of God. Why else, at the block, would men willingly “offer up their neck” to the prince to be cut off?\textsuperscript{30} Reason alone cannot justify such fearsome majesty. But as “the public power,” the prince receives

\textsuperscript{27} Quis autem eo iniquior qui ministerium pacis, sacrificandi officium in rixas mittit et carnisficium, John of Salisbury, \textit{Policraticus}, 8.23, Webb, 2.407-408, 411; in John’s \textit{Historia pontificalis}, the heretic Arnold of Brescia lambasts Pope Eugenius III as “a man of blood who establishes authority by burning and killing” (\textit{uirum sanguinum qui incendiis et homicidiis prestart auctoritatem}); John of Salisbury, \textit{Historia pontificalis}, 31, ed. Marjorie Chibnall (Oxford: Oxford University Press, 1986), 64; John applies the title \textit{uir sanguinum} (cf. 2 Sam. 16:7) to princes with reluctance and never to popes. According to Arnold, Eugenius is the opposite of a proper pope. While John disagrees, he worries that one day just such a papal “man of blood” may arise. Cf. \textit{Policraticus}, 4.2.45-50, CCCM 118.235; \textit{Policraticus}, 7.19, 7.21, Webb, 2.176, 198.

\textsuperscript{28} Hunc ergo gladium de manu ecclesiae accipit princeps, cum ipsa tamen gladium sanguinis omnino non habeat. Habet tamen et istum, sed eo utitur per principis manum cui coercendorum corporum contulit potestatem, spiritualium sibi in pontificibus auctoritate reseruata. Est ergo princeps sacerdotii quidem minister et qui sacrorum officiorum illam partem exercet quae sacerdotii manibus uidentur indigna, John of Salisbury, \textit{Policraticus}, 4.3.1-9, CCCM 118.236.

\textsuperscript{29} Sacrarum namque legum omne officium religiosum et pium est, illud tamen inferius quod in poenis criminum exercetur et quandam carnificii repraesentare uidetur imaginem, John of Salisbury, \textit{Policraticus}, 4.3.9-12, CCCM 118.236.

from God an “abundance of miraculous power” (*magnum diuinae uirtutis*), a non-rational “divine force” (*impulsu diuino*), which frightens men into obedience.\(^{31}\) For John, execution enthralls. John’s language parallels the famous section in Edmund Burke’s treatise on the sublime, where Burke comments that theater-goers will empty “the most sublime and affecting tragedy” in order to gawk at a hanging.\(^{32}\) According to John’s tale of the Indian Bragmani, even a heathen monarch like Alexander the Great would not conquer a people who committed no injustice and deserved no chastisement; a land without capital punishment is a land without the need for a prince.\(^{33}\) But in a world of sin, all people, even the clergy, must venerate the prince as “the scourge of God for the punishment of evildoers” (alluding to Rom. 13:1-7).\(^{34}\)

John’s language startles, for the *carnifex* was not a respected profession in ancient Rome. The *carnifices* were not even free Roman citizens, but state-slaves.\(^{35}\) The presence of a *carnifex* was so contaminating, that Roman law forbade executioners from living within the limits of the city of Rome or visiting the public baths. Executioners had to wear red clothes to identify them from far off. A churchman as familiar with Roman law and Cicero’s speeches as John likely would have known such prohibitions.\(^{36}\)

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\(^{32}\) Edmund Burke, *A Philosophical Enquiry Into the Sublime and Beautiful* (New York: Routledge, 2008), 1.7, 1.15.


\(^{34}\) To illustrate this veneration, John relates the meeting between Attila and St. Lupus of Troyes: flagellum dei . . . quae a Domino instituta est ad uindictam malefactorum, John of Salisbury, *Policraticus*, 4.1.34-45, CCCM 118.233.


