

essays on
freedom
and power

LORD ACTON

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essays on
FREEDOM AND POWER

by John Emerich Edward Dalberg Acton
FIRST BARON ACTON

Selected, and with a new introduction
by Gertrude Himmelfarb

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Contents

INTRODUCTION	7
CHAPTER I	
<i>Inaugural Lecture on the Study of History</i>	25
CHAPTER II	
<i>The History of Freedom in Antiquity</i>	53
CHAPTER III	
<i>The History of Freedom in Christianity</i>	82
CHAPTER IV	
<i>The Protestant Theory of Persecution</i>	113
CHAPTER V	
<i>Nationality</i>	141
CHAPTER VI	
<i>Political Causes of the American Revolution</i>	171
CHAPTER VII	
<i>The Background of the French Revolution</i>	225
CHAPTER VIII	
<i>Conflicts with Rome</i>	244
CHAPTER IX	
<i>The Vatican Council</i>	275
CHAPTER X	
<i>Acton-Creighton Correspondence</i>	328

of truths revealed by experience, is eminently practical, as an instrument of action and a power that goes to the making of the future. In France, such is the weight attached to the study of our own time, that there is an appointed course of contemporary history, with appropriate textbooks. That is a chair which, in the progressive division of labour by which both science and government prosper, may some day be founded in this country. Meantime, we do well to acknowledge the points at which the two epochs diverge. For the contemporary differs from the modern in this, that many of its facts cannot by us be definitely ascertained. The living do not give up their secrets with the candour of the dead; one key is always excepted, and a generation passes before we can ensure accuracy. Common report and outward seeming are bad copies of the reality, as the initiated know it. Even of a thing so memorable as the war of 1870, the true cause is still obscure; much that we believed has been scattered to the winds in the last six months, and further revelations by important witnesses are about to appear. The use of history turns far more on certainty than on abundance of acquired information.

Beyond the question of certainty is the question of detachment. The process by which principles are discovered and appropriated is other than that by which, in practice, they are applied; and our most sacred and disinterested convictions ought to take shape in the tranquil regions of the air, above the tumult and the tempest of active life. For a man is justly despised who has one opinion in history and another in politics, one for abroad and another at home, one for opposition and another for office. History compels us to fasten on abiding issues, and rescues us from the temporary and transient. Politics and history are interwoven, but are not commensurate. Ours is a domain that reaches farther than affairs of state, and is not subject to the jurisdiction of governments. It is our function to keep in view and to command the movement of ideas, which are not the effect but the cause of public events;

and even to allow some priority to ecclesiastical history over civil, since, by reason of the graver issues concerned, and the vital consequences of error, it opened the way in research, and was the first to be treated by close reasoners and scholars of the higher rank.

In the same manner, there is wisdom and depth in the philosophy which always considers the origin and the germ, and glories in history as one consistent epic. Yet every student ought to know that mastery is acquired by resolved limitation. And confusion ensues from the theory of Montesquieu and of his school, who, adapting the same term to things unlike, insist that freedom is the primitive condition of the race from which we are sprung. If we are to account mind not matter, ideas not force, the spiritual property that gives dignity and grace and intellectual value to history, and its action on the ascending life of man, then we shall not be prone to explain the universal by the national, and civilization by custom. A speech of Antigone, a single sentence of Socrates, a few lines that were inscribed on an Indian rock before the Second Punic War, the footsteps of a silent yet prophetic people who dwelt by the Dead Sea, and perished in the fall of Jerusalem, come nearer to our lives than the ancestral wisdom of barbarians who fed their swine on the Hercynian acorns.

For our present purpose, then, I describe as modern history that which begins four hundred years ago, which is marked off by an evident and intelligible line from the time immediately preceding, and displays in its course specific and distinctive characteristics of its own. The modern age did not proceed from mediæval by normal succession, with outward tokens of legitimate descent. Unheralded, it founded a new order of things, under a law of innovation, sapping the ancient reign of continuity. In those days Columbus subverted the notions of the world, and reversed the conditions of production, wealth, and power; in those days Machiavelli released government from the restraint of law; Erasmus diverted the current of

ancient learning from profane into Christian channels; Luther broke the chain of authority and tradition at the strongest link; and Copernicus erected an invincible power that set forever the mark of progress upon the time that was to come. There is the same unbound originality and disregard for inherited sanctions in the rare philosophers as in the discovery of Divine Right, and the intruding Imperialism of Rome. The like effects are visible everywhere, and one generation beheld them all. It was an awakening of new life; the world revolved in a different orbit, determined by influences unknown before. After many ages persuaded of the headlong decline and impending dissolution of society, and governed by usage and the will of masters who were in their graves, the sixteenth century went forth armed for untried experience, and ready to watch with hopefulness a prospect of incalculable change.

That forward movement divides it broadly from the older world; and the unity of the new is manifest in the universal spirit of investigation and discovery which did not cease to operate, and withstood the recurring efforts of reaction, until, by the advent of the reign of general ideas which we call the Revolution, it at length prevailed. This successive deliverance and gradual passage, for good and evil, from subordination to independence is a phenomenon of primary import to us, because historical science has been one of its instruments. If the Past has been an obstacle and a burden, knowledge of the Past is the safest and the surest emancipation. And the earnest search for it is one of the signs that distinguish the four centuries of which I speak from those that went before. The Middle Ages, which possessed good writers of contemporary narrative, were careless and impatient of older fact. They became content to be deceived, to live in a twilight of fiction, under clouds of false witness, inventing according to convenience, and glad to welcome the forger and the cheat. As time went on, the atmosphere of accredited mendacity thickened, until in the Renaissance,

the art of exposing falsehood dawned upon keen Italian minds. It was then that history as we understand it began to be understood, and the illustrious dynasty of scholars arose to whom we still look both for method and material. Unlike the dreaming prehistoric world, ours knows the need and the duty to make itself master of the earlier times, and to forfeit nothing of their wisdom or their warnings, and has devoted its best energy and treasure to the sovereign purpose of detecting error and vindicating entrusted truth.

In this epoch of full-grown history men have not acquiesced in the given conditions of their lives. Taking little for granted they have sought to know the ground they stand on, and the road they travel, and the reason why. Over them, therefore, the historian has obtained an increasing ascendancy. The law of stability was overcome by the power of ideas, constantly varied and rapidly renewed; ideas that give life and motion, that take wing and traverse seas and frontiers, making it futile to pursue the consecutive order of events in the seclusion of a separate nationality. They compel us to share the existence of societies wider than our own, to be familiar with distant and exotic types, to hold our march upon the loftier summits, along the central range, to live in the company of heroes, and saints, and men of genius, that no single country could produce. We cannot afford wantonly to lose sight of great men and memorable lives, and are bound to store up objects for admiration as far as may be; for the effect of implacable research is constantly to reduce their number. No intellectual exercise, for instance, can be more invigorating than to watch the working of the mind of Napoleon, the most entirely known as well as the ablest of historic men. In another sphere, it is the vision of a higher world to be intimate with the character of Fénelon, the cherished model of politicians, ecclesiastics, and men of letters, the witness against one century and precursor of another, the advocate of the poor against oppression, of liberty in an age of arbitrary power, of tolerance in an age of persecu-

because it is the best known and the most explicit. Earlier scenes stand out from a background of obscurity. We soon reach the sphere of hopeless ignorance and unprofitable doubt. But hundreds and even thousands of the moderns have borne testimony against themselves, and may be studied in their private correspondence and sentenced on their own confession. Their deeds are done in the daylight. Every country opens its archives and invites us to penetrate the mysteries of State. When Hallam wrote his chapter on James II, France was the only Power whose reports were available. Rome followed, and the Hague; and then came the stores of the Italian States, and at last the Prussian and the Austrian papers, and partly those of Spain. Where Hallam and Lingard were dependent on Barillon, their successors consult the diplomacy of ten governments. The topics, indeed, are few on which the resources have been so employed that we can be content with the work done for us and never wish it to be done over again. Part of the lives of Luther and Frederic, a little of the Thirty Years' War, much of the American Revolution and the French Restoration, the early years of Richelieu and Mazarin, and a few volumes of Mr. Gardiner, show here and there like Pacific islands in the ocean. I should not even venture to claim for Ranke, the real originator of the heroic study of records, and the most prompt and fortunate of European pathfinders, that there is one of his seventy volumes that has not been overtaken and in part surpassed. It is through his accelerating influence mainly that our branch of study has become progressive, so that the best master is quickly distanced by the better pupil. The Vatican archives alone, now made accessible to the world, filled 3,239 cases when they were sent to France; and they are not the richest. We are still at the beginning of the documentary age, which will tend to make history independent of historians, to develop learning at the expense of writing, and to accomplish a revolution in other sciences as well.

To men in general I would justify the stress I am laying on modern history, neither by urging its varied wealth, nor

the rupture with precedent, nor the perpetuity of change and increase of pace, nor the growing predominance of opinion over belief, and of knowledge over opinion, but by the argument that it is a narrative told of ourselves, the record of a life which is our own, of efforts not yet abandoned to repose, of problems that still entangle the feet and vex the hearts of men. Every part of it is weighty with inestimable lessons that we must learn by experience and at a great price, if we know not how to profit by the example and teaching of those who have gone before us, in a society largely resembling the one we live in. Its study fulfills its purpose even if it only makes us wiser, without producing books, and gives us the gift of historical thinking, which is better than historical learning. It is a most powerful ingredient in the formation of character and the training of talent, and our historical judgments have as much to do with hopes of heaven as public or private conduct. Convictions that have been strained through the instances and the comparisons of modern times differ immeasurably in solidity and force from those which every new fact perturbs, and which are often little better than illusions or unsifted prejudice.

The first of human concerns is religion, and it is the salient feature of modern centuries. They are signalised as the scene of Protestant developments. Starting from a time of extreme indifference, ignorance, and decline, they were at once occupied with that conflict which was to rage so long, and of which no man could imagine the infinite consequences. Dogmatic conviction—for I shun to speak of faith in connection with many characters of those days—dogmatic conviction rose to be the centre of universal interest, and remained down to Cromwell the supreme influence and motive of public policy. A time came when the intensity of prolonged conflict, when even the energy of antagonistic assurance abated somewhat, and the controversial spirit began to make room for the scientific; and as the storm subsided, and the area of settled questions emerged, much of the dispute was abandoned to the serene and

or prospect of prevailing over the nations; and they were concerned with the individual more than with the congregation, with conventicles, not with State churches. Their view was narrowed, but their sight was sharpened. It appeared to them that governments and institutions are made to pass away, like things of earth, whilst souls are immortal; that there is no more proportion between liberty and power than between eternity and time; that, therefore, the sphere of enforced command ought to be restricted within fixed limits, and that which had been done by authority, and outward discipline, and organised violence, should be attempted by division of power, and committed to the intellect and the conscience of free men. Thus was exchanged the dominion of will over will for the dominion of reason over reason. The true apostles of toleration are not those who sought protection for their own beliefs, or who had none to protect; but men to whom, irrespective of their cause, it was a political, a moral, and a theological dogma, a question of conscience involving both religion and policy. Such a man was Socinus; and others arose in the smaller sects,—the Independent founder of the colony of Rhode Island, and the Quaker patriarch of Pennsylvania. Much of the energy and zeal which had laboured for authority of doctrine was employed for liberty of prophesying. The air was filled with the enthusiasm of a new cry; but the cause was still the same. It became a boast that religion was the mother of freedom, that freedom was the lawful offspring of religion; and this transmutation, this subversion of established forms of political life by the development of religious thought, brings us to the heart of my subject, to the significant and central feature of the historical cycles before us. Beginning with the strongest religious movement and the most refined despotism ever known, it has led to the superiority of politics over divinity in the life of nations, and terminates in the equal claim of every man to be unhindered by man in the fulfillment of duty to God—a doctrine laden with storm

and havoc, which is the secret essence of the Rights of Man, and indestructible soul of Revolution.

When we consider what the adverse forces were, their sustained resistance, their frequent recovery, the critical moments when the struggle seemed for ever desperate, in 1685, in 1772, in 1808, it is no hyperbole to say that the progress of the world towards self-government would have been arrested but for the strength afforded by the religious motive in the seventeenth century. And this constancy of progress, of progress in the direction of organised and assured freedom, is the characteristic fact of modern history, and its tribute to the theory of Providence. Many persons, I am well assured, would detect that this is a very old story, and a trivial commonplace, and would challenge proof that the world is making progress in aught but intellect, that it is gaining in freedom, or that increase in freedom is either a progress or a gain. Ranke, who was my own master, rejected the view that I have stated; Comte, the master of better men, believed that we drag a lengthening chain under the gathered weight of the dead hand; and many of our recent classics—Carlyle, Newman, Froude—were persuaded that there is no progress justifying the ways of God to man, and that the mere consolidation of liberty is like the motion of creatures whose advance is in the direction of their tails. They deem that anxious precaution against bad government is an obstruction to good, and degrades morality and mind by placing the capable at the mercy of the incapable, dethroning enlightened virtue for the benefit of the average man. They hold that great and salutary things are done for mankind by power concentrated, not by power balanced and cancelled and dispersed, and that the whig theory, sprung from decomposing sects, the theory that authority is legitimate only by virtue of its checks, and that the sovereign is dependent on the subject, is rebellion against the divine will manifested all down the stream of time.

I state the objection not that we may plunge into the

crucial controversy of a science that is not identical with ours, but in order to make my drift clear by the defining aid of express contradiction. No political dogma is as serviceable to my purpose here as the historian's maxim to do the best he can for the other side, and to avoid pertinacity or emphasis on his own. Like the economic precept *laissez faire*, which the eighteenth century derived from Colbert, it has been an important, if not a final step in the making of method. The strongest and most impressive personalities, it is true, like Macaulay, Thiers, and the two greatest of living writers, Mommsen and Treitschke, project their own broad shadow upon their pages. This is a practice proper to great men, and a great man may be worth several immaculate historians. Otherwise there is virtue in the saying that a historian is seen at his best when he does not appear. Better for us is the example of the Bishop of Oxford, who never lets us know what he thinks of anything but the matter before him; and of his illustrious French rival, Fustel de Coulanges, who said to an excited audience: "Do not imagine you are listening to me; it is history itself that speaks." We can find no philosophy on the observation of four hundred years, excluding three thousand. It would be an imperfect and a fallacious induction. But I hope that even this narrow and disedifying section of history will aid you to see that the action of Christ who is risen on mankind whom he redeemed fails not, but increases; that the wisdom of divine rule appears not in the perfection but in the improvement of the world and that achieved liberty is the one ethical result that rests on the converging and combined conditions of advancing civilisation. Then you will understand what a famous philosopher said, that history is the true demonstration of religion.

