

ORIGINAL ARTICLE

Vico and Man's Creation of Institutions: A Backward Journey to Human Root

Michael Sunday Sasa

Department of Philosophy,

Veritas University, Abuja

Email: fantasy1952@gmail.com

ABSTRACT

This paper attempts to expose the creation of human institutions from the perspective of the thoughts of Giambattista Vico. He explains the three principles of history: religion, marriage and burial; these are principles both in the sense that they are the first things in society and in that they lie at the core of social existence. He develops a theory of the creation of human institutions that stands quite different from the theories of social contractarians. To accomplish its aim, the paper seeks to engage in a discourse by looking at man in his bestial nature and then goes on to consider how key human institutions like matrimony, burial and land cultivation was developed in human affairs. The paper then considers subsequent developments. This it does within the context of three key stages in Vico's philosophy of history. The conclusion that is reached in the final third is that, in all the process of the creation of institutions by man, reason and perseverance won it all and held sway.

Keywords: Bestiality, burial, history, human nature, matrimony.

INTRODUCTION

Some people may think that the various civil institutions, as we have them today, came into existence, just like that; perhaps, so created by God and handed down to man (Asira & Francis; Ajang 2016). Since there is no written document, as such, as to how these institutions came to be, thinkers at various ages and at various times had given it some deep thought. We are reaping today fruits of such endeavours in Giambattista Vico. He takes us back to man's humble beginning; a beginning characterised by crudity and savagery. He says it loud and clear that some situations brought about the establishment of various civil institutions. This paper shall bring out some of such situations. Vico's acknowledgment of Egyptian contribution to his ideas, which gives his work so much colour and direction, equally renders his work relevant (Worugji 2008; Rohbeck & Schuh 2016). This paper makes bold to say that this paper does not, in any way, lay claim to an absolute, complete account of how human institutions came about. It does, however, make some positive and significant philosophical contribution in this

area of human inquiry that has, before then, brought man to his knees. Vico talks more of *common nature*, in place of *common origin*, of these institutions. This is to say that nations did not copy themselves, nor transmitted their cultures, yet, arrived at the various institutions; though, at different times appropriate to their developments. His reasons show his area of interest

MAN IN HIS BESTIAL STAGE

Vico's account of man's initial bestiality makes a good reading. The process of "bestialization", whereby man was reduced to a state of inarticulate primitiveness following the universal deluge, was probably and perhaps partly a device for introducing into the discourse of the *Scienza Nuova* the notion of linguistic barbarity (Bedani 1989). For now, let us suspend a discussion on the linguistic aspect. Vico's scruples made him start this part of his great work (man's bestial stage) from Genesis where "he imagined the descendants of Ham and Japhet, and those of Shem except the Hebraic line, as dispersed after the flood, wandering in the vast forest of the earth, forgetting the speech and customs of their ancestors, and descending to the level of beasts" (Bauer 2014).

During the two centuries Vico allowed for this process of bestialization, these men were at first impious; for they recognized no divinity. They were nefarious; since relations among them were not distinguished by marriages, and sons often lay with mothers and fathers with daughters; and finally because not understanding society amid this infamous promiscuity of things, they were all alone like wild beasts, and hence weak and lastly miserable and unhappy because they were in want of all the goods that are needed to keep life safe (Andreoni 2014). These "first men, stupid, insensate and horrible beasts", as Vico himself describes them, naturally took the thundering sky to be a great animated body, whose flashes and claps were commands, telling them what they had to do (Eremin et al., 2018). They pictured the sky to themselves as a great animated body, which in that aspect they called *Jove*, the first god of the so-called greater gentes (Müller 2014), who meant to tell them something by the hiss of his bolts and the clap of his thunder. And thus, Vico says, they began to exercise that natural curiosity which is the daughter of ignorance and the mother of knowledge, and which, he continues, opening the mind of man, gives birth to wonder. This characteristic still persists in the vulgar, who, when they see a comet or sundog or some other extraordinary thing in nature, and particularly in the countenance of the sky, at once turn curious and anxiously inquire what it means. When they wonder at the prodigious effects of the magnet on iron, even in this age of minds enlightened and instructed by philosophy, they come out with the conclusion that the magnet has an occult sympathy for the iron; and so they make of all nature a vast animate body which feels passions and affections (Essien 2005; Eremin et al., 2018).