The executioner was also a defiled trade in medieval Europe—although laws regulating executioners are not extant before the thirteenth century. Nonetheless, ideas of pollution arose earlier, for twelfth-century headsmen often were obliged to perform penance after executions, until Pope Innocent III banned this practice. Restrictions on executioners sometimes borrowed from Roman law—influential from the twelfth century forward—but probably originated independently. Local ordinances differed. In many areas of late medieval Germany, for instance, executioners had to wear special clothing, live outside the city-walls, and stand alone in a special place at church; they could not inherit, join a guild, attend weddings, visit the baths, give testimony in court, or hold citizenship. These numerous lifelong taboos ensured that the private life and public function of the carnifex were inseparable. In the language of Giorgio Agamben, the carnifex lacked any “bare life”; all his life was part of the polis and structured by its demands. A prince-headsman would be a shameful ruler indeed.

In addition to the carnifex, John describes the prince as a lic-
tor, a different category of ancient Roman executioner. Roman magistrates with the authority of *imperium*—the consul and the praetor—were accompanied by lictors: public guards who carried the *fasces*, a bundle of axe and rods that symbolized the power to judge and execute. As an executioner, the prince should perform the sentence of the law dispassionately.3

According to John, “lictor” refers to a prince’s attendants only by metonymy. John avers that the prince himself, rather than his mere attendants, is “the sole and preeminent lictor,” because “it is lawful (*licitum*) for him only to give the deathblow through the subordinate hand [of his attendants].” He bears the rod of correction “with the moderation of the sage.” John praises the philosopher Plutarch for scourging a criminal while remaining emotionally calm and rational. As an executioner, the prince should act without anger, gall, or guilt, pronouncing and performing the sentence of the law dispassionately, “so that his gentleness

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4 Princeps potest ita a deo est ut potestas a domino non recedat, sed ea utitur per subpositam manum . . . Nam etsi suos princeps uidetur habere lictores, ipse aut solus aut praecipuus credendus est lictor, cui ferire licitum est per subpositam manum, John of Salisbury, *Policraticus*, 4.1.27-29, 4.2.56-58, CCCM 118.235-236.

4 Lictor dicitur quasi legis ictor, eo quod ad ipsius spectat officium ferire quam lex iudicat feriendum, John of Salisbury, *Policraticus*, 4.2.58-61, CCCM 118.236.


calms the misery of those condemned to die.”

At the sublime ritual of beheading, the people, the priesthood, and even those with their heads on the block obey in awe of the prince.

John’s vision of the prince’s office as executioner sprouted out of more than just his reading of classical exemplars and Latin etymologies; broader Christian themes like blood sacrifice, redemption, and the scapegoat also contributed. The parallels between John’s prince and Anselm of Canterbury’s satisfaction theory of the atonement are potent. John lived in Canterbury for years, knew Anselm’s writings well, and even wrote a hagiography of the archbishop. In the *Policraticus*, John employs the terminology of atonement when speaking both about Christ’s redemption of sinners and about the prince’s duty to suffer divine punishment in the place of his people. For Anselm, the willing self-immolation of the God-man Christ is the only satisfactory atonement for the sins of humanity. For John, the prince can be both “the image of a divinity” and “the image of an executioner;” both god and man, both the sacrificer and the victim. When the prince takes onto himself the dishonor and social ostracism of an executioner, he imitates Christ, who left his heavenly kingdom in order to take on the dishonorable form of a bondservant and sacrifice himself for his people.

3. The Royal Outlaw

In John’s pessimistic theory, the prince-headsman is not glorious; he is not even civilized. Just as medieval custom banished executioners from ordinary society, John’s prince

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50 Hoc enim sentite . . . formam serui accipiens . . . humiliauit semet, Phil. 2:5-11; for a possible allusion: princeps . . . se prompta humilitate mentis et pia exhibitione operis seruum profiteatur, John of Salisbury, *Policraticus*, 4.7.16-17, CCCM 118.255.
is removed from all human emotion, relationships, and legislations—a personification of abstract justice. Yet John also emphasizes that the prince remains under the law; for John, ruling against the law is the definition of the tyrant, not the prince.\(^{51}\) John’s knowledge of Roman law was extensive.\(^{52}\) In fact, he cites the paradox of the Roman *Lex regia* and *Lex digna vox*: a ruler who is both above and below the law, whose “pleasure has the force of law,” yet “professes himself bound by the law.”\(^{53}\) John insists that the prince is not an outlaw (*ex-lex*) and scorns those interpreters of the *Lex regia* who claim otherwise.\(^{54}\) Yet, John’s repeated anxieties demonstrate that the author recognized how much the prince and the outlaw held in common. Indeed, John admits that the prince is absolved from the law and only follows the law out of love.\(^{55}\)