But what do people mean who proclaim that liberty is the palm, and the prize, and the crown, seeing that it is an idea of which there are two hundred definitions, and that this wealth of interpretation has caused more bloodshed than anything, except theology? Is it Democracy as in France, or Federalism as in America, or the national inde-

pendence which bounds the Italian view, or the reign of the fittest, which is the ideal of Germans? I know not whether it will ever fall within my sphere of duty to trace the slow progress of that idea through the chequered scenes of our history, and to describe how subtle speculations touching the nature of conscience promoted a nobler and more spiritual conception of the liberty that protects it, until the guardian of rights developed into the guardian of duties which are the cause of rights, and that which had been prized as the material safeguard for treasures of earth became sacred as security for things that are divine. All that we require is a work-day key to history, and our present need can be supplied without pausing to satisfy philosophers. Without inquiring how far Sarasa or Butler, Kant or Vinet, is right as to the infallible voice of God in man, we may easily agree in this, that where absolutism reigned, by irresistible arms, concentrated possessions, auxiliary churches, and inhuman laws, it reigns no more; that commerce having risen against land, labour against wealth, the State against the forces dominant in society, the division of power against the State, the thought of individuals against the practice of ages, neither authorities, nor minorities, nor majorities can command implicit obedience; and, where there has been long and arduous experience, a rampart of tried conviction and accumulated knowledge, where there is a fair level of general morality, education, courage, and self-restraint, there, if there only, a society may be found that exhibits the condition of life towards which, by elimination of failures, the world has been moving through the allotted space. You will know it by outward signs: Representation, the extinction of slavery, the reign of opinion, and the like; better still by less apparent evidences: the security of the weaker groups and the liberty of conscience, which, effectually secured, secures the rest.

Here we reach a point at which my argument threatens to abut on a contradiction. If the supreme conquests of society are won more often by violence than by lenient arts,

if the trend and drift of things is towards convulsions and catastrophes, if the world owes religious liberty to the Dutch Revolution, constitutional government to the English, federal republicanism to the American, political equality to the French and its successors, what is to become of us, docile and attentive students of the absorbing past? The triumph of the Revolutionist annuls the historian. By its authentic exponents, Jefferson and Siéyès, the Revolution of the last century repudiates history. Their followers renounced acquaintance with it, and were ready to destroy its records and to abolish its inoffensive professors. But the unexpected truth, stranger than fiction, is that this was not the ruin but the renovation of history. Directly and indirectly, by process of development and by process of reaction, an impulse was given which made it infinitely more effectual as a factor of civilisation than ever before, and a movement began in the world of minds which was deeper and more serious than the revival of ancient learning. The dispensation under which we live and labour consists first in the recoil from the negative spirit that rejected the law of growth, and partly in the endeavour to classify and adjust the Revolution, and to account for it by the natural working of historic causes. The Conservative line of writers, under the name of the Romantic or Historical School, had its seat in Germany, looked upon the Revolution as an alien episode, the error of an age, a disease to be treated by the investigation of its origin, and strove to unite the broken threads and to restore the normal conditions of organic evolution. The Liberal School, whose home was France, explained and justified the Revolution as a true development, and the ripened fruit of all history. These are the two main arguments of the generation to which we owe the notion and the scientific methods that make history so unlike what it was to the survivors of the last century. Severally, the innovators were not superior to the men of old. Muratori was as widely read, Tillemont as accurate, Leibniz as able, Freret as acute, Gibbon as masterly in the craft of composite construction. Nevertheless, in the

second quarter of this century, a new era began for historians.

I would point to three things in particular, out of many, which constitute the amended order. Of the incessant deluge of new and unsuspected matter I need say little. For some years, the secret archives of the papacy were accessible at Paris; but the time was not ripe, and almost the only man whom they availed was the archivist himself. Towards 1830 the documentary studies began on a large scale, Austria leading the way. Michelet, who claims, towards 1836, to have been the pioneer, was preceded by such rivals as Mackintosh, Bucholtz, and Mignet. A new and more productive period began thirty years later, when the war of 1859 laid open the spoils of Italy. Every country in succession has now allowed the exploration of its records, and there is more fear of drowning than of drought. The result has been that a lifetime spent in the largest collection of printed books would not suffice to train a real master of modern history. After he had turned from literature to sources, from Burnet to Pocock, from Macaulay to Madame Campana, from Thiers to the interminable correspondence of the Bonapartes, he would still feel instant need of inquiry at Venice or Naples, in the Ossuna library or at the Hermitage.

These matters do not now concern us. For our purpose, the main thing to learn is not the art of accumulating material, but the sublimer art of investigating it, of discerning truth from falsehood and certainty from doubt. It is by solidity of criticism more than by the plentitude of erudition, that the study of history strengthens, and straightens, and extends the mind. And the accession of the critic in the place of the indefatigable compiler, of the artist in coloured narrative, the skilled limner of character, the persuasive advocate of good, or other, causes, amounts to a transference of government, to a change of dynasty, in the historic realm. For the critic is one who, when he lights on an interesting statement, begins by suspecting it. He remains in suspense until he has subjected his authority to three oper-

ations. First, he asks whether he has read the passage as the author wrote it. For the transcriber, and the editor, and the official or officious censor on the top of the editor, have played strange tricks, and have much to answer for. And if they are not to blame, it may turn out that the author wrote his book twice over, that you can discover the first jet, the progressive variations, things added, and things struck out. Next is the question where the writer got his information. If from a previous writer, it can be ascertained, and the inquiry has to be repeated. If from unpublished papers, they must be traced, and when the fountain-head is reached, or the track disappears, the question of veracity arises. The responsible writer's character, his position, antecedents, and probable motives have to be examined into; and this is what, in a different and adapted sense of the word, may be called the higher criticism, in comparison with the servile and often mechanical work of pursuing statements to their root. For a historian has to be treated as a witness, and not believed unless his sincerity is established. The maxim that a man must be presumed to be innocent until his guilt is proved, was not made for him.

For us, then, the estimate of authorities, the weighing of testimony, is more meritorious than the potential discovery of new matter. And modern history, which is the widest field of application, is not the best to learn our business in; for it is too wide, and the harvest has not been winnowed as in antiquity, and further on to the Crusades. It is better to examine what has been done for questions that are compact and circumscribed, such as the sources of Plutarch's *Pericles*, the two tracts on *Athenian Government*, the origin of the *Epistle to Diognetus*, the date of the *Life of St. Antony*; and to learn from Schwegler how this analytical work began. More satisfying because more decisive has been the critical treatment of the mediæval writers, parallel with the new editions, on which incredible labour has been lavished, and of which we have no better examples than the prefaces of Bishop Stubbs. An important event in

this series was the attack on Dino Compagni, which, for the sake of Dante, roused the best Italian scholars to a not unequal contest. When we are told that England is behind the Continent in critical faculty, we must admit that this is true as to quantity, not as to quality of work. As they are no longer living, I will say of two Cambridge professors, Lightfoot and Hort, that they were critical scholars whom neither Frenchman nor German has surpassed.

The third distinctive note of the generation of writers who dug so deep a trench between history as known to our grandfathers and as it appears to us is their dogma of impartiality. To an ordinary man the word means no more than justice. He considers that he may proclaim the merits of his own religion, of his prosperous and enlightened country, of his political persuasion, whether democracy, or liberal monarchy, or historical conservatism, without transgression or offense, so long as he is fair to the relative, though inferior, merits of others, and never treats men as saints or as rogues for the side they take. There is no impartiality, he would say, like that of a hanging judge. The men who, with the compass of criticism in their hands, sailed the unchartered sea of original research proposed a different view. History, to be above evasion or dispute, must stand on documents, not on opinions. They had their own notion of truthfulness, based on the exceeding difficulty of finding truth, and the still greater difficulty of impressing it when found. They thought it possible to write, with so much scruple, and simplicity, and insight, as to carry along with them every man of good will, and, whatever his feelings, to compel his assent. Ideas which, in religion and in politics, are truths, in history are forces. They must be respected; they must not be affirmed. By dint of a supreme reserve, by much self-control, by a timely and discreet indifference, by secrecy in the matter of the black cap, history might be lifted above contention, and made an accepted tribunal, and the same for all. If men were truly sincere, and delivered judgment by no canons but those of evident morality, then Julian would be described in the

same terms by Christian and pagan, Luther by Catholic and Protestant, Washington by Whig and Tory, Napoleon by patriotic Frenchman and patriotic German.

I speak of this school with reverence, for the good it has done, by the assertion of historic truth and of its legitimate authority over the minds of men. It provides a discipline which every one of us does well to undergo, and perhaps also well to relinquish. For it is not the whole truth. Lanfrey's essay on Carnot, Chuquet's wars of the Revolution, Ropes' military histories, Roget's Geneva in the time of Calvin, will supply you with examples of a more robust impartiality than I have described. Renan calls it the luxury of an opulent and aristocratic society, doomed to vanish in an age of fierce and sordid striving. In our universities it has a magnificent and appointed refuge; and to serve its cause, which is sacred, because it is the cause of truth and honour, we may import a profitable lesson from the highly unscientific region of public life. There a man does not take long to find out that he is opposed by some who are abler and better than himself. And, in order to understand the cosmic force and the true connection of ideas, it is a source of power, and an excellent school of principle, not to rest until, by excluding the fallacies, the prejudices, the exaggerations which perpetual contention and the consequent precautions breed, we have made out for our opponents a stronger and more impressive case than they present themselves. Excepting one to which we are coming before I release you, there is no precept less faithfully observed by historians.

Ranke is the representative of the age which instituted the modern study of history. He taught it to be critical, to be colourless, and to be new. We meet him at every step, and he has done more for us than any other man. There are stronger books than any one of his, and some may have surpassed him in political, religious, philosophic insight, in vividness of the creative imagination, in originality, elevation, and depth of thought; but by the extent of important work well executed, by his influence on able men, and by

the amount of knowledge which mankind receives and employs with the stamp of his mind upon it, he stands without a rival. I saw him last in 1877, when he was feeble, sunken, and almost blind, and scarcely able to read or write. He uttered his farewell with a kindly emotion, and I feared that the next I should hear of him would be the news of his death. Two years later he began a *Universal History*, which is not without traces of weakness, but which, composed after the age of eighty-three, and carried, in seventeen volumes, far into the Middle Ages, brings to a close the most astonishing career in literature.

His course had been determined, in early life, by *Quentin Durward*. The shock of the discovery that Scott's *Lewis the Eleventh* was inconsistent with the original in *Commines* made him resolve that his object thenceforth should be above all things to follow, without swerving, and in stern subordination and surrender, the lead of his authorities. He decided effectually to repress the poet, the patriot, the religious or political partisan, to sustain no cause, to vanish himself from his books, and to write nothing that would gratify his own feelings or disclose his private convictions. When a strenuous divine, who, like him, had written on the Reformation, hailed him as a comrade, *Ranke* repelled his advances. "You," he said, "are in the first place a Christian: I am in the first place a historian. There is a gulf between us." He was the first eminent writer who exhibited what Michelet calls *le désintéressement des morts*. It was a moral triumph for him when he could refrain from judging, show that much might be said on both sides, and leave the rest to Providence. He would have felt sympathy with the two famous London physicians of our day, of whom it is told that they could not make up their minds on a case and reported dubiously. The head of the family insisted on a positive opinion. They answered that they were unable to give one, but he might easily find fifty doctors who could.

Niebuhr had pointed out that chroniclers who wrote before the invention of printing generally copied one prede-

cessor at a time, and knew little about sifting or combining authorities. The suggestion became luminous in Ranke's hands, and with his light and dexterous touch he scrutinised and dissected the principal historians, from Machiavelli to the *Mémoires d'un Homme d'État*, with a rigour never before applied to moderns. But whilst Niebuhr dismissed the traditional story, replacing it with a construction of his own, it was Ranke's mission to preserve, not to undermine, and to set up masters whom, in their proper sphere, he could obey. The many excellent dissertations in which he displayed this art, though his successors in the next generation matched his skill and did still more thorough work, are the best introduction from which we can learn the technical process by which within living memory the study of modern history has been renewed. Ranke's contemporaries, weary of his neutrality and suspense, and of the useful but subordinate work that was done by beginners who borrowed his wand, thought that too much was made of these obscure preliminaries which a man may accomplish for himself, in the silence of his chamber, with less demand on the attention of the public. That may be reasonable in men who are practised in these fundamental technicalities. We who have to learn them must immerse ourselves in the study of the great examples.

Apart from what is technical, method is only the reduplication of common sense, and is best acquired by observing its use by the ablest men in every variety of intellectual employment. Bentham acknowledged that he learned less from his own profession than from writers like Linnaeus and Cullen; and Brougham advised the student of Law to begin with Dante. Liebig described his *Organic Chemistry* as an application of ideas found in Mill's *Logic*, and a distinguished physician, not to be named lest he should overhear me, read three books to enlarge his medical mind; and they were Gibbon, Grote, and Mill. He goes on to say, "An educated man cannot become so on one study alone, but must be brought under the influence of natural, civil, and moral modes of thought." I quote my

Progress: to maintain that persons of vast
 remain the same, in the otherwise progress
 becomes impossible.
 Inaugural Lecture on the Study of History 45

colleague's golden words in order to reciprocate them. If men of science owe anything to us, we may learn much from them that is essential. For they can show how to test proof, how to secure fulness and soundness in induction, how to restrain and to employ with safety hypothesis and analogy. It is they who hold the secret of the mysterious property of the mind by which error ministers to truth, and truth slowly but irrevocably prevails. Theirs is the logic of discovery, the demonstration of the advance of knowledge and the development of ideas, which as the earthly wants and passions of men remain almost unchanged, are the charter of progress and the vital spark in history. And they often give us invaluable counsel when they attend to their own subjects and address their own people. Remember Darwin taking note only of those passages that raised difficulties in his way; the French philosopher complaining that his work stood still, because he found no more contradicting facts; Baer, who thinks error treated thoroughly nearly as remunerative as truth, by the discovery of new objections; for, as Sir Robert Ball warns us, it is by considering objections that we often learn. Faraday declared that "in knowledge, that man only is to be condemned and despised who is not in a state of transition." And John Hunter spoke for all of us when he said: "Never ask me what I have said or what I have written; but if you will ask me what my present opinions are, I will tell you."