THE BEGINNING OF MATRIMONY AND RELIGION

Amid the above-stated beliefs, Vico reports, the thunder surprised some of them in the act of copulation and frightened copulating pairs into nearby caves. This was the beginning of the first of the human institutions called matrimony or marriage (Raspudić 2015). It is also the beginning of settled life. At this point, moral virtue began, says Vico in his poetic morals. What might otherwise

have been a random act, preceded by other such acts with other mates and succeeded by others with others, became a permanent lifelong companionship sanctified by the god of the thundering sky who had frightened them into the cave. The two institutions, *religion* and *matrimony* have thus a common birth. Among all peoples, it is confirmed, the civil world began with religion (Burrell 1994). For the first comers to human society were driven thereto by religion and by the natural instinct to propagate the human race (the former, a pious motive, the latter in the strict sense a gentle one). This is what gave a beginning to noble and lordly friendship (Burrell 1994).

Still talking of religion, it is noticed that even the heroic law which was a law of force was also subject to religion, which alone was able to keep force and arms in their place where judiciary laws did not yet exist or were no longer recognized or respected (Edet 2008; Edet 2009; Edet 2011; Aboh 2015). Every other institution has its nature, its time and guise of birth; and it is by the birth of all in due course that a nation is born and lives (Verene 1999).

THE INSTITUTION OF BURIAL

The second human institution is burial. In Vico's words, it goes back to a time when men ate fruit in summer and acorns in winter. Indeed, he continues, the word *humanitas* in Latin comes first and properly from *humando*, meaning, burying (Archambault & Paul 2005). If one were to consider this along with Vico's usage, one might then conclude that these early men buried their dead out of decorum or natural feelings which later found its expression in Roman law. Permit us a bit of further speculation here. We think the unpleasant atmosphere generated by those decaying corpses was what forced the early men to find someplace for them in the ground. Besides, it must have caused them some untold agony to see their known deceased ones decaying in the fields and probably being eaten up by vultures or other animals. Following this profound human feeling, coupled with the long practice of burning the dead, the community probably then made a law of it. This could have been the way it entered into Roman law (Tateo 2015).

CULTIVATION OF LAND

Having flown from the several ills they suffered in the dissensions which the above-described wild promiscuity produced, and seeking escape and safety, they betook themselves to the cultivated lands of the pious, chaste, strong, and even powerful, that is, of those who were already united in family society. It was from these lands that cities were given their name **ARAE** or **ALTARS**. This was the case throughout the ancient world of the gentiles. These must have been the first altars of the gentile nations, and the first fire lighted on them was, according to Vico, that which served to clear the forests of trees and bring them under cultivation, and the first water was that of the perennial springs, which were necessary in order that those destined to found humanity should no longer wander in bestial vagrancy in search of water, but settle for a long time in one place and give up vagabondage (Tateo 2015).

SUBSEQUENT DEVELOPMENTS

With settled life, all other things started taking shape. Religious ceremonies coloured marriage, childbirth, burial, the sowing and reaping of crops. The *New Science*, or metaphysics as

Vico calls it, studies also the common nature of nations in the light of divine providence. It discovers the origins of divine and human institutions among the gentile nations, thereby establishing a system of the natural law of the gentes, which proceeds with the greatest equality and constancy through the three ages which the Egyptians handed down to us as the three periods through which the world had passed up to their time (Andreoni 2014). These are:

- a. the age of the gods,
- b. the age of the heroes, and
- c. the age of men.

These accounts, says Vico, have been preserved for us by two great fragments, two great philological verities. The first is narrated by Herodotus who bases his account on the above-enumerated three Egyptian ages. The other as related in Scheffer's *De natura et constitutione philosophiae italicae seu pythagoricae*) tells us of the three spoken languages of the period :

- a. the first is *hieroglyphic*, with sacred characters;
- b. the second is *symbolic*, with heroic characters;
- c. the third is *epistolary*, with characters agreed on by the peoples.