\(^{55}\) Princeps tamen legis nexus dicitur absolutus, non quia ei iniqua liceat, sed quia is esse debet qui non timore poenae sed amore iustitiae aequitatem colat . . . Sed quis in negotiis publicis loquetur de principis uoluntate, cum in eis nil sibi uelle liceat nisi quod lex aut aequitas persuadet,
According to John, the prince is unable to will anything except equity, hence his pleasure has the force of law. For instance, John tells the famous story of how Emperor Theodosius, the paragon of a Christian prince, did penance at the command of St. Ambrose of Milan. John states that Theodosius did not need to obey Ambrose: “under what necessity did he act? His will.” Moreover, John calls Theodosius both emperor and bishop (antistes) and discusses Melchizedek, the priest-king of Salem, soon afterwards. For John, Theodosius’ will seems to have the force of royal and priestly law alike. Although John never draws this conclusion, his radical suggestion, if taken to its logical extreme, would indicate that the pope cannot excommunicate a prince without that prince’s own consent. The prince only submits to the pope’s sacramental authority out of love.

Some later voluntarist theologians—notably William of Ockham and Huldrych Zwingli—depicted God himself as an outlaw (deus ex lex). This imagery was a controversial extension of the standard two-power distinction in medieval scholasticism, the potestas absoluta and the potestas ordinata: that is, God’s omnipotence versus God’s choice to restrict his power in order to establish an orderly universe. Even before Ockham’s


work, medieval theologians and jurists debated the relationship between these two forms of power, both in regard to God and in regard to kings and popes. These theological disputes mirrored John’s apprehensions about the semi-outlaw prince of the *Lex Regia*. Both God’s will and the prince’s will are logically prior to law and determinative of the law; yet they are loving wills which allow the law to bind them.

The supreme example of John’s semi-outlaw prince is his discussion of the notorious crime of parricide. Although John once opines that any violation of the law of “Mother Nature” is parricide, he usually employs the word with its standard meaning of kinslaying. John cites numerous examples of parricides, from Cain to Nero. The ancient Romans so dreaded the pollution of kinslaying that they would enclose parricides in wolf-skin sacks to avoid their impure touch, place a rooster, dog, serpent, and monkey in with the criminal—signifying his exclusion from human society and degradation to the level of a beast—and cast them all together into the purifying waters of the Tiber. This bizarre punishment was revived on the Continent in John’s own lifetime, due to the reintroduction of Roman law. In fact, the punishment of the sack continued in sporadic usage until the eighteenth century.

In the laws of the early Roman Republic, moreover, the parricide, along with a few other types of criminals, was proscribed as a *homo sacer*: a man devoted to the chthonic gods for destruction, who anyone could legally kill, but no one could sacrifice. This idea, too, has a twelfth-century parallel in the

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63 According to an important Roman plebiscite, “it is impious to sacrifice [the *homo sacer*] but anyone can kill him without legal condemnation” (*neque fas est eum immolari sed qui occidit parridii non damnatur*); Judy E. Gaughan, *Murder Was Not a Crime: Homicide and Power in the Roman Republic* (Austin: University
common-law institution of the wolf’s head: a felon who was pronounced beyond the boundaries of the commonwealth and law and, thus, could be hunted down like a beast by anyone.\textsuperscript{64} As Giorgio Agamben has argued, outlaws such as parricides are mirror images of the prince in Roman law—both stand outside and inside the juridical order at the same time.\textsuperscript{65} The prince—like the hunter, the outlaw, the executioner—is alien from the city.