From the first years of the century we have been quickened and enriched by contributors from every quarter. The jurists brought us that law of continuous growth which has transformed history from a chronicle of casual occurrences into the likeness of something organic. Towards 1820 divines began to recast their doctrines on the lines of development, of which Newman said, long after that evolution had come to confirm it. Even the economists, who were practical men, dissolved their science into liquid history, affirming that it is not an auxiliary, but the actual subject-matter of their inquiry. Philosophers claim that, as

early as 1804, they began to bow the metaphysical neck beneath the historical yoke. They taught that philosophy is only the amended sum of all philosophies, that systems pass with the age whose impress they bear, that the problem is to focus the rays of wandering but extant truth, and that history is the source of philosophy, if not quite a substitute for it. Comte begins a volume with the words that the preponderance of history over philosophy was the characteristic of the time he lived in. Since Cuvier first recognised the conjunction between the course of inductive discovery and the course of civilisation, science had its share in saturating the age with historic ways of thought, and subjecting all things to that influence for which the depressing names historicism and historical-mindedness have been devised.

There are certain faults which are corrigible mental defects on which I ought to say a few denouncing words, because they are common to us all. First: the want of an energetic understanding of the sequence and real significance of events, which would be fatal to a practical politician, is ruin to a student of history, who is the politician with his face turned backwards. It is playing at study, to see nothing but the unmeaning and unsuggestive surface, as we generally do. Then we have a curious proclivity to neglect, and by degrees to forget, what has been certainly known. An instance or two will explain my idea. The most popular English writer relates how it happened in his presence that the title of Tory was conferred upon the Conservative party. For it was an opprobrious name at the time, applied to men for whom the Irish Government offered head-money; so that if I have made too sure of progress, I may at least complacently point to this instance of our mended manners. One day, Titus Oates lost his temper with the men who refused to believe him, and, after looking about for a scorching imprecation, he began to call them Tories. The name remained; but its origin, attested by Defoe, dropped out of common memory, as if one

party were ashamed of their godfather, and the other did not care to be identified with his cause and character. You all know, I am sure, the story of the news of Trafalgar, and how, two days after it had arrived, Mr. Pitt, drawn by an enthusiastic crowd, went to dine in the city. When they drank the health of the minister who had saved his country, he declined the praise. "England," he said, "has saved herself by her own energy; and I hope that after having saved herself by her energy, she will save Europe by her example." In 1814, when this hope had been realised, the last speech of the great orator was remembered, and a medal was struck upon which the whole sentence was engraved, in four words of compressed Latin: *Seipsam virtute, Europam exemplo*. Now it was just at the time of his last appearance in public that Mr. Pitt heard of the overwhelming success of the French in Germany, and of the Austrian surrender at Ulm. His friends concluded that the contest on land was hopeless, and that it was time to abandon the Continent to the conqueror, and to fall back upon our new empire of the sea. Pitt did not agree with them. He said that Napoleon would meet with a check whenever he encountered a national resistance; and he declared that Spain was the place for it, and that then England would intervene. General Wellesley, fresh from India, was present. Ten years later, when he had accomplished that which Pitt had seen in the lucid prescience of his last days, he related at Paris what I scarcely hesitate to call the most astounding and profound prediction in all political history, where such things have not been rare.

I shall never again enjoy the opportunity of speaking my thoughts to such an audience as this, and on so privileged an occasion a lecturer may well be tempted to bethink himself whether he knows of any neglected truth, any cardinal proposition, that might serve as his selected epigraph, as a last signal, perhaps even as a target. I am not thinking of those shining precepts which are the registered property of every school; that is to say—Learn as much by writing as by reading; be not content with the best book;

upon men and actions in history, just as they do in common life; and are not formed out of events and characters, either present or past. History is a preceptor of prudence, not of principles. The principles of true politics are those of morality enlarged; and I neither now do, nor ever will admit of any other."

Whatever a man's notions of these later centuries are, such, in the main, the man himself will be. Under the name of History, they cover the articles of his philosophic, his religious, and his political creed. They give his measure; they denote his character: and, as praise is the shipwreck of historians, his preferences betray him more than his aversions. Modern history touches us so nearly, it is so deep a question of life and death, that we are bound to find our own way through it, and to owe our insight to ourselves. The historians of former ages, unapproachable for us in knowledge and in talent, cannot be our limit. We have the power to be more rigidly impersonal, disinterested and just than they; and to learn from undisguised and genuine records to look with remorse upon the past, and to the future with assured hope of better things; bearing this in mind, that if we lower our standard in history, we cannot uphold it in Church or State.

the Fathers of the Republic as widely as Monarchy from Democracy, for he is expected to make 70,000 changes in the public service; fifty years ago John Quincy Adams dismissed only two men. The purchase of judicial appointments is manifestly indefensible; yet in the old French monarchy that monstrous practice created the only corporation able to resist the king. Official corruption, which would ruin a commonwealth, serves in Russia as a salutary relief from the pressure of absolutism. There are conditions in which it is scarcely a hyperbole to say that slavery itself is a stage on the road to freedom. Therefore we are not so much concerned this evening with the dead letter of edicts and of statutes as with the living thoughts of men. A century ago it was perfectly well known that whoever had one audience of a Master in Chancery was made to pay for three, but no man heeded the enormity until it suggested to a young lawyer that it might be well to question and examine with rigorous suspicion every part of a system in which such things were done. The day on which that gleam lighted up the clear, hard mind of Jeremy Bentham is memorable in the political calendar beyond the entire administration of many statesmen. It would be easy to point out a paragraph in St. Augustine, or a sentence of Grotius that outweighs in influence the Acts of fifty Parliaments, and our cause owes more to Cicero and Seneca, to Vinet and Tocqueville, than to the laws of Lycurgus or the Five Codes of France.

By liberty I mean the assurance that every man shall be protected in doing what he believes his duty against the influence of authority and majorities, custom and opinion.

The State is competent to assign duties and draw the line between good and evil only in its immediate sphere. Beyond the limits of things necessary for its well-being, it can only give indirect help to fight the battle of life by promoting the influences which prevail against temptation,—religion, education, and the distribution of wealth. In ancient times the State absorbed authorities not its own, and intruded on the domain of personal freedom. In

the Middle Ages it possessed too little authority, and suffered others to intrude. Modern States fall habitually into both excesses. The most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities. Liberty, by this definition, is the essential condition and guardian of religion; and it is in the history of the Chosen People, accordingly, that the first illustrations of my subject are obtained. The government of the Israelites was a federation, held together by no political authority, but by the unity of race and faith, and founded, not on physical force, but on a voluntary covenant. The principle of self-government was carried out not only in each tribe, but in every group of at least 120 families; and there was neither privilege of rank nor inequality before the law. Monarchy was so alien to the primitive spirit of the community that it was resisted by Samuel in that momentous protestation and warning which all the kingdoms of Asia and many of the kingdoms of Europe have unceasingly confirmed. The throne was erected on a compact; and the king was deprived of the right of legislation among a people that recognized no lawgiver but God, whose highest aim in politics was to restore the original purity of the constitution, and to make its government conform to the ideal type that was hallowed by the sanctions of heaven. The inspired men who rose in un failing succession to prophesy against the usurper and the tyrant, constantly proclaimed that the laws, which were divine, were paramount over sinful rulers, and appealed from the established authorities, from the king, the priests, and the princes of the people, to the healing forces that slept in the uncorrupted consciences of the masses. Thus the example of the Hebrew nation laid down the parallel lines on which all freedom has been won—the doctrine of national tradition and the doctrine of the higher law; the principle that a constitution grows from a root, by process of development, and not of essential change; and the principle that all political authorities must be tested and reformed according to a code which

was not made by man. The operation of these principles, in unison, or in antagonism, occupies the whole of the space we are going over together.

The conflict between liberty under divine authority and the absolutism of human authorities ended disastrously. In the year 622 a supreme effort was made at Jerusalem to reform and preserve the State. The High Priest produced from the temple of Jehovah the book of the deserted and forgotten law, and both king and people bound themselves by solemn oaths to observe it. But that early example of limited monarchy and of the supremacy of law neither lasted nor spread; and the forces by which freedom has conquered must be sought elsewhere. In the very year 586, in which the flood of Asiatic despotism closed over the city which had been, and was destined again to be, the sanctuary of freedom in the East, a new home was prepared for it in the West, where, guarded by the sea and the mountains, and by valiant hearts, that stately plant was reared under whose shade we dwell, and which is extending its invincible arms so slowly and yet so surely over the civilised world.

According to a famous saying of the most famous authoress of the Continent, liberty is ancient, and it is despotism that is new. It has been the pride of recent historians to vindicate the truth of that maxim. The heroic age of Greece confirms it, and it is still more conspicuously true of Teutonic Europe. Wherever we can trace the earlier life of the Aryan nations we discover germs which favouring circumstances and assiduous culture might have developed into free societies. They exhibit some sense of common interest in common concerns, little reverence for external authority, and an imperfect sense of the function and supremacy of the State. Where the division of property and labour is incomplete there is little division of classes and of power. Until societies are tried by the complex problems of civilisation they may escape despotism, as societies that are undisturbed by religious diversity avoid persecution. In general, the forms of the

and he left them in possession, only transferring to wealth what had been the privilege of birth. To the rich, who alone had the means of sustaining the burden of public service in taxation and war, Solon gave a share of power proportioned to the demands made on their resources. The poorest classes were exempt from direct taxes, but were excluded from office. Solon gave them a voice in electing magistrates from the classes above them, and the right of calling them to account. This concession, apparently so slender, was the beginning of a mighty change. It introduced the idea that a man ought to have a voice in selecting those to whose rectitude and wisdom he is compelled to trust his fortune, his family, and his life. And this idea completely inverted the notion of human authority, for it inaugurated the reign of moral influence where all political power had depended on moral force. Government by consent superseded government by compulsion, and the pyramid which had stood on a point was made to stand upon its base. By making every citizen the guardian of his own interest Solon admitted the element of democracy into the State. The greatest glory of a ruler, he said, is to create a popular government. Believing that no man can be entirely trusted, he subjected all who exercised power to the vigilant control of those for whom they acted.

The only resource against political disorders that had been known till then was the concentration of power. Solon undertook to effect the same object by the distribution of power. He gave to the common people as much influence as he thought them able to employ, that the State might be exempt from arbitrary government. It is the essence of democracy, he said, to obey no master but the law. Solon recognised the principle that political forms are not final or inviolable, and must adapt themselves to facts; and he provided so well for the revision of his constitution, without breach of continuity or loss of stability, that for centuries after his death the Attic orators attributed to him, and quoted by his name, the whole structure of Athenian law. The direction of its growth was deter-

the class which formed what we should call the third estate was brought down to 14,000 citizens, and became about equal in numbers with the higher ranks. Pericles held that every Athenian who neglected to take his part in the public business inflicted an injury on the commonwealth. That none might be excluded by poverty, he caused the poor to be paid for their attendance out of the funds of the State; for his administration of the federal tribute had brought together a treasure of more than two million sterling. The instrument of his sway was the art of speaking. He governed by persuasion. Everything was decided by argument in open deliberation, and every influence bowed before the ascendancy of mind. The idea that the object of constitutions is not to confirm the predominance of any interest, but to prevent it; to preserve with equal care the independence of labour and the security of property; to make the rich safe against envy, and the poor against oppression, marks the highest level attained by the statesmanship of Greece. It hardly survived the great patriot who conceived it; and all history has been occupied with the endeavour to upset the balance of power by giving the advantage to money, land, or numbers. A generation followed that has never been equalled in talent—a generation of men whose works, in poetry and eloquence, are still the envy of the world, and in history, philosophy, and politics remain unsurpassed. But it produced no successor to Pericles, and no man was able to wield the sceptre that fell from his hand.

It was a momentous step in the progress of nations when the principle that every interest should have the right and the means of asserting itself was adopted by the Athenian Constitution. But for those who were beaten in the vote there was no redress. The law did not check the triumph of majorities or rescue the minority from the dire penalty of having been outnumbered. When the overwhelming influence of Pericles was removed, the conflict between classes raged without restraint, and the slaughter that befell the higher ranks in the Peloponnesian war gave

an irresistible preponderance to the lower. The restless and inquiring spirit of the Athenians was prompt to unfold the reason of every institution and the consequences of every principle, and their Constitution ran its course from infancy to decrepitude with unexampled speed.

Two men's lives span the interval from the first admission of popular influence, under Solon, to the downfall of the State. Their history furnishes the classic example of the peril of democracy under conditions singularly favourable. For the Athenians were not only brave and patriotic and capable of generous sacrifice, but they were the most religious of the Greeks. They venerated the Constitution which had given them prosperity, and equality, and freedom, and never questioned the fundamental laws which regulated the enormous power of the Assembly. They tolerated considerable variety of opinion and great licence of speech; and their humanity towards their slaves roused the indignation even of the most intelligent partisan of aristocracy. Thus they became the only people of antiquity that grew great by democratic institutions. But the possession of unlimited power, which corrodes the conscience, hardens the heart, and confounds the understanding of monarchs, exercised its demoralising influence on the illustrious democracy of Athens. It is bad to be oppressed by a minority, but it is worse to be oppressed by a majority. For there is a reserve of latent power in the masses which, if it is called into play, the minority can seldom resist. But from the absolute will of an entire people there is no appeal, no redemption, no refuge but treason. The humblest and most numerous class of the Athenians united the legislative, the judicial, and, in part, the executive power. The philosophy that was then in the ascendant taught them that there is no law superior to that of the State—the lawgiver is above the law.

It followed that the sovereign people had a right to do whatever was within its power, and was bound by no rule of right or wrong but its own judgment of expediency. On a memorable occasion the assembled Athenians de-

clared it monstrous that they should be prevented from doing whatever they chose. No force that existed could restrain them; and they resolved that no duty should restrain them, and that they would be bound by no laws that were not of their own making. In this way the emancipated people of Athens became a tyrant; and their government, the pioneer of European freedom, stands condemned with a terrible unanimity by all the wisest of the ancients. They ruined their city by attempting to conduct war by debate in the marketplace. Like the French Republic, they put their unsuccessful commanders to death. They treated their dependencies with such injustice that they lost their maritime Empire. They plundered the rich until the rich conspired with the public enemy, and they crowned their guilt by the martyrdom of Socrates.