Let us now begin to treat them one after another; first; the three Egyptian ages.

THE AGE OF THE GODS

This is the age, according to Vico, in which the gentiles believed they lived under divine governments, and everything was commanded them by auspices and oracles, which are the oldest institutions in profane history (Andreoni 2014). It is also an age during which the family-father was its king, priest and prophet, sacrificing to the gods to win their favour, and taking auspices to declare their will. He (the family-father) was the arbiter of right and wrong, rewarding the good and punishing the wrongdoer (Archambault & Paul 2005). This is the age Vico accuses Varro of ignorantly or negligently calling the dark time (Archambault & Paul 2005). This “state of the families,” “monastic, Cyclopean, monarchic,” and not the antecedent chaos, with its “bestial communism of women” and “confusion of human seeds,” was **the true state of nature** from which the civil state emerged; and the three pre-political institutions of religion, marriage, and burial of the dead were the first principles of the new science. This is the primitive stage of social evolution Vico called “the age of the gods” (Kilzer et al., 1948).

THE AGE OF THE HEROES

We wish to view this age under four sub-headings. This division, which is strictly ours, serves the purpose of helping us to see the stages through which it under-went.

i. A state of inequality: This is an age in which the-so-called heroes reigned everywhere in aristocratic commonwealths, on account of a certain superiority of nature which they held themselves to have over the plebs (Verene 1971). This superiority-complex on the part of these so-called heroes created a lot of chain reactions: there were differences of status among families; the heroes constituted the privileged few; the society went through dialectical change; etc. There were still some “lawless vagrants” living in and enjoying a good amount of chaos. In fact, a major

word that describes or characterises this age is *inequality*. There was inequality within the family, inequality between family and family, inequality even among vagrants.

ii. The weak as refugees: It is noticed that the more violent and enterprising among the vagrants raided the homesteads of the settlers, burnt or even carried off their crops. They also fed fat on their fellow vagrants, who were weaker and helpless and had given themselves up to the settlers for protection. The pious and the settled strong killed the violent among them and took the weak under their protection. Since the latter brought nothing with them but their lives, they were accepted as *famuli* and given the means of sustaining life. Vico tells us that the family took its name principally from these *famuli*, whose status roughly approximated that of the slaves who came later with the taking of prisoners in war (Tateo 2015). These refugees, so to say, came in and were received as dependents, “clients,” serfs, tillers of the soil, “hewers of wood and drawers of waters”. The family unit was thus enlarged and still further differentiated (Mackey 2017). The lesser class, i.e., the refugees, were seen as people without gods, and therefore had no share in divine institutions and consequently no community even of human institutions with the nobles. Above all, they lacked the right to celebrate solemn nuptials, which the Latins called *connubium*. The most solemn part of the ceremony was the taking of the auspices, because of which the nobles thought themselves to be of divine origin and held the *famuli* to be of bestial origin, as generated by nefarious couplings. Bound up with this distinction of a nobler nature we find, equally among the Egyptians, Greeks and Latins, a presumed natural heroism, as is more than sufficiently made plain to us in ancient Roman history (Bauer 2014).

Tension: There was, naturally, some tension between the various segments of the new society. This increased with each day. To the distinction between sex and generation, there is also a distinction between blood and class. The serfs of a family had less in common with its blood members than with the serfs of another; the father of a family had more in common with the father of another than with his own serfs.

Nobles in Mutual Alliances: To secure themselves against mutinies of their serfs as well as against outlaw invasions, the fathers formed mutual alliances, patrician orders. This united private interest of the fathers was called *patria*, which, the word *res* being understood, means “the interest of the fathers.” This was how the nobles came to be called *patricians*. They formed “heroic states,” with themselves as citizens of the first *patriae*, or *fatherlands* and the serfs as plebs. Vico tells us that the fathers must have chosen as their head a father fiercer than the rest and with a greater presence of spirit. Such men, Vico continues, were called *reges*, which properly means *to sustain or direct* (Raspudić 2015).