Admittedly, John speaks with horror about kinslaying, recommending hanging from a gibbet to those who commit the crime.\textsuperscript{66} Yet the churchman also abhors those who set love of their family above love of their fatherland. He twice excuses parricides who killed for the sake of the people. The premier example of a parricide in the \textit{Policraticus} is Romulus, the founder of Rome, “who consecrated the omens of the city to the gods by his brother’s blood.”\textsuperscript{67} Harried by the shades of the dead, Romulus ritually expiated his parricide. The Romans continued to follow this precedent: first “immolating tyranni-cal emperors and then deifying them” as atonement.\textsuperscript{68} Remus’...
paradigmatic death as a scapegoat established a new political order.\textsuperscript{69}

Likewise, John describes how Lucius Iunius Brutus, the first consul of Rome, slaughtered his own rebel sons lest they restore the ousted tyrant Tarquin.\textsuperscript{70} The churchman emphasizes that this beheading was a symbolic event in the foundation of the Republic “demonstrating publicly that Brutus had adopted the people of Rome [as his new family] in the place of his children.” Brutus executed his sons in order to communicate to the people. Although acknowledging that the rectitude of Brutus’ emergency action was an open question among ancient philosophers, John commends Brutus’ fidelity.\textsuperscript{71} Immediately after, John praises the Athenian Areopagus for declining either to convict or to acquit a woman of Smyrna who had murdered her husband and son in retribution for their own earlier “crimes against the whole polity.”\textsuperscript{72} Her action was not personal; it was public, just as Brutus’ was. John lets philosophers debate whether Brutus and the woman of Smyrna behaved rightly. As an Academic Platonist, John judges on probabilities, not certainties.\textsuperscript{73} His skepticism prevented as-


\textsuperscript{70} Brutus, primus consul, liberos suos de reuocandis in urbem regibus agere cognouisset, eos protraxit in forum et in media contione uirgis caesos tandem securi percuti iussit, ut plane publicus parens in locum liberorum uideretur populum adoptasse. Ego quidem, etsi parricidium perhorrescam, consulis non possum non approbare fidem, qui maluit salutem liberorum suorum periclitari quam populi, John of Salisbury, \textit{Policraticus}, 4.11.88-94, CCCM 118.268.


\textsuperscript{73} Grellard, \textit{Jean de Salisbury}, 65-71, 131-132.
urance. Like the Areopagus, John refuses to condemn the two killers, for their deeds seemed necessary.

The prince can be excused of parricide, in John’s opinion, partly because—like Melchizedek, the priest-king of Salem—the prince is without father and mother, “forgetting the affection of blood-ties” and setting aside familial connections in order to have no kin but the people. Indeed, John dismisses hereditary claims to the throne; princes receive their rank not by dynastic lineage, but through God and the choice of the people. Brutus’ parricidal adoption of the people is emblematic of rulership, for natural bonds cease in the public sphere (in publicis locis).

A public official, thus, is free to execute his own father just as he would any other criminal. In John’s mixed metaphor from the fourth book of the Polycraticus, the moderate prince must embrace his subjects as beloved brothers and then amputate away sinners from the body politic. He can commit no parricide because, in some sense, every execution is parricide.

4. Spectacle and Tyrannicide

John of Salisbury’s pessimistic depiction of the prince-executioner shaped two other key arguments in the Polycraticus, on ritual and tyrannicide. Consider, first, John’s theory of ritual, discussed early in Book 5, in his section on the priesthood as the soul of the body politic. Multiple scholars have noted that the Polycraticus supplies an early defense for what Jean-Jacques

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75 John records an exemplum about a magistrate who no longer submits to his father’s parental rights (patrum iura); John of Salisbury, Polycraticus, 4.7.82-100, CCCM 118.257-258.


Rousseau and other modern thinkers termed “civil religion.” John’s ideas about ritual are complicated, and this article lacks the space to examine them in full. Simplifying somewhat, while rare mystics and philosophers can approach God directly through love, most human beings can only see God “as through a glass darkly,” worshiping him via the sensory media of ceremonies. Therefore, even the Roman king Numa instituted rites among the Romans in order to inculcate piety, fidelity, justice, and restraint in them. When the Romans later neglected their traditional gods and followed Epicurean philosophy and the “blind goddess” Fortune, the empire descended into immorality and weakness. Undoubtedly, John conceived of Christian liturgies as the primary ceremonies of the medieval commonwealth. But, by citing Numa, a heathen Roman king, as his chief example, John indicates that he also viewed royal ceremonies and even pagan rites as sensory mediators, instilling morals in the people.