When the absolute sway of numbers had endured for nearly a quarter of a century, nothing but bare existence was left for the State to lose; and the Athenians, wearied and despondent, confessed the true cause of their ruin. They understood that for liberty, justice, and equal laws, it is as necessary that democracy should restrain itself as it had been that it should restrain the oligarchy. They resolved to take their stand once more upon the ancient ways, and to restore the order of things which had subsisted when the monopoly of power had been taken from the rich and had not been acquired by the poor. After a first restoration had failed, which is only memorable because Thucydides, whose judgment in politics is never at fault, pronounced it the best government Athens had enjoyed, the attempt was renewed with more experience and greater singleness of purpose. The hostile parties were reconciled, and proclaimed an amnesty, the first in history. They resolved to govern by concurrence. The laws, which had the sanction of tradition, were reduced to a code; and no act of the sovereign assembly was valid with which they might be found to disagree. Between the sacred lines of the Constitution which were to remain inviolate, and the decrees which met from time to time the needs and no-

tions of the day, a broad distinction was drawn; and the fabric of a law which had been the work of generations was made independent of momentary variations in the popular will. The repentance of the Athenians came too late to save the Republic. But the lesson of their experience endures for all times, for it teaches that government by the whole people, being the government of the most numerous and most powerful class, is an evil of the same nature as unmixed monarchy, and requires, for nearly the same reasons, institutions that shall protect it against itself, and shall uphold the permanent reign of law against arbitrary revolutions of opinion.

Parallel with the rise and fall of Athenian freedom, Rome was employed in working out the same problems, with greater constructive sense, and greater temporary success, but ending at last in a far more terrible catastrophe. That which among the ingenious Athenians had been a development carried forward by the spell of plausible argument, was in Rome a conflict between rival forces. Speculative politics had no attraction for the grim and practical genius of the Romans. They did not consider what would be the cleverest way of getting over a difficulty, but what way was indicated by analogous cases; and they assigned less influence to the impulse and spirit of the moment, than to precedent and example. Their peculiar character prompted them to ascribe the origin of their laws to early times, and in their desire to justify the continuity of their institutions, and to get rid of the reproach of innovation, they imagined the legendary history of the kings of Rome. The energy of their adherence to traditions made their progress slow, they advanced only under compulsion of almost unavoidable necessity, and the same questions recurred often, before they were settled. The constitutional history of the Republic turns on the endeavours of the aristocracy, who claimed to be the only true Romans, to retain in their hands the power they had wrested from the kings, and of the plebeians to get an equal share in it. And this controversy, which the eager

The Empire preserved the Republican forms until the reign of Diocletian; but the will of the Emperors was as uncontrolled as that of the people had been after the victory of the Tribunes. Their power was arbitrary even when it was most widely employed, and yet the Roman Empire rendered greater services to the cause of liberty than the Roman Republic. I do not mean by reason of the temporary accident that there were emperors who made good use of their immense opportunities, such as Nerva, of whom Tacitus says that he combined monarchy and liberty, things otherwise incompatible; or that the Empire was what its panegyrists declared it, the perfection of democracy. In truth, it was at best an ill-disguised and odious despotism. But Frederic the Great was a despot; yet he was a friend to toleration and free discussion. The Bonapartes were despotic; yet no liberal ruler was ever more acceptable to the masses of the people than the First Napoleon, after he had destroyed the Republic, in 1805, and the Third Napoleon at the height of his power in 1859. In the same way, the Roman Empire possessed merits which, at a distance, and especially at a great distance of time, concern men more deeply than the tragic tyranny which was felt in the neighbourhood of the Palace. The poor had what they had demanded in vain of the Republic. The rich fared better than during the Triumvirate. The rights of Roman citizens were extended to the people of the provinces. To the imperial epoch belong the better part of Roman literature and nearly the entire Civil Law; and it was the Empire that mitigated slavery, instituted religious toleration, made a beginning of the law of nations, and created a perfect system of the law of property. The Republic which Cæsar overthrew had been anything but a free State. It provided admirable securities for the rights of citizens; it treated with savage disregard the rights of men; and allowed the free Roman to inflict atrocious wrongs on his children, on debtors and dependants, on prisoners and slaves. Those deeper ideas of right and duty, which are not found on the tables of municipal

law, but with which the generous minds of Greece were conversant, were held of little account, and the philosophy which dealt with such speculations was repeatedly proscribed, as a teacher of sedition and impiety.

At length, in the year 155, the Athenian philosopher Carneades appeared at Rome on a political mission. During an interval of official business he delivered two public orations, to give the unlettered conquerors of his country a taste of the disputations that flourished in the Attic schools. On the first day he discoursed of natural justice. On the next, he denied its existence, arguing that all our notions of good and evil are derived from positive enactment. From the time of that memorable display, the genius of the vanquished held its conquerors in thrall. The most eminent of the public men of Rome, such as Scipio and Cicero, formed their minds on Grecian models, and her youths underwent the rigorous discipline of Zeno and Chrysippus.

If, drawing the limit in the second century, when the influence of Christianity becomes perceptible, we should form our judgment of the politics of antiquity by its actual legislation, our estimate would be low. The prevailing notions of freedom were imperfect, and the endeavours to realise them were wide of the mark. The ancients understood the regulation of power better than the regulation of liberty. They concentrated so many prerogatives in the State as to leave no footing from which a man could deny its jurisdiction or assign bounds to its activity. If I may employ an expressive anachronism, the vice of the classic State was that it was both Church and State in one. Morality was undistinguished from religion and politics from morals; and in religion, morality, and politics there was only one legislator and one authority. The State, while it did deplorably little for education, for practical science, for the indigent and helpless, or for the spiritual needs of man, nevertheless claimed the use of all his faculties and the determination of all his duties. Individuals and families, associations and dependencies were so much material

that the sovereign power consumed for its own purposes. What the slave was in the hands of his master, the citizen was in the hands of the community. The most sacred obligations vanished before the public advantage. The passengers existed for the sake of the ship. By their disregard for private interests, and for the moral welfare and improvement of the people, both Greece and Rome destroyed the vital elements on which the prosperity of nations rests, and perished by the decay of families and the depopulation of the country. They survive not in their institutions, but in their ideas, and by their ideas, especially on the art of government, they are—

*The dead, but sceptred sovereigns who still rule
Our spirits from their urns.*

To them, indeed, may be tracked nearly all the errors that are undermining political society—communism, utilitarianism, the confusion between tyranny and authority, and between lawlessness and freedom.

The notion that men lived originally in a state of nature, by violence and without laws, is due to Critias. Communism in its grossest form was recommended by Diogenes of Sinope. According to the Sophists, there is no duty above expediency and no virtue apart from pleasure. Laws are an invention of weak men to rob their betters of the reasonable enjoyment of their superiority. It is better to inflict than to suffer wrong; and as there is no greater good than to do evil without fear of retribution, so there is no worse evil than to suffer without the consolation of revenge. Justice is the mask of a craven spirit; injustice is worldly wisdom; and duty, obedience, self-denial are the impostures of hypocrisy. Government is absolute, and may ordain what it pleases, and no subject can complain that it does him wrong, but as long as he can escape compulsion and punishment, he is always free to disobey. Happiness consists in obtaining power and in eluding the necessity of obedience; and he that gains a throne by perfidy and murder, deserves to be truly envied.

Epicurus differed but little from the propounders of the code of revolutionary despotism. All societies, he said, are founded on contract for mutual protection. Good and evil are conventional terms, for the thunderbolts of heaven fall alike on the just and the unjust. The objection to wrongdoing is not the act, but in its consequences to the wrongdoer. Wise men contrive laws, not to bind, but to protect themselves; and when they prove to be unprofitable they cease to be valid. The illiberal sentiments of even the most illustrious metaphysicians are disclosed in the saying of Aristotle, that the mark of the worst governments is that they leave men free to live as they please.

If you will bear in mind that Socrates, the best of the pagans, knew of no higher criterion for men, of no better guide of conduct, than the laws of each country; that Plato, whose sublime doctrine was so near an anticipation of Christianity that celebrated theologians wished his works to be forbidden, lest men should be content with them, and indifferent to any higher dogma—to whom was granted that prophetic vision of the Just Man, accused, condemned and scourged, and dying on a Cross—nevertheless employed the most splendid intellect ever bestowed on man to advocate the abolition of the family and the exposure of infants; that Aristotle, the ablest moralist of antiquity, saw no harm in making raids upon a neighbouring people, for the sake of reducing them to slavery—still more, if you will consider that, among the moderns, men of genius equal to these have held political doctrines not less criminal or absurd—it will be apparent to you how stubborn a phalanx of error blocks the paths of truth; that pure reason is as powerless as custom to solve the problem of free government; that it can only be the fruit of long, manifold, and painful experience; and that the tracing of the methods by which divine wisdom has educated the nations to appreciate and to assume the duties of freedom, is not the least part of that true philosophy that studies to

*Assert eternal Providence,
And justify the ways of God to men.*

But, having sounded the depth of their errors, I should give you a very inadequate idea of the wisdom of the ancients if I allowed it to appear that their precepts were no better than their practice. While statesmen and senates and popular assemblies supplied examples of every description of blunder, a noble literature arose, in which a priceless treasure of political knowledge was stored, and in which the defects of the existing institutions were exposed with unsparing sagacity. The point on which the ancients were most nearly unanimous is the right of the people to govern, and their inability to govern alone. To meet this difficulty, to give to the popular element a full share without a monopoly of power, they adopted very generally the theory of a mixed Constitution. They differed from our notion of the same thing, because modern Constitutions have been a device for limiting monarchy; with them they were invented to curb democracy. The idea arose in the time of Plato—though he repelled it—when the early monarchies and oligarchies had vanished, and it continued to be cherished long after all democracies had been absorbed in the Roman Empire. But whereas a sovereign prince who surrenders part of his authority yields to the argument of superior force, a sovereign people relinquishing its own prerogative succumbs to the influence of reason. And it has in all times proved more easy to create limitations by the use of force than by persuasion.

The ancient writers saw very clearly that each principle of government standing alone is carried to excess and provokes a reaction. Monarchy hardens into despotism. Aristocracy contracts into oligarchy. Democracy expands into the supremacy of numbers. They therefore imagined that to restrain each element by combining it with the others would avert the natural process of self-destruction, and endow the State with perpetual youth. But this harmony

of monarchy, aristocracy, and democracy blended together, which was the ideal of many writers, and which they supposed to be exhibited by Sparta, by Carthage, and by Rome, was a chimera of philosophers never realised by antiquity. At last Tacitus, wiser than the rest, confessed that the mixed Constitution, however admirable in theory, was difficult to establish and impossible to maintain. His disheartening avowal is not disowned by later experience.

The experiment has been tried more often than I can tell, with a combination of resources that were unknown to the ancients—with Christianity, parliamentary government, and a free press. Yet there is no example of such a balanced Constitution having lasted a century. If it has succeeded anywhere it has been in our favoured country and in our time; and we know not yet how long the wisdom of the nation will preserve the equipoise. The Federal check was as familiar to the ancients as the Constitutional. For the type of all their Republics was the government of a city by its own inhabitants meeting in the public place. An administration embracing many cities was known to them only in the form of the oppression which Sparta exercised over the Messenians, Athens over her Confederates, and Rome over Italy. The resources which, in modern times, enabled a great people to govern itself through a single centre did not exist. Equality could be preserved only by federalism; and it occurs more often amongst them than in the modern world. If the distribution of power among the several parts of the State is the most efficient restraint on monarchy, the distribution of power among several States is the best check on democracy. By multiplying centres of government and discussion it promotes the diffusion of political knowledge and the maintenance of healthy and independent opinion. It is the protectorate of minorities, and the consecration of self-government. But although it must be enumerated among the better achievements of practical genius in antiquity, it arose from necessity, and its properties were imperfectly investigated in theory.

When the Greeks began to reflect on the problems of society, they first of all accepted things as they were, and did their best to explain and defend them. Inquiry, which with us is stimulated by doubt, began with them in wonder. The most illustrious of the early philosophers, Pythagoras, promulgated a theory for the preservation of political power in the educated class, and ennobled a form of government which was generally founded on popular ignorance and on strong class interests. He preached authority and subordination, and dwelt more on duties than on rights, on religion than on policy; and his system perished in the revolution by which oligarchies were swept away. The revolution afterwards developed its own philosophy, whose excesses I have described.

But between the two eras, between the rigid didactics of the early Pythagoreans and the dissolving theories of Protagoras, a philosopher arose who stood aloof from both extremes, and whose difficult sayings were never really understood or valued until our time. Heraclitus, of Ephesus, deposited his book in the temple of Diana. The book has perished, like the temple and the worship, but its fragments have been collected and interpreted with incredible ardour, by the scholars, the divines, the philosophers, and politicians who have been engaged the most intensely in the toil and stress of this century. The most renowned logician of the last century adopted every one of his propositions; and the most brilliant agitator among Continental Socialists composed a work of eight hundred and forty pages to celebrate his memory.

Heraclitus complained that the masses were deaf to truth, and knew not that one good man counts for more than thousands; but he held the existing order in no superstitious reverence. Strife, he says, is the source and the master of all things. Life is perpetual motion, and repose is death. No man can plunge twice into the same current, for it is always flowing and passing, and is never the same. The only thing fixed and certain in the midst of change is the universal and sovereign reason, which all

men may not perceive, but which is common to all. Laws are sustained by no human authority, but by virtue of their derivation from the one law that is divine. These sayings, which recall the grand outlines of political truth which we have found in the Sacred Books, and carry us forward to the latest teaching of our most enlightened contemporaries, would bear a good deal of elucidation and comment. Heraclitus is, unfortunately, so obscure that Socrates could not understand him, and I won't pretend to have succeeded better.

If the topic of my address was the history of political science, the highest and the largest place would belong to Plato and Aristotle. The *Laws* of the one, the *Politics* of the other, are, if I may trust my own experience, the books from which we may learn the most about the principles of politics. The penetration with which those great masters of thought analysed the institutions of Greece, and exposed their vices, is not surpassed by anything in later literature; by Burke or Hamilton, the best political writers of the last century; by Tocqueville or Roscher, the most eminent of our own. But Plato and Aristotle were philosophers, studious not of unguided freedom, but of intelligent government. They saw the disastrous effects of ill-directed striving for liberty; and they resolved that it was better not to strive for it, but to be content with a strong administration, prudently adapted to make men prosperous and happy.

