

# George Buchanan and Marsilius of Padua on Political Consensus

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**Abstract:** Marsilius of Padua and George Buchanan are separated by more than two centuries, but I would nevertheless like to show in this paper that the attitudes of both thinkers towards the legitimization and limitation of rule by consensus are very similar. Both Marsilius and Buchanan accept the people as sovereign and ultimate legislator, and both argue for constitutionalism, i.e. the power of the ruler is limited by law. But the two different historical contexts also create differences: Marsilius is more oriented towards Italian city states and argues for an elective monarchy, while Buchanan has 16<sup>th</sup> century Scotland in mind and argues for a hereditary monarchy.

Nevertheless, consensus has similar functions in both authors: it causes rulership, it legitimizes rule and it limits the exercise of power. Moreover, Buchanan adopts key points of Marsilius' political philosophy: constitutionalism, contractarianism, popular sovereignty, the qualitative and quantitative conception of the *pars valencior*, and the summation argument, plus the naturalist and rational method. Buchanan can therefore rightly be described as a follower of Marsilius.

**Keywords:** Consensus, Contractarianism, Popular Sovereignty, Legitimization of Rulership, Marsilius of Padua, George Buchanan.