Fittingly, throughout the Polericatus, John often describes execution using the language of spectacle. For instance, the section on Romulus’ sacrifice of Remus and ritual purification afterwards occurs within a series of three consecutive chapters.
on drama. There, John imagines the whole world as a stage, where men play out a comedy of their own foolishness before an audience of God and his saints. Interestingly, torture and execution scenes were common in medieval drama. Execution and parricide, then, are theatrical performances; they mediate to an audience and communicate symbolically. Public execution is a sacrament of civil religion.

John’s famous *apologia* for tyrannicide, moreover, also reflects these ideas on the prince-executioner. For John, the tyrant was the exact opposite of the prince, because the tyrant rules in opposition to the law. Tyranny is fullest example of *lèse majesté*. As John notes, Roman law punished *lèse majesté* (*crimen maiestatis*) by executing the criminal and excluding his sons from property, inheritance, rank, office, and legal competency. Therefore, the tyrant, like any violator of *majesté*, is outside the bounds of normal society. John of Salisbury describes the tyrant as introducing “a savage state of exception” (*ferale iustitium*) and “banishing the laws and canons from the borders of the realm.” As one scholar of the *Policraticus* has concluded, the tyrant “becomes an alienated being . . . hunted like animals . . . all laws cease in the desert, the emptiness, of absolute will . . . when the kingdom was turned into the realm of nonsense, then anything was possible.”

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90 Michael Wilks, “John of Salisbury and the Tyranny of Nonsense,” *The
John borrows the rare Latin word *iustitium* (“a stopping of the law”) from the Latin epicist Lucan’s account of the panic in Rome after Julius Caesar crossed the Rubicon. The word originally meant an emergency suspension of the legislature and judiciary decreed by the Roman senate. Once a tyrant like Caesar suspends the laws and institutions, it cannot be illegal anymore to kill him. Instead, the assassin restores the rule of law. John twice speaks respectfully of Marcus Iunius Brutus, the killer of Caesar. Like a sovereign out of Carl Schmitt, John’s tyrant-slayer must first decide that a seemingly lawful ruler is in truth a tyrant and that the state of exception already has begun; next, the tyrannicide ends this emergency through killing. Strikingly, John refers to the “public power” (*publica potestas*) slaying the tyrant. Here, the tyrant-slayer embodies abstract “public power.” But elsewhere in the *Policraticus*—including in the very next chapter—this phrase is a synonym for “prince.”

Tyrannicide is a righteous act, “consecrated to the Lord by holy rites”; John highlights in particular Judith’s prayer and visit with priests before her murder of Holofernes. Tyrannicide is even obligatory—the execution of an “enemy of the human race” (*hostis humani generis*). In contemporary interna-

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96 Hostis humani generis iudicatus. Et haec quidem est descriptio tiranni,
tional law, this Latin phrase refers to groups such as pirates and terrorists, who are outside any national jurisdiction and can be punished by any state. Medieval churchmen, in contrast, used the phrase for Satan. Indeed, John seems to be the first thinker to employ this exact phrase to justify the extrajudicial killing of a human. For John, pious Christians ought to slaughter tyrants with the same fervor as they battle the devil or mortify sin.

To ensure that the killing remained moral, John restricts the manner and means of tyrannicide. Even during emergencies, Christians must avoid sin. For instance, John insists that no one who has sworn fealty to a tyrant should violate this ceremony. In practice, this requirement would prevent most medieval people from killing anyone but a foreigner, since in a country like England, all freeborn subjects owed fealty to the king. Many of John’s exemplars kill foreign rulers: for instance, Ehud, Jael, and Judith. John’s tyrannicide, like John’s prince, is not a member of the body politic and never bound to its laws. Tyrant-slayers stand ostracized from the rest of the commonwealth, able to seek its good because they are already outsiders.