Now liberty and good government do not exclude each other; and there are excellent reasons why they should go together. Liberty is not a means to a higher political end. It is itself the highest political end. It is not for the sake of a good public administration that it is required, but for security in the pursuit of the highest objects of civil society, and of private life. Increase of freedom in the State may sometimes promote mediocrity, and give vitality to prejudice; it may even retard useful legislation, diminish the capacity for war, and restrict the boundaries of Empire. It might be plausibly argued that, if many things

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 The History of Freedom in Antiquity 75

would be worse in England or Ireland under an intelligent despotism, some things would be managed better; that the Roman government was more enlightened under Augustus and Antoninus than under the Senate, in the days of Marius or of Pompey. A generous spirit prefers that his country should be poor, and weak, and of no account, but free, rather than powerful, prosperous, and enslaved. It is better to be the citizen of a humble commonwealth in the Alps, without a prospect of influence beyond the narrow frontier, than a subject of the superb autocracy that over- shadows half of Asia and of Europe. But it may be urged, on the other side, that liberty is not the sum or the substitute of all the things men ought to live for; that to be real it must be circumscribed, and that the limits of circumscription vary; that advancing civilisation invests the State with increased rights and duties, and imposes increased burdens and constraint on the subject; that a highly instructed and intelligent community may perceive the benefit of compulsory obligations which, at a lower stage, would be thought unbearable; that liberal progress is not vague or indefinite, but aims at a point where the public is subject to no restrictions but those of which it feels the advantage; that a free country may be less capable of doing much for the advancement of religion, the prevention of vice, or the relief of suffering, than one that does not shrink from confronting great emergencies by some sacrifice of individual rights, and some concentration of power; and that the supreme political object ought to be sometimes postponed to still higher moral objects. My argument involves no collision with these qualifying reflections. We are dealing, not with the effects of freedom, but with its causes. We are seeking out the influences which brought arbitrary government under control, either by the diffusion of power, or by the appeal to an authority which transcends all government, and among those influences the greatest philosophers of Greece have no claim to be reckoned.

It is the Stoics who emancipated mankind from its sub-

reward in self-denial and sacrifice, acting from the motive of sympathy and not of personal advantage. Therefore we must treat others as we wish to be treated by them, and must persist until death in doing good to our enemies, regardless of unworthiness and ingratitude. For we must be at war with evil, but at peace with men, and it is better to suffer than to commit injustice. True freedom, says the most eloquent of the Stoics, consists in obeying God. A State governed by such principles as these would have been free far beyond the measure of Greek or Roman freedom; for they open a door to religious toleration, and close it against slavery. Neither conquest nor purchase, said Zeno, can make one man the property of another.

These doctrines were adopted and applied by the great jurists of the Empire. The law of nature, they said, is superior to the written law, and slavery contradicts the law of nature. Men have no right to do what they please with their own, or to make profit out of another's loss. Such is the political wisdom of the ancients, touching the foundations of liberty, as we find it in its highest development, in Cicero, and Seneca, and Philo, a Jew of Alexandria. Their writings impress upon us the greatness of the work of preparation for the Gospel which had been accomplished among men on the eve of the mission of the Apostles. St. Augustine, after quoting Seneca, exclaims: "What more could a Christian say than this Pagan has said?" The enlightened pagans had reached nearly the last point attainable without a new dispensation, when the fulness of time was come. We have seen the breadth and the splendour of the domain of Hellenic thought, and it has brought us to the threshold of a greater kingdom. The best of the later classics speak almost the language of Christianity, and they border on its spirit.

But in all that I have been able to cite from classical literature, three things are wanting,—representative government, the emancipation of the slaves, and liberty of conscience. There were, it is true, deliberative assemblies, chosen by the people; and confederate cities, of which,

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both in Asia and Africa, there were so many ^{leagues}, sent their delegates to sit in Federal Councils. But government by an elected Parliament was even in theory a thing unknown. It is congruous with the nature of Polytheism to admit some measure of toleration. And Socrates, when he avowed that he must obey God rather than the Athenians, and the Stoics, when they set the wise man above the law, were very near giving utterance to the principle. But it was first proclaimed and established by enactment, not in polytheistic and philosophical Greece, but in India, by Asoka, the earliest of the Buddhist kings, two hundred and fifty years before the birth of Christ.

Slavery has been, far more than intolerance, the perpetual curse and reproach of ancient civilisation, and although its rightfulness was disputed as early as the days of Aristotle, and was implicitly, if not definitely, denied by several Stoics, the moral philosophy of the Greeks and Romans, as well as their practice, pronounced decidedly in its favour. But there was one extraordinary people who, in this as in other things, anticipated the purer precept that was to come. Philo of Alexandria is one of the writers whose views on society were most advanced. He applauds not only liberty but equality in the enjoyment of wealth. He believes that a limited democracy, purged of its grosser elements, is the most perfect government, and will extend itself gradually over all the world. By freedom he understood the following of God. Philo, though he required that the condition of the slave should be made compatible with the wants and claims of his higher nature, did not absolutely condemn slavery. But he has put on record the customs of the Essenes of Palestine, a people who, uniting the wisdom of the Gentiles with the faith of the Jews, led lives which were uncontaminated by the surrounding civilisation, and were the first to reject slavery both in principle and practice. They formed a religious community rather than a State, and their numbers did not exceed 4,000. But their example testifies to how great a height religious men were able to raise their conception of

freedom from politics!

had been defined by a force external to its own. That was the great problem which philosophy had raised, and which no statesmanship had been able to solve. Those who proclaimed the assistance of a higher authority had indeed drawn a metaphysical barrier before the governments, but they had not known how to make it real. All that Socrates could effect by way of protest against the tyranny of the reformed democracy was to die for his convictions. The Stoics could only advise the wise man to hold aloof from politics, keeping the unwritten law in his heart. But when Christ said: "Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's," those words, spoken on His last visit to the Temple, three days before His death, gave to the civil power, under the protection of conscience, a sacredness it had never enjoyed, and bounds it had never acknowledged; and they were the repudiation of absolutism and the inauguration of freedom. For our Lord not only delivered the precept, but created the force to execute it. To maintain the necessary immunity in one supreme sphere, to reduce all political authority within defined limits, ceased to be an aspiration of patient reasoners, and was made the perpetual charge and care of the most energetic institution and the most universal association in the world. The new law, the new spirit, the new authority, gave to liberty a meaning and a value it had not possessed in the philosophy or in the constitution of Greece or Rome before the knowledge of the truth that makes us free.

The ablest writer of the Ghibelline party was Marsilius of Padua. "Laws," he said, "derive their authority from the nation, and are invalid without its assent. As the whole is greater than any part, it is wrong that any part should legislate for the whole; and as men are equal, it is wrong that one should be bound by laws made by another. But in obeying laws to which all men have agreed, all men, in reality, govern themselves. The monarch, who is instituted by the legislature to execute its will, ought to be armed with a force sufficient to coerce individuals, but not sufficient to control the majority of the people. He is responsible to the nation, and subject to the law; and the nation that appoints him, and assigns him his duties, has to see that he obeys the Constitution, and has to dismiss him if he breaks it. The rights of citizens are independent of the faith they profess; and no man may be punished for his religion." This writer, who saw in some respects farther than Locke or Montesquieu, who, in regard to the sovereignty of the nation, representative government, the superiority of the legislature over the executive, and the liberty of conscience, had so firm a grasp of the principles that were to sway the modern world, lived in the reign of Edward II, five hundred and fifty years ago.

It is significant that these two writers should agree on so many of the fundamental points which have been, ever since, the topic of controversy; for they belonged to hostile schools, and one of them would have thought the other worthy of death. St. Thomas would have made the papacy control all Christian governments. Marsilius would have had the clergy submit to the law of the land; and would have put them under restrictions both as to property and numbers. As the great debate went on, many things gradually made themselves clear, and grew into settled convictions. For these were not only the thoughts of prophetic minds that surpassed the level of contemporaries; there was some prospect that they would master the practical world. The ancient reign of the barons was seriously threatened. The opening of the East by the Crusades had

imparted a great stimulus to industry. A stream set in from the country to the towns, and there was no room for the government of towns in the feudal machinery. When men found a way of earning a livelihood without depending for it on the good will of the class that owned the land, the landowner lost much of his importance, and it began to pass to the possessors of movable wealth. The townspeople not only made themselves free from the control of prelates and barons, but endeavoured to obtain for their own class and interest the command of the State.

The fourteenth century was filled with the tumult of this struggle between democracy and chivalry. The Italian towns, foremost in intelligence and civilisation, led the way with democratic constitutions of an ideal and generally an impracticable type. The Swiss cast off the yoke of Austria. Two long chains of free cities arose, along the valley of the Rhine, and across the heart of Germany. The citizens of Paris got possession of the king, reformed the State, and began their tremendous career of experiments to govern France. But the most healthy and vigorous growth of municipal liberties was in Belgium, of all countries on the Continent, that which has been from immemorial ages the most stubborn in its fidelity to the principle of self-government. So vast were the resources concentrated in the Flemish towns, so widespread was the movement of democracy, that it was long doubtful whether the new interest would not prevail, and whether the ascendancy of the military aristocracy would not pass over to the wealth and intelligence of the men that lived by trade. But Rienzi, Marcel, Artevelde, and the other champions of the unripe democracy of those days, lived and died in vain. The upheaval of the middle class had disclosed the need, the passions, the aspirations of the suffering poor below; ferocious insurrections in France and England caused a reaction that retarded for centuries the readjustment of power, and the red spectre of social revolution arose in the track of democracy. The armed citizens of Ghent were crushed by the French chivalry; and monarchy alone

reaped the fruit of the change that was going on in the position of classes, and stirred the minds of men.

Looking back over the space of a thousand years, which we call the Middle Ages, to get an estimate of the work they had done, if not towards perfection in their institutions, at least towards attaining the knowledge of political truth, this is what we find: Representative government, which was unknown to the ancients, was almost universal. The methods of election were crude; but the principle that no tax was lawful that was not granted by the class that paid it—that is, that taxation was inseparable from representation—was recognised, not as the privilege of certain countries, but as the right of all. Not a prince in the world, said Philip de Commines, can levy a penny without the consent of the people. Slavery was almost everywhere extinct; and absolute power was deemed more intolerable and more criminal than slavery. The right of insurrection was not only admitted but defined, as a duty sanctioned by religion. Even the principles of the Habeas Corpus Act, and the method of the income tax, were already known. The issue of ancient politics was an absolute state planted on slavery. The political produce of the Middle Ages was a system of states in which authority was restricted by the representation of powerful classes, by privileged associations, and by the acknowledgment of duties superior to those which are imposed by man.

As regards the realisation in practice of what was seen to be good, there was almost everything to do. But the great problems of principle had been solved, and we come to the question, How did the sixteenth century husband the treasure which the Middle Ages had stored up? The most visible sign of the times was the decline of the religious influence that had reigned so long. Sixty years passed after the invention of printing, and thirty thousand books had issued from European presses, before anybody undertook to print the Greek Testament. In the days when every State made the unity of faith its first care, it came to be thought that the rights of men, and the duties of neigh-

hours and of rulers towards them, varied according to their religion; and society did not acknowledge the same obligations to a Turk or a Jew, a pagan or a heretic, or a devil worshipper, as to an orthodox Christian. As the ascendancy of religion grew weaker, this privilege of treating its enemies on exceptional principles was claimed by the State for its own benefit; and the idea that the ends of government justify the means employed was worked into system by Machiavelli. He was an acute politician, sincerely anxious that the obstacles to the intelligent government of Italy should be swept away. It appeared to him that the most vexatious obstacle to intellect is conscience, and that the vigorous use of statecraft necessary for the success of difficult schemes would never be made if governments allowed themselves to be hampered by the precepts of the copy-book.

His audacious doctrine was avowed in the succeeding age by men whose personal character stood high. They saw that in critical times good men have seldom strength for their goodness, and yield to those who have grasped the meaning of the maxim that you cannot make an omelette if you are afraid to break the eggs. They saw that public morality differs from private, because no government can turn the other cheek, or can admit that mercy is better than justice. And they could not define the difference or draw the limits of exception; or tell what other standard for a nation's acts there is than the judgment which Heaven pronounces in this world by success.

Machiavelli's teaching would hardly have stood the test of parliamentary government, for public discussion demands at least the profession of good faith. But it gave an immense impulse to absolutism by silencing the consciences of very religious kings, and made the good and the bad very much alike. Charles V offered 5,000 crowns for the murder of an enemy. Ferdinand I and Ferdinand II, Henry III and Louis XIII each caused his most powerful subject to be treacherously despatched. Elizabeth and Mary Stuart tried to do the same to each other. The way was

paved for absolute monarchy to triumph over the spirit and institutions of a better age, not by isolated acts of wickedness, but by a studied philosophy of crime and so thorough a perversion of the moral sense that the like of it had not been since the Stoics reformed the morality of paganism.

The clergy, who had in so many ways served the cause of freedom during the prolonged strife against feudalism and slavery, were associated now with the interest of royalty. Attempts had been made to reform the Church on the Constitutional model; they had failed, but they had united the hierarchy and the crown against the system of divided power as against a common enemy. Strong kings were able to bring the spirituality under subjection in France and Spain, in Sicily and in England. The absolute monarchy of France was built up in the two following centuries by twelve political cardinals. The kings of Spain obtained the same effect almost at a single stroke by reviving and appropriating to their own use the tribunal of the Inquisition, which had been growing obsolete, but now served to arm them with terrors which effectually made them despotic. One generation beheld the change all over Europe, from the anarchy of the days of the Roses to the passionate submission, the gratified acquiescence in tyranny that marks the reign of Henry VIII and the kings of his time.

The tide was running fast when the Reformation began at Wittenberg, and it was to be expected that Luther's influence would stem the flood of absolutism. For he was confronted everywhere by the compact alliance of the Church with the State; and a great part of his country was governed by hostile potentates who were prelates of the Court of Rome. He had, indeed, more to fear from temporal than from spiritual foes. The leading German bishops wished that the Protestant demands should be conceded; and the Pope himself vainly urged on the Emperor a conciliatory policy. But Charles V had outlawed Luther, and attempted to waylay him; and the Dukes of Bavaria were active in beheading and burning his disciples, whilst the

at that time left it to its course. Scotland was the only kingdom in which the Reformation triumphed over the resistance of the State; and Ireland was the only instance where it failed, in spite of government support. But in almost every other case, both the princes that spread their canvas to the gale and those that faced it, employed the zeal, the alarm, the passions it aroused as instruments for the increase of power. Nations eagerly invested their rulers with every prerogative needed to preserve their faith, and all the care to keep Church and State asunder, and to prevent the confusion of their powers, which had been the work of ages, was renounced in the intensity of the crisis. Atrocious deeds were done, in which religious passion was often the instrument, but policy was the motive.