The heroic state was not a monarchy like the earlier family state, for its king, as has been pointed out, was simply one of the fathers, the magistrate of the order; often, in fact, there were two or more such magistrates. It was not a democracy, for the “people” was simply the patrician order, exclusive of the plebs; the only freedom, the only rights, were those of the patricians; the

fatherland was the land of the fathers. In fact, Fisch and Bergin describe it as a feudal aristocracy (Burrell 1994). This second stage of social evolution is what Vico called “the age of the heroes”.

THE AGE OF MEN

We shall treat this under four sub-headings. Our reason remains the same as stated above.

i. Plebeian Revolution: The plebeians, or the famuli, having no share, as we have seen, in the ownership of lands, which were all in the hands of the nobles, grew tired and weary of being obliged always to serve their lords. They grew tired of being treated as slaves without hope. Their lifestyle became more and more agonisingly monotonous. After a long period, they laid claim to the lands and rose in mutiny to enforce the claim, and revolted against the heroes in agrarian contests which were much more ancient than and very different from those that we read of in later Roman history (Verene 1999).

The whole life of these heroic states centred on the conflict between patricians and plebeians. The two classes, as Vico put it, had two eternal contrary properties:

- a. the plebeians wishing always to change the state, and
- b. the nobles wishing to preserve it as it was.

ii. The Status Quo: The patricians were better organized; they owned the land; they had the arms and the military discipline; they had a monopoly of public office and knowledge of the law. They alone knew how to ascertain the will and win the favour of the gods; the solemn rites of marriage and burial were theirs alone; and they were bound by oath to keep the plebs in subjection. They alone had the right to **all** the good things of life. As for the plebeians, **nothing**.

iii. Inevitable pressure: As things were, it had become inevitable that the plebs should press successively for land tenure, legal marriage, legitimate children, testamentary succession, citizenship, eligibility to office, and the sharing of the auspices, the key to all the rest.

iv. Inevitable change: As the plebs persistently continued with their pressure, it was inevitable that the ruling class should be compelled to admit the plebs to one right after another; rights they had at first guarded so jealously. This was how the heroic states were transformed into democratic or “free popular republics”. This was how the third stage of social evolution, the historical age, “the age of men” was born. It resulted in a situation in which all men recognized themselves as equal in human nature, and therefore there were established first the popular commonwealths and then the monarchies, both of which are forms of human governments (Edet 2009; Mackey 2017).

The people had finally come to understand that the rational nature (which is the true human nature) is equal in all men. From this natural equality (by occasions conceived in the ideal eternal history and encountered exactly in Roman history) they gradually brought the heroes to civil equality in popular commonwealths. This civil equality is symbolized by the balance, because, as the Greeks said, in the popular commonwealths everything goes by lot or by balance (Mackey 2017). Vico, however, notes that, as the free peoples could not by means of laws maintain themselves in civil equality because of the factions of the powerful, but were being driven to ruin

by civil wars, it came about naturally that, obeying a natural royal law or rather a natural custom of human peoples, they sought protection under monarchies, which constitute the other type of human government. This natural royal law, Vico notes further, is common to all peoples in all times in popular states which have grown corrupt, but the civil royal law, which is said to have been commanded by the Roman people to legitimize the Roman monarchy in the person of Augustus, is shown in his *Principles of Universal Law* to have been a fable.

CONCLUSION

In the foregoing, this paper has attempted a discourse on man's creation of institutions from the perspectives of Giambattista Vico. What is to be noted is that, in all the process of the creation of these institutions by man, reason and perseverance won it all and held sway. To corroborate the above, it is instructive to conclude this piece with the words of Fisch and Bergin who averred that it was their economic and social position in relation to each other, and not a difference of mentality, which determined that in the long unfolding of legal change the plebeians should represent reason and the patrician's authority. The approximation of law to equity, the gradual establishment of equal rights, was brought about by the struggle of the plebeians to acquire full *humanitas*. The vindication of the rational nature of man as man was a historical process, the same process by which the rationality was achieved; and the mainspring of the process was the dialectical opposition of the classes (Brown, 1945).

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