Indeed, John defends the right of a tyrannicide to kill kinsmen, just as the prince can. John relates two different versions of the assassination of Philip II of Macedon by his relative Pausanias. According to the Roman moralist Valerius Maximus, Pausanias acted out of lust for glory and thus was justly executed as a parricide. The historian Justinus, in contrast, claims that Pausanias was avenging himself, for Philip had a role in the public childhood rape of Pausanias. John insists that if Justinus’ version was true then the assassin’s kinslaying “was excusable,” like Brutus’ or the woman of Smyrna’s. Indeed, John mentions that the widowed queen Olympias herself crowned Pausanias at his execution, symbolizing ritually that


97 John of Salisbury, Policraticus, 8.20, Webb, 2.378.
the killer acted more like a prince than the tyrant Philip had. In addition to restricting who can be a tyrannicide, John also limits how the killing should occur. According to John, poisoning is always sinful, even when used against a tyrant. In fact, throughout the *Policraticus*, John concentrates on decapitation, rarely mentioning other forms of execution. Hanging, however, not decapitation, was the dominant execution technique in the twelfth century, although it had been essentially unknown in the classical world. The Romans, in contrast, had executed using a variety of methods (e.g., the arena, burning, crucifixion), but decapitation was standard for the Roman upper class (the *honestiores*). This idea that beheading is the most honorable form of execution continued through early modernity; during the Middle Ages, executioners usually hung commoners but decapitated nobles.

Perhaps, John’s picture of the prince-headsman refers to this medieval convention or derives from New Testament language about the sword (cf. Luke 22:38; Rom. 13:4) and the related Gelasian imagery of the two swords. But John likely also felt decapitation was the execution befitting the prince. After all, the prince was the head of the body politic. When he honorably removed the head of the criminal who threatened that body, he also signified his own position as the commonwealth’s sole true head, as one who does not wield the sword in vain. The tyrant has borne the sword illegally and must be slaughtered by the sword justly used.

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5. The Quasi-Modern John

John of Salisbury’s prince-headsman is an innovative interpretation of princely power, which historians of political thought have neglected. His theory is more than an apology for capital punishment; it is a pessimistic response to the limits of human goodness, reason, and institutions. In the *Policraticus*, communal order can always break down and civic institutions need an uncivilized prince to stabilize them. Whether such a ruler deserves to be called “moderate” depends on personal opinions, but for John this ruler is almost a sage. The philosophic prince proves “the tranquil moderation of his mind” when hepunishes sinners dispassionately. According to John’s interpretation of multiple classical *exempla*, execution expressed moderation.

John’s treatise reflects the conservatism of medieval humanism. In a twelfth-century world shaped by rapid political andintellectual changes, John feared that courtly education andChristian ritual—“the spirit of a gentleman and the spirit of religion” in the language of Burke—would not be enough to prevent chaos. Perhaps the prince-headsman could. Values that many scholars have associated with John’s humanism—classicism, moderation, rational dispassion, skepticism, concern for the common good—did not oppose his pessimism; they helped to constitute it. Thus, for instance, John’s academic skepticism allows him to defend parricide. His commitment to the rule of law lets him support assassination. His classicism supplied Roman evidence for these conclusions. John’s pessimistic vision of the prince-headsman accorded fully with his humanism, at least in John’s own mind.

So far, this article has concentrated on understanding the idea of the prince-headsman within the context of John’s own time, humanistic education, and intellectual influences. Here, John’s humanistic values did not oppose his pessimism but helped constitute it.


at the close, I will consider some ramifications of John’s theory for political philosophy today. John challenges our intuitions about the categories of “medieval” and “modern.” As multiple scholars have noted—including some quoted earlier—John’s political thought is “quasi-modern.” This quasi-modernity appears in the more attractive aspects of the *Policraticus*, such as its defense of liberty and the rule of law. But some of the most pessimistic and unappealing parts of the *Policraticus* are also quasi-modern.