Fanaticism displays itself in the masses, but the masses were rarely fanaticised, and the crimes ascribed to it were commonly due to the calculations of dispassionate politicians. When the King of France undertook to kill all the Protestants, he was obliged to do it by his own agents. It was nowhere the spontaneous act of the population, and in many towns and in entire provinces the magistrates refused to obey. The motive of the Court was so far from mere fanaticism that the Queen immediately challenged Elizabeth to do the like to the English Catholics. Francis I and Henry II sent nearly a hundred Huguenots to the stake, but they were cordial and assiduous promoters of the Protestant religion in Germany. Sir Nicholas Bacon was one of the ministers who suppressed the mass in England. Yet when the Huguenot refugees came over he liked them so little that he reminded Parliament of the summary way in which Henry V at Agincourt dealt with the Frenchmen who fell into his hands. John Knox thought that every Catholic in Scotland ought to be put to death, and no man ever had disciples of a sterner or more relentless temper. But his counsel was not followed.

All through the religious conflict policy kept the upper hand. When the last of the Reformers died, religion, instead of emancipating the nations, had become an excuse

ture, to which all legislation must conform; and he ascertains it not by the light of revealed religion, but by the voice of universal reason, through which God enlightens the consciences of men. Upon this foundation Grotius drew the lines of real political science. In gathering the materials of international law, he had to go beyond national treaties and denominational interests for a principle embracing all mankind. The principles of law must stand, he said, even if we suppose that there is no God. By these inaccurate terms he meant that they must be found independently of revelation. From that time it became possible to make politics a matter of principle and of conscience, so that men and nations differing in all other things could live in peace together, under the sanctions of a common law. Grotius himself used his discovery to little purpose, as he deprived it of immediate effect by admitting that the right to reign may be enjoyed as a freehold, subject to no conditions.

When Cumberland and Pufendorf unfolded the true significance of his doctrine, every settled authority, every triumphant interest recoiled aghast. None were willing to surrender advantages won by force or skill, because they might be in contradiction, not with the Ten Commandments, but with an unknown code, which Grotius himself had not attempted to draw up, and touching which no two philosophers agreed. It was manifest that all persons who had learned that political science is an affair of conscience rather than of might or expediency, must regard their adversaries as men without principle, that the controversy between them would perpetually involve morality, and could not be governed by the plea of good intentions, which softens down the asperities of religious strife. Nearly all the greatest men of the seventeenth century repudiated the innovation. In the eighteenth, the two ideas of Grotius, that there are certain political truths, by which every State and every interest must stand or fall, and that society is knit together by a series of real and hypothetical contracts, became, in other hands, the lever that displaced the world.

When, by what seemed the operation of an irresistible and constant law, royalty had prevailed over all enemies and all competitors, it became a religion. Its ancient rivals, the baron and the prelate, figured as supporters by its side. Year after year, the assemblies that represented the self-government of provinces and of privileged classes, all over the Continent, met for the last time and passed away, to the satisfaction of the people, who had learned to venerate the throne as the constructor of their unity, the promoter of prosperity and power, the defender of orthodoxy, and the employer of talent.

The Bourboas, who had snatched the crown from a rebellious democracy, the Stuarts, who had come in as usurpers, set up the doctrine that States are formed by the valour, the policy, and the appropriate marriages of the royal family; that the king is consequently anterior to the people, that he is its maker rather than its handiwork, and reigns independently of consent. Theology followed up divine right with passive obedience. In the golden age of religious science, Archbishop Ussher, the most learned of Anglican prelates, and Bossuet, the ablest of the French, declared that resistance to kings is a crime and that they may lawfully employ compulsion against the faith of their subjects. The philosophers heartily supported the divines. Bacon fixed his hope of all human progress on the strong hand of kings. Descartes advised them to crush all those who might be able to resist their power, Hobbes taught that authority is always in the right. Pascal considered it absurd to reform laws, or to set up an ideal justice against actual force. Even Spinoza, who was a Republican and a Jew, assigned to the State the absolute control of religion.

Monarchy exerted a charm over the imagination, so unlike the unceremonious spirit of the Middle Ages, that, on learning the execution of Charles I, men died of the shock; and the same thing occurred at the death of Louis XVI and of the Duke of Enghien. The classic land of absolute monarchy was France. Richelieu held that it would be impossible to keep the people down if they were suf-

ferred to be well off. The Chancellor affirmed that France could not be governed without the right of arbitrary arrest and exile; and that in case of danger to the State it may be well that a hundred innocent men should perish. The Minister of Finance called it sedition to demand that the Crown should keep faith. One who lived on intimate terms with Louis XIV says that even the slightest disobedience to the royal will is a crime to be punished with death. Louis employed these precepts to their fullest extent. He candidly avows that kings are no more bound by the terms of a treaty than by the words of a compliment; and that there is nothing in the possession of their subjects which they may not lawfully take from them. In obedience to this principle, when Marshal Vauban, appalled by the misery of the people, proposed that all existing imposts should be repealed for a single tax that would be less onerous, the King took his advice, but retained all the old taxes whilst he imposed the new. With half the present population, he maintained an army of 450,000 men; nearly twice as large as that which the late Emperor Napoleon assembled to attack Germany. Meanwhile the people starved on grass. France, said Fénelon, is one enormous hospital. French historians believe that in a single generation six millions of people died of want. It would be easy to find tyrants more violent, more malignant, more odious than Louis XIV, but there was not one who ever used his power to inflict greater suffering or greater wrong; and the admiration with which he inspired the most illustrious men of his time denotes the lowest depth to which the turpitude of absolutism has ever degraded the conscience of Europe.

The Republics of that day were, for the most part, so governed as to reconcile men with the less opprobrious vices of monarchy. Poland was a State made up of centrifugal forces. What the nobles called liberty was the right of each of them to veto the acts of the Diet, and to persecute the peasants on his estates—rights which they refused to surrender up to the time of the partition, and thus verified the warning of a preacher spoken long ago: "You will per-

rulers who had broken the original contract between them, and all the Powers, excepting France, countenanced their argument, and sent forth William of Orange on that expedition which was the faint dawn of a brighter day.

It is to this unexampled combination of things on the Continent, more than to her own energy, that England owes her deliverance. The efforts made by the Scots, by the Irish, and at last by the Long Parliament to get rid of the misrule of the Stuarts had been foiled, not by the resistance of Monarchy, but by the helplessness of the Republic. State and Church were swept away; new institutions were raised up under the ablest ruler that had ever sprung from a revolution; and England, seething with the toil of political thought, had produced at least two writers who in many directions saw as far and as clearly as we do now. But Cromwell's Constitution was rolled up like a scroll; Harrington and Lilburne were laughed at for a time and forgotten; the country confessed the failure of its striving, disavowed its aims, and flung itself with enthusiasm, and without any effective stipulations, at the feet of a worthless king.

If the people of England had accomplished no more than this to relieve mankind from the pervading pressure of unlimited monarchy, they would have done more harm than good. By the fanatical treachery with which, violating the Parliament and the law, they contrived the death of King Charles, by the ribaldry of the Latin pamphlet with which Milton justified the act before the world, by persuading the world that the Republicans were hostile alike to liberty and to authority, and did not believe in themselves, they gave strength and reason to the current of Royalism, which, at the Restoration, overwhelmed their work. If there had been nothing to make up for this defect of certainty and of constancy in politics England would have gone the way of other nations.

At that time there was some truth in the old joke which describes the English dislike of speculation by saying that all our philosophy consists of a short catechism in two

questions: "What is mind? No matter. What is matter? Never mind." The only accepted appeal was to tradition. Patriots were in the habit of saying that they took their stand upon the ancient ways, and would not have the laws of England changed. To enforce their argument they invented a story that the constitution had come from Troy, and that the Romans had allowed it to subsist untouched. Such fables did not avail against Strafford; and the oracle of precedent sometimes gave responses adverse to the popular cause. In the sovereign question of religion, this was decisive, for the practice of the sixteenth century, as well as of the fifteenth, testified in favour of intolerance. By royal command, the nation had passed four times in one generation from one faith to another, with a facility that made a fatal impression on Laud. In a country that had proscribed every religion in turn, and had submitted to such a variety of penal measures against Lollard and Arian, against Augsburg and Rome, it seemed there could be no danger in cropping the ears of a Puritan.

But an age of stronger conviction had arrived; and men resolved to abandon the ancient ways that led to the scaffold and the rack, and to make the wisdom of their ancestors and the statutes of the land bow before an unwritten law. Religious liberty had been the dream of great Christian writers in the age of Constantine and Valentinian, a dream never wholly realised in the Empire, and rudely dispelled when the barbarians found that it exceeded the resources of their art to govern civilised populations of another religion, and unity of worship was imposed by laws of blood and by theories more cruel than the laws. But from St. Athanasius and St. Ambrose down to Erasmus and More, each age heard the protest of earnest men in behalf of the liberty of conscience, and the peaceful days before the Reformation were full of promise that it would prevail.

In the commotion that followed, men were glad to get tolerated themselves by way of privilege and compromise, and willingly renounced the wider application of the prin-

principle. Socinus was the first who, on the ground that Church and State ought to be separated, required universal toleration. But Socinus disarmed his own theory, for he was a strict advocate of passive obedience.

The idea that religious liberty is the generating principle of civil, and that civil liberty is the necessary condition of religious, was a discovery reserved for the seventeenth century. Many years before the names of Milton and Taylor, of Baxter and Locke were made illustrious by their partial condemnation of intolerance, there were men among the Independent congregations who grasped with vigour and sincerity the principle that it is only by abridging the authority of States that the liberty of Churches can be assured. That great political idea, sanctifying freedom and consecrating it to God, teaching men to treasure the liberties of others as their own, and to defend them for the love of justice and charity more than as a claim of right, has been the soul of what is great and good in the progress of the last two hundred years. The cause of religion, even under the unregenerate influence of worldly passion, had as much to do as any clear notions of policy in making this country the foremost of the free. It had been the deepest current in the movement of 1641, and it remained the strongest motive that survived the reaction of 1660.

The greatest writers of the Whig party, Burke and Macaulay, constantly represented the statesmen of the Revolution as the legitimate ancestors of modern liberty. It is humiliating to trace a political lineage to Algernon Sidney, who was the paid agent of the French king; to Lord Russell, who opposed religious toleration at least as much as absolute monarchy; to Shaftesbury, who dipped his hands in the innocent blood shed by the perjury of Titus Oates; to Halifax, who insisted that the plot must be supported even if untrue; to Marlborough, who sent his comrades to perish on an expedition which he had betrayed to the French; to Locke, whose notion of liberty involves nothing more spiritual than the security of property, and is consistent with slavery and persecution; or even to Addison, who

bounds of his ideas; and his narrow materialistic belief in the connection between liberty and property captivated even the bolder mind of Fox.

By his idea that the powers of government ought to be divided according to their nature, and not according to the division of classes, which Montesquieu took up and developed with consummate talent, Locke is the originator of the long reign of English institutions in foreign lands. And his doctrine of resistance, or, as he finally termed it, the appeal to Heaven, ruled the judgment of Chatham at a moment of solemn transition in the history of the world. Our parliamentary system, managed by the great revolution families, was a contrivance by which electors were compelled, and legislators were induced to vote against their convictions; and the intimidation of the constituencies was rewarded by the corruption of their representatives. About the year 1770 things had been brought back, by indirect ways, nearly to the condition which the Revolution had been designed to remedy for ever. Europe seemed incapable of becoming the home of free States. It was from America that the plain ideas that men ought to mind their own business, and that the nation is responsible to Heaven for the acts of the State,—ideas long locked in the breast of solitary thinkers, and hidden among Latin folios,—burst forth like a conquerer upon the world they were destined to transform, under the title of the Rights of Man. Whether the British legislature had a constitutional right to tax a subject colony was hard to say, by the letter of the law. The general presumption was immense on the side of authority; and the world believed that the will of the constituted ruler ought to be supreme, and not the will of the subject people. Very few bold writers went so far as to say that lawful power may be resisted in cases of extreme necessity. But the colonisers of America, who had gone forth not in search of gain, but to escape from laws under which other Englishmen were content to live, were so sensitive even to appearances that the Blue Laws of Connecticut forbade men to walk to church within ten feet of their wives.

And the proposed tax, of only £12,000 a year, might have been easily borne. But the reasons why Edward I and his Council were not allowed to tax England were reasons why George III and his Parliament should not tax America. The dispute involved a principle, namely, the right of controlling government. Furthermore, it involved the conclusion that the Parliament brought together by a derisive election had no just right over the unrepresented nation, and it called on the people of England to take back its power. Our best statesmen saw that whatever might be the law, the rights of the nation were at stake. Chatham, in speeches better remembered than any that have been delivered in Parliament, exhorted America to be firm. Lord Camden, the late Chancellor, said: "Taxation and representation are inseparably united. God hath joined them. No British Parliament can separate them."

From the elements of that crisis Burke built up the noblest political philosophy in the world. "I do not know the method," said he, "of drawing up an indictment against a whole people. The natural rights of mankind are indeed sacred things, and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. Only a sovereign reason, paramount to all forms of legislation and administration, should dictate." In this way, just a hundred years ago, the opportune reticence, the politic hesitancy of European statesmanship, was at last broken down; and the principle gained ground, that a nation can never abandon its fate to an authority it cannot control. The Americans placed it at the foundation of their new government. They did more; for having subjected all civil authorities to the popular will, they surrounded the popular will with restrictions that the British legislature would not endure.

During the revolution in France the example of England, which had been held up so long, could not for a moment compete with the influence of a country whose institutions were so wisely framed to protect freedom even

against the perils of democracy. When Louis Philippe became king, he assured the old Republican, Lafayette, that what he had seen in the United States had convinced him that no government can be so good as a Republic. There was a time in the Presidency of Monroe, about fifty-five years ago, which men still speak of as "the era of good feeling," when most of the incongruities that had come down from the Stuarts had been reformed, and the motives of later divisions were yet inactive. The causes of old-world trouble,—popular ignorance, pauperism, the glaring contrast between rich and poor, religious strife, public debts, standing armies and war,—were almost unknown. No other age or country had solved so successfully the problems that attend the growth of free societies, and time was to bring no further progress.