John’s conviction, for instance, that the executioner is one of the central offices of civilized life—perhaps the most central—reminds us of the Savoyard conservative Joseph de Maistre and the infamous panegyric to the hangman from his 1821 posthumous work *The Saint Petersburg Dialogues*. For a moment, Maistre sounds close to John of Salisbury when the nineteenth-century writer lauds the executioner as “an extraordinary being . . . the terror and the bond of human association. Remove this mysterious agent from the world, and in an instant order yields to chaos: thrones fall, society disappears.” Likewise, John’s praise of public ceremonies such as executions—even of pagan public ceremonies—appears at first more like Rousseau’s civil religion than like the theology of a twelfth-century churchman. And John’s *apologia* for emergency tyrannicide mirrors elements of Carl Schmitt’s theory of the state of exception.

The *Policraticus* is “quasi-modern,” that is to say “not truly modern at all.” If John seems modern to us, that reveals little about John and a great deal about our own preconceptions. Indeed, the *Policraticus* can function as a test; whenever I find something “quasi-modern” in it, I know that my concepts of medieval and modern remain confused. John sometimes reached the same conclusions as modern authors, but his motivations and circumstances differed. The prince-headsman is resolutely medieval—birthed partly from the idiosyncrasies

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of John’s own mind and life experiences. During his years as secretary and legal advisor to Archbishop Theobald of Canterbury, John dealt with murder trials and may have handed criminals over to the royal authority for capital punishment. Moreover, the churchman composed the *Policraticus* during the Anarchy of King Stephen (1135-1153). Understandably, John hoped that a strong ruler could prevent such chaos in the future and sought precedents in classical literature to support this view. The weakness of the medieval polities—particularly before the centralizing government reforms of Henry II or Philip II Augustus—shaped John’s treatise.

Perhaps the most medieval feature of the *Policraticus* is John’s method of argumentation. For John reasons as a medieval humanist, interpreting scripture, scrutinizing Latin etymologies, and citing exemplary tales of famous Greeks and Romans. He rarely, if ever, deduces from first principles, appeals to empirical data, doubts the reliability of his sources, or mentions recent history or current affairs. For modern readers, John impresses; but he does not convince. A reader can easily finish the *Policraticus* and agree with John that humans are sinful, institutions fragile, and rationality circumscribed, without approving of capital punishment or tyrannicide. John could probably heap up a few more classical *exempla* on his side of the debate, but that would not sway a present-day critic. Modern detractors object not to the quantity of John’s evidence, but to the nature of the evidence itself. John’s pessimism may fit well with certain streams of modern political thought; his rhetoric, in contrast, sets him apart from such thought. Ironi-

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109 For instance, John wrote letters on behalf of Theobald about the trial of Osbert, a York archdeacon and poisoner; *Letters*, vol. 1, nos. 16, 25, fols. 26-27, 42.


111 For John’s method of *exempla*, see von Moos, *Geschichte als Topik*.
cally, when John is most a medieval humanist—dependent on classical sources and the trivium—he is least persuasive to modern readers. The methodology of the *Policraticus* operates in a different intellectual world with different standards of evidence.

If John’s argument for the prince-headsman is unlikely to satisfy contemporary readers, how can the *Policraticus* influence political philosophy today? Many modern political thinkers do not seem so modern, when viewed from the perspective of John’s treatise. Some of the most famous positions of writers who seem archetypically modern were positions already centuries old. Again consider, for instance, Joseph de Maistre. In perhaps the most influential work of scholarship ever written on Maistre, the British philosopher Isaiah Berlin claimed that Maistre’s thought was “the origins of fascism,” “terrifyingly modern . . . the heart of the totalitarianisms, both of the left and of the right, of our terrible century.” Bav Berlin cited Maistre’s panegyric to the hangman as central evidence of his totalitarian modernism. But in truth, Maistre supplied a novel rationale for a position similar to one that John had defended using his medieval methods of debate. Berlin’s interpretation misunderstood the medieval/modern divide and, as a result, misread Maistre. Bav Pessimistic enthusiasm for the executioner could reside in a medieval cleric and a modern reactionary alike; only the argumentation had changed. The *Policraticus* compels political philosophers to think more deeply about what separates medieval and modern thought, about how ideas changed and how they persisted. By comparing modern thinkers to John, scholars better perceive what is genuinely new about the methods and assumptions of modernity.