But I have reached the end of my time, and have hardly come to the beginning of my task. In the ages of which I have spoken, the history of freedom was the history of the thing that was not. But since the Declaration of Independence, or, to speak more justly, since the Spaniards, deprived of their king, made a new government for themselves, the only known forms of liberty, Republics and Constitutional Monarchy, have made their way over the world. It would have been interesting to trace the reaction of America on the Monarchies that achieved its independence; to see how the sudden rise of political economy suggested the idea of applying the methods of science to the art of government; how Louis XVI, after confessing that despotism was useless, even to make men happy by compulsion, appealed to the nation to do what was beyond his skill, and thereby resigned his sceptre to the middle class, and the intelligent men of France, shuddering at the awful recollections of their own experience, struggled to shut out the past, that they might deliver their children from the prince of the world and rescue the living from the clutch of the dead, until the finest opportunity ever given to the world was thrown away, because the passion for equality made vain the hope of freedom.

And I should have wished to show you that the same deliberate rejection of the moral code which smoothed the paths of absolute monarchy and of oligarchy, signalled the advent of the democratic claim to unlimited power,—that one of its leading champions avowed the design of corrupting the moral sense of men, in order to destroy the influence of religion, and a famous apostle of enlightenment and toleration wished that the last king might be strangled with the entrails of the last priest. I would have tried to explain the connection between the doctrine of Adam Smith, that labour is the original source of all wealth, and the conclusion that the producers of wealth virtually compose the nation, by which Siéyès subverted historic France; and to show that Rousseau's definition of the social compact as a voluntary association of equal partners conducted Marat, by short and unavoidable stages, to declare that the poorer classes were absolved, by the law of self-preservation, from the conditions of a contract which awarded to them misery and death; that they were at war with society, and had a right to all they could get by exterminating the rich, and that their inflexible theory of equality, the chief legacy of the Revolution, together with the avowed inadequacy of economic science to grapple with problems of the poor, revived the idea of renovating society on the principle of self-sacrifice, which had been the generous aspiration of the Essenes and the early Christians, of Fathers and Canonists and Friars, of Erasmus, the most celebrated precursor of the Reformation, of Sir Thomas More, its most illustrious victim, and of Fénelon, the most popular of bishops, but which, during the forty years of its revival, has been associated with envy and hatred and bloodshed, and is now the most dangerous enemy lurking in our path.

Last, and most of all, having told so much of the unwisdom of our ancestors, having exposed the sterility of the convulsion that burned what they adored, and made the sins of the Republic mount up as high as those of the monarchy, having shown that Legitimacy, which repudiated

the Revolution, and Imperialism, which crowned it, were but disguises of the same element of violence and wrong, I should have wished, in order that my address might not break off without a meaning or a moral, to relate by whom, and in what connection, the true law of the formation of free States was recognised, and how that discovery, closely akin to those which, under the names of development, evolution, and continuity, have given a new and deeper method to other sciences, solved the ancient problem between stability and change, and determined the authority of tradition on the progress of thought; how that theory, which Sir James Mackintosh expressed by saying that constitutions are not made, but grow; the theory that custom and the national qualities of the governed, and not the will of the government, are the makers of the law; and therefore that the nation, which is the source of its own organic institutions, should be charged with the perpetual custody of their integrity, and with the duty of bringing the form into harmony with the spirit, was made, by the singular co-operation of the purest conservative intellect with red-handed revolution, of Niebuhr with Mazzini, to yield the idea of nationality, which, far more than the idea of liberty, has governed the movement of the present age.

I do not like to conclude without inviting attention to the impressive fact that so much of the hard fighting, the thinking, the enduring that has contributed to the deliverance of man from the power of man, has been the work of our countrymen, and of their descendants in other lands. We have had to contend, as much as any people, against monarchs of strong will and of resources secured by their foreign possession, against men of rare capacity, against whole dynasties of born tyrants. And yet that proud prerogative stands out on the background of our history. Within a generation of the Conquest, the Normans were compelled to recognise, in some grudging measure, the claims of the English people. When the struggle between Church and State extended to England, our Churchmen learned to associate themselves with the popular cause;

POLITICAL CAUSES OF THE AMERICAN REVOLUTION*

At the time of the utmost degradation of the Athenian democracy, when the commanders at Arginusæ were condemned by an unconstitutional decree, and Socrates alone upheld the sanctity of the law, the people, says Xenophon, cried out that it was monstrous to prevent them from doing whatever they pleased. A few years later the archonship of Euclides witnessed the restoration of the old constitution, by which the liberty, though not the power, of Athens was revived and prolonged for ages; and the pælladium of the new settlement was the provision that no decree of the council or of the people should be permitted to overrule any existing law.

The fate of every democracy, of every government based on the sovereignty of the people, depends on the choice it makes between these opposite principles, absolute power on the one hand, and on the other, the restraints of legality and the authority of tradition. It must stand or fall according to its choice, whether to give the supremacy to the law or to the will of the people; whether to constitute a moral association maintained by duty, or a physical one kept together by force. Republics offer, in this respect, a strict analogy with monarchies, which are also either absolute or organic, either governed by law, and therefore constitutional, or by a will which, being the source, cannot be the object of laws, and is therefore despotic. But in their mode of growth, in the direction in which they gravitate, they are directly contrary to each other. Democracy tends naturally to realise its principle, the sovereignty of the people, and to remove all limits and conditions of its exercise; whilst

monarchy tends to surround itself with such conditions. In one instance force yields to right; in the other might prevails over law. The resistance of the king is gradually overcome by those who resist and seek to share his power; in a democracy the power is already in the hands of those who seek to subvert and to abolish the law. The process of subversion is consequently irresistible, and far more rapid.

They differ, therefore, not only in the direction, but in the principle of their development. The organisation of a constitutional monarchy is the work of opposing powers, interests, and opinions, by which the monarch is deprived of his exclusive authority, and the throne is surrounded with and guarded by political institutions. In a purely popular government this antagonism of forces does not exist, for all power is united in the same sovereign; subject and citizen are one, and there is no external power that can enforce the surrender of a part of the supreme authority, or establish a security against its abuse. The elements of organisation are wanting. If not obtained at starting, they will not naturally spring up. They have no germs in the system. Hence monarchy grows more free, in obedience to the laws of its existence, whilst democracy becomes more arbitrary. The people is induced less easily than the king to abdicate the plenitude of its power, because it has not only the right of might on its side, but that which comes from possession, and the absence of a prior claimant. The only antagonism that can arise is that of contending parties and interests in the sovereign community, the condition of whose existence is that it should be homogeneous. These separate interests can protect themselves only by setting bounds to the power of the majority; and to this the majority cannot be compelled, or consistently persuaded, to consent. It would be a surrender of the direct authority of the people, and of the principle that in every political community authority must be commensurate with power.

"Infirma minoris

Vox cedit numeri, parvaque in parte quiescat."

"La pluralité," says Pascal, "est la meilleure voie, parce qu'elle est visible, et qu'elle a la force pour se faire obéir; cependant c'est l'avis des moins habiles." The minority can have no permanent security against the oppression of preponderating numbers, or against the government which these numbers control, and the moment will inevitably come when separation will be preferred to submission. When the classes which compose the majority and the minority are not defined with local distinctness, but are mingled together throughout the country, the remedy is found in emigration; and it was thus that many of the ancient Mediterranean states, and some of the chief American colonies, took their rise. But when the opposite interests are grouped together, so as to be separated not only politically but geographically, there will ensue a territorial disruption of the state, developed with a rapidity and certainty proportioned to the degree of local corporate organisation that exists in the community. It cannot, in the long run, be prevented by the majority, which is made up of many future, contingent minorities, all secretly sympathising with the seceders because they foresee a similar danger for themselves, and unwilling to compel them to remain, because they dread to perpetuate the tyranny of majorities. The strict principle of popular sovereignty must therefore lead to the destruction of the state that adopts it, unless it sacrifices itself by concession.

The greatest of all modern republics has given the most complete example of the truth of this law. The dispute between absolute and limited power, between centralisation and self-government, has been, like that between privilege and prerogative in England, the substance of the constitutional history of the United States. This is the argument which confers on the whole period that intervenes between the convention of 1787 and the election of Mr. Davis in 1861 an almost epic unity. It is this problem that has supplied the impulse to the political progress of the United States, that underlies all the great questions that have agitated the Union, and bestows on them all their

general object was to provide a cure for the evils under which the United States laboured; that, in tracing these evils to their origin, every man had found it in the turbulence and follies of democracy; that some check, therefore, was to be sought for against this tendency of our governments." ²

Mr. Wilson, speaking in 1787, as if with the experience of the seventy years that followed, said, "Despotism comes on mankind in different shapes; sometimes in an executive, sometimes in a military one. Is there no danger of a legislative despotism? Theory and practice both proclaim it. If the legislative authority be not restrained, there can be neither liberty nor stability." ³ "However the legislative power may be formed," said Gouverneur Morris, the most conservative man in the convention, "it will, if disposed, be able to ruin the country." ⁴

Still stronger was the language of Alexander Hamilton: "If government is in the hands of the few, they will tyrannise over the many; if in the hands of the many, they will tyrannise over the few. It ought to be in the hands of both, and they should be separated. This separation must be permanent. Representation alone will not do; demagogues will generally prevail; and, if separated, they will need a mutual check. This check is a monarch. . . . The monarch must have proportional strength. He ought to be hereditary, and to have so much power that it will not be his interest to risk much to acquire more. . . . Those who mean to form a solid republican government ought to proceed to the confines of another government. . . . But if we incline too much to democracy, we shall soon shoot into a monarchy." ⁵ "He acknowledged himself not to think favourably of republican government, but addressed his remarks to those who did think favourably of it, in order to prevail on them to tone their government as high as possible." ⁶ Soon after, in the New York convention, for the adoption of the constitution, he said, "It has been observed that a pure democracy, if it were practicable, would be the most perfect government. Experience has proved that no

character of one great nation, whose territory is divided into different States merely for more convenient government."

Alexander Hamilton went further than all his colleagues. He had taken no part in the early debates, when he brought forward an elaborate plan of his own; the most characteristic features of which are, that the State governments are to be altogether superseded; their governors to be appointed by the general government, with a veto on all State laws, and the president is to hold office on good behaviour. An executive, elected for life, but personally responsible, made the nearest possible approach to an elective monarchy; and it was with a view to this all but monarchical constitution that he designed to destroy the independence of the States. This scheme was not adopted as the basis of discussion. "He has been praised," said Mr. Johnson, "by all, but supported by none." Hamilton's speech is very imperfectly reported, but his own sketch, the notes from which he spoke, are preserved, and outweigh in depth and in originality of thought, all that we have ever heard or read of American oratory. He left Philadelphia shortly after, and continued absent many weeks; but there can be no doubt that the spirit of his speech greatly influenced the subsequent deliberations. "He was convinced," he said, "that no amendment of the confederation, leaving the States in possession of their sovereignty, could answer the purpose. . . . The general power, whatever be its form, if it preserves itself, must swallow up the State powers. . . . They are not necessary for any of the great purposes of commerce, revenue, or agriculture. Subordinate authorities, he was aware, would be necessary. There must be distinct tribunals; corporations for local purposes. . . . By an abolition of the States, he meant that no boundary could be drawn between the national and State legislatures; that the former must therefore have indefinite authority. If it were limited at all, the rivalry of the States would gradually subvert it. . . . As States, he thought they

where the majority rules without restriction, the minority is the subject. . . . Nor is the right of suffrage more indispensable to enforce the responsibility of the rulers to the ruled, than a federal organisation to compel the parts to respect the rights of each other. It requires the united action of both to prevent the abuse of power and oppression, and to constitute really and truly a constitutional government. To supersede either is to convert it in fact, whatever may be its theory, into an absolute government." 54

In his disquisition on government Calhoun has expounded his theory of a constitution in a manner so profound, and so extremely applicable to the politics of the present day, that we regret that we can only give a very feeble notion of the argument by the few extracts for which we can make room.

"The powers which it is necessary for government to possess, in order to repress violence and preserve order, cannot execute themselves. They must be administered by men in whom, like others, the individual are stronger than the social feelings. And hence the powers vested in them to prevent injustice and oppression on the part of others, will, if left unguarded, be by them converted into instruments to oppress the rest of the community. That by which this is prevented, by whatever name called, is what is meant by constitution, in its most comprehensive sense, when applied to government. Having its origin in the same principle of our nature, constitution stands to government as government stands to society; and, as the end for which society is ordained would be defeated without government, so that for which government is ordained would, in a great measure, be defeated without constitution. . . . Constitution is the contrivance of man, while government is of divine ordination. . . . Power can only be resisted by power, and tendency by tendency. . . . I call the right of suffrage the indispensable and primary principle; for it would be a great and dangerous mistake to suppose, as many do, that it is of itself sufficient to form

each division or interest, through its appropriate organ, either a concurrent voice in making and executing the laws, or a veto on their execution. . . . Such an organism as this, combined with the right of suffrage, constitutes, in fact, the elements of constitutional government. The one, by rendering those who make and execute the laws responsible to those on whom they operate, prevents the rulers from oppressing the ruled; and the other, by making it impossible for any one interest or combination of interests, or class, or order, or portion of the community, to obtain exclusive control, prevents any one of them from oppressing the other. . . . It is this negative power,—the power of preventing or arresting the action of the government,—be it called by what term it may, veto, interposition, nullification, check, or balance of power,—which in fact forms the constitution. . . . It is, indeed, the negative power which makes the constitution, and the positive which makes the government. . . . It follows necessarily that where the numerical majority has the sole control of the government, there can be no constitution; as constitution implies limitation or restriction; . . . and hence, the numerical, unmixed with the concurrent majority, necessarily forms in all cases absolute government. . . . Constitutional governments, of whatever form, are, indeed, much more similar to each other in their structure and character than they are, respectively, to the absolute governments even of their own class; . . . and hence the great and broad distinction between governments is,—not that of the one, the few, or the many,—but of the constitutional and the absolute. . . . Among the other advantages which governments of the concurrent have over those of the numerical majority,—and which strongly illustrates their more popular character,—is, that they admit, with safety, a much greater extension of the right of suffrage. It may be safely extended in such governments to universal suffrage, that is, to every male citizen of mature age, with few ordinary exceptions; but it cannot be so far extended in those of the numerical majority, without plac-

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ing them ultimately under the control of the more ignorant and dependent portions of the community. For, as the community becomes populous, wealthy, refined, and highly civilised, the difference between the rich and the poor will become more strongly marked, and the number of the ignorant and dependent greater in proportion to the rest of the community. . . . The tendency of the concurrent government is to unite the community, let its interests be ever so diversified or opposed; while that of the numerical is to divide it into two conflicting portions, let its interest be naturally ever so united and identified. . . . The numerical majority, by regarding the community as a unit, and having as such the same interests throughout all its parts, must, by its necessary operation, divide it into two hostile parts, waging, under the forms of law, incessant hostilities against each other. . . . To make equality of condition essential to liberty, would be to destroy liberty and progress. The reason is both that inequality of condition, while it is a necessary consequence of liberty, is at the same time indispensable to progress. . . . It is, indeed, this inequality of condition between the front and rear ranks, in the march of progress, which gives so strong an impulse to the former to maintain their position, and to the latter to press forward into their files. This gives to progress its greatest impulse. . . . These great and dangerous errors have their origin in the prevalent opinion, that all men are born free and equal, than which nothing can be more unfounded and false. . . . In an absolute democracy party conflicts between the majority and minority . . . can hardly ever terminate in compromise. The object of the opposing minority is to expel the majority from power, and of the majority to maintain their hold upon it. It is on both sides a struggle for the whole; a struggle that must determine which shall be the governing and which the subject party. . . . Hence, among other reasons, aristocracies and monarchies more readily assume the constitutional form than absolute popular governments." 55

but in 1842 the obnoxious policy was revived, is pursued now successfully, and there is no State to attempt again the virtue of State interposition. . . . The State, if she judged proper, had the sovereign right to set aside this obnoxious tariff enactment in her own dominions, and prohibit her subjects or citizens from obeying it. . . . The parties to the compact being equal, and there being no common umpire, each, as a matter of course, is its own judge of the infraction of the compact, and of the mode and measure of redress." 57

The President, General Jackson, had a strong aversion for the theory and for the person of Calhoun. He swore that he would have him impeached for treason, and that he should hang on a gallows higher than Haman's. One of the nullifying declarations of his Vice-President reached him late at night; in a fit of exultation he had the law officers of the government called out of their beds, to say whether at last here was not hanging matter. He issued a manifesto condemning the doctrine of nullification and the acts of South Carolina, which was very ably drawn up by Livingston, the Secretary of State, famous in the history of legislation as the author of the Louisiana code. Webster, the first orator of the day, though not a supporter of the administration, undertook to answer Calhoun in the Senate, and he was fetched from his lodging, when the time came, in the President's carriage. His speech, considered the greatest he ever delivered, was regarded by the friends of the Union as conclusive against State-rights. Madison, who was approaching the term of his long career, wrote to congratulate the speaker in words which ought to have been a warning: "It crushes nullification, and must hasten an abandonment of secession. But this dodges the blow by confounding the claim to secede at will with the right of seceding from intolerable oppression."

Secession is but the alternative of interposition. The defeat of the latter doctrine on the ground of the Constitution, deprived the South of the only possible protection from the increasing tyranny of the majority, for the defeat

and inordinate thirst for power,—that factions will be formed and liberty endangered.”⁶⁰

Jackson was himself answerable for much of what was most deplorable in the political state of the country. The democratic tendency, which began under Jefferson, attained in Jackson's presidency its culminating point. The immense change in this respect may be shown in a single example. Pure democracy demands quick rotation of office, in order that, as all men have an equal claim to official power and profit, and must be supposed nearly equally qualified for it, and require no long experience (so that at Athens offices were distributed by lot), the greatest possible number of citizens should successively take part in the administration. It diminishes the distinction between the rulers and the ruled, between the State and the community, and increases the dependence of the first upon the last. At first such changes were not contemplated. Washington dismissed only nine officials in eight years, Adams removed only ten, Madison five, Monroe nine, John Quincy Adams only two, both on specific disqualifying grounds. Jefferson was naturally in favour of rotation in office, and caused a storm of anger when he displaced 39 official men in order to supply vacancies for supporters. Jackson, on succeeding the younger Adams, instantly made 176 alterations, and in the course of the first year 491 postmasters lost their places. Mr. Everett says very truly: “It may be stated as the general characteristic of the political tendencies of this period, that there was a decided weakening of respect for constitutional restraint. Vague ideas of executive discretion prevailed on the one hand in the interpretation of the constitution, and of popular sovereignty on the other, as represented by a President elevated to office by overwhelming majorities of the people.”⁶¹

This was the period of Tocqueville's visit to America, when he passed the following judgment: “When a man, or a party, suffers an injustice in the United States, to whom can he have recourse? To public opinion? It is that

which forms the majority. To the legislative body? It represents the majority, and obeys it blindly. To the executive power? It is appointed by the majority, and serves as its passive instrument. To public force? It is nothing but the majority under arms. To the jury? It is the majority invested with the right of finding verdicts. The judges themselves, in some States, are elected by the majority. However iniquitous, therefore, or unreasonable the measure from which you suffer, you must submit." ⁶² Very eminent Americans quite agreed with him in his censure of the course things had taken, and which had been seen long beforehand. In 1818 Story writes: "A new race of men is springing up to govern the nation; they are the hunters after popularity; men ambitious, not of the honour so much as of the profits of office,—the demagogues whose principles hang laxly upon them, and who follow, not so much what is right as what leads to a temporary vulgar applause. There is great, very great danger that these men will usurp so much of popular favour that they will rule the nation; and if so, we may yet live to see many of our best institutions crumble in the dust." ⁶³

The following passages are from the conclusion of his commentary on the Constitution: "The influence of the disturbing causes, which, more than once in the convention, were on the point of breaking up the Union, have since immeasurably increased in concentration and vigour. . . . If, under these circumstances, the Union should once be broken up, it is impossible that a new constitution should ever be formed, embracing the whole territory. We shall be divided into several nations or confederacies, rivals in power and interest, too proud to brook injury, and too close to make retaliation distant or ineffectual." On the 18th February, 1834, he writes of Jackson's administration: "I feel humiliated at the truth, which cannot be disguised, that though we live under the form of a republic, we are in fact under the absolute rule of a single man." And a few years later, 3d November, 1837, he tells Miss Martineau that she has judged too favourably of his coun-

try: "You have overlooked the terrible influence of a corrupting patronage, and the system of exclusiveness of official appointments, which have already wrought such extensive mischiefs among us, and threaten to destroy all the safeguards of our civil liberties. . . . You would have learned, I think, that there may be a despotism exercised in a republic, as irresistible and as ruinous as in any form of monarchy."

The foremost of the Southern statesmen thought exactly like the New England judge. "I care not," said Calhoun, "what the form of the government is; it is nothing, if the government be despotic, whether it be in the hands of one, or a few, or of many men, without limitation. . . . While these measures were destroying the equilibrium between the two sections, the action of the government as leading to a radical change in its character, by concentrating all the power of the system in itself. . . . What was once a constitutional federal republic is now converted, in reality, into one as absolute as that of the autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed. . . . The increasing power of this government, and of the control of the Northern section over all its departments, furnished the cause. It was this which made an impression on the minds of many, that there was little or no restraint to prevent the government from doing whatever it might choose to do." ⁶⁴ At the same period, though reverting to a much earlier date, Cobbett wrote: "I lived eight years under the republican government of Pennsylvania; and I declare that I believe that to have been the most corrupt and tyrannical government that the world ever knew. . . . I have seen enough of republican government to convince me that the mere name is not worth a straw." ⁶⁵ Channing touches on a very important point, the influence of European liberalism on the republicanism of America: "Ever since our revolution we have had a number of men who have wanted faith in our free institutions, and have seen in our almost unlimited extension of the elective franchise the germ of convulsion and

The question of slavery first exhibited itself as a constitutional difficulty about 1820, in the dispute which was settled by the Missouri compromise. Even at this early period the whole gravity of its consequences was understood by discerning men. Jefferson wrote: "This momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence."

In 1828, when South Carolina was proclaiming the right of veto, and was followed by several of the Southern States, abolition was taken up in the North as a means of coercion against them, by way of reprisal, and as a very powerful instrument of party warfare. Channing writes to Webster, 14th May, 1828: "A little while ago, Mr. Lundy of Baltimore, the editor of a paper called *The Genius of Universal Emancipation*, visited this part of the country, to stir us up to the work of abolishing slavery at the South; and the intention is to organise societies for this purpose. . . . My fear in regard to our efforts against slavery is, that we shall make the case worse by rousing sectional pride and passion for its support, and that we shall only break the country into two great parties, which may shake the foundations of government."

In the heat of the great controversies of Jackson's administration, on the Bank question and the Veto question, slavery was not brought prominently forward; but when the democratic central power had triumphed, when the Bank question was settled, and there was no longer an immediate occasion for discussing State-rights, the party whose opinions had prevailed in the Constitution resolved to make use of their predominance for its extinction. Thenceforward, from about the year 1835, it became the leading question, and the form in which the antagonism between the principles of arbitrary power and of self-government displayed itself. At every acquisition of territory, at the formation of new States, the same question caused a crisis; then in the Fugitive-Slave Act, and finally

is, that a false and arbitrary political system produces a false and arbitrary code of ethics, and the theory of abolition is as erroneous as the theory of freedom.

Very different is the mode in which the Church labours to reform mankind by assimilating realities with ideals, and accommodating herself to times and circumstances. Her system of Christian liberty is essentially incompatible with slavery; and the power of masters over their slaves was one of the bulwarks of corruption and vice which most seriously impeded her progress. Yet the Apostles never condemned slavery even within the Christian fold. The sort of civil liberty which came with Christianity into the world, and was one of her postulates, did not require the abolition of slavery. If men were free by virtue of their being formed after the image of God, the proportion in which they realised that image would be the measure of their freedom. Accordingly, St. Paul prescribed to the Christian slave to remain content with his condition.

We have gone at inordinate length into the causes and peculiarities of the revolution in the United States, because of the constant analogy they present to the theories and the events which are at the same time disturbing Europe. It is too late to touch upon more than one further point, which is extremely suggestive. The Secession movement was not provoked merely by the alarm of the slave-owners for their property, when the election of Lincoln sent down the price of slaves from twenty-five to fifty per cent, but by the political danger of Northern preponderance; and the mean whites of the Southern States are just as eager for separation as those who have property in slaves. For they fear lest the republicans, in carrying emancipation, should abolish the barriers which separate the Negroes from their own caste. At the same time, the slaves show no disposition to help the republicans, and be raised to the level of the whites. There is a just reason for this fear, which lies in the simple fact that the United States are a republic. The population of a republic must be homogeneous. Civil equality must be founded on so-

cial equality, and on national and physiological unity. This has been the strength of the American republic. Pure democracy is that form of government in which the community is sovereign, in which, therefore, the State is most nearly identified with society. But society exists for the protection of interests; the State for the realisation of right—*concilia coetusque hominum jure sociati, quae civitates appellantur*.⁸⁸ The State sets up a moral, objective law, and pursues a common object distinct from the ends and purposes of society. This is essentially repugnant to democracy, which recognises only the interests and rights of the community, and is therefore inconsistent with the consolidation of authority which is implied in the notion of the State. It resists the development of the social into the moral community. If, therefore, a democracy includes persons with separate interests or an inferior nature, it tyrannises over them. There is no mediator between the part and the whole; there is no room, therefore, for differences of class, of wealth, of race; equality is necessary to the liberty which is sought by a pure democracy.

Where society is constituted without equality of condition or unity of race, where there are different classes and national varieties, they require a protector in a form of government which shall be distinct from and superior to every class, and not the instrument of one of them, in an authority representing the State, not any portion of society. This can be supplied only by monarchy; and in this sense it is fair to say that constitutional government, that is, the authority of law as distinguished from interest, can exist only under a king. This is also the reason why even absolute monarchies have been better governors of dependencies than popular governments. In one case they are governed for the benefit of a ruling class; in the other, there is no ruling class, and they are governed in the name of the State. Rome under the Republic and under the Empire is the most striking instance of this contrast. But the tyranny of republics is greatest when differences of races are combined with distinctions of class.

Hence South America was a flourishing and prosperous country so long as the Spanish crown served as moderator between the various races, and is still prosperous where monarchy has been retained; whilst the establishment of republics in countries with classes divided by blood has led to hopeless misery and disorder, and constant recourse to dictatorships as a refuge from anarchy and tyranny. Democracy inevitably takes the tone of the lower portions of society, and, if there are great diversities, degrades the higher. Slavery is the only protection that has ever been known against this tendency, and it is so far true that slavery is essential to democracy. For where there are great incongruities in the constitution of society, if the Americans were to admit the Indians, the Chinese, the Negroes, to the rights to which they are justly jealous of admitting European emigrants, the country would be thrown into disorder, and if not, would be degraded to the level of the barbarous races. Accordingly, the Know-nothings rose up as the reaction of the democratic principle against the influx of an alien population. The Red Indian is gradually retreating before the pioneer, and will perish before many generations, or dwindle away in the desert. The Chinese in California inspire great alarm for the same reason, and plans have been proposed of shipping them all off again. This is a good argument too, in the interest of all parties, against the emancipation of the blacks.

The necessity for social equality and national unity has been felt in all democracies where the mass as a unit governs itself. Above all, it is felt as a necessity in France, since the downfall of the old society, and the recognition, under republic, charter, and despotism, of the sovereignty of the people. Those principles with which France revolutionises Europe are perfectly right in her own case. They are detestable in other countries where they cause revolutions, but they are a true and just consequence of the French Revolution. Men easily lose sight of the substance in the form, and suppose that because France is not a republic she is not a democracy, and that her prin-

THE BACKGROUND OF THE FRENCH REVOLUTION*

The revenue of France was near twenty millions when Louis XVI, finding it inadequate, called upon the nation for supply. In a single lifetime it rose to far more than one hundred millions, while the national income grew still more rapidly; and this increase was wrought by a class to whom the ancient monarchy denied its best rewards, and whom it deprived of power in the country they enriched. As their industry effected change in the distribution of property, and wealth ceased to be the prerogative of a few, the excluded majority perceived that their disabilities rested on no foundation of right and justice, and were unsupported by reasons of State. They proposed that the prizes in the Government, the Army, and the Church should be given to merit among the active and necessary portion of the people, and that no privilege injurious to them should be reserved for the unprofitable minority. Being nearly an hundred to one, they deemed that they were virtually the substance of the nation, and they claimed to govern themselves with a power proportioned to their numbers. They demanded that the State should be reformed, that the ruler should be their agent, not their master.

That is the French Revolution. To see that it is not a meteor from the unknown, but the product of historic influences which by their union were efficient to destroy, and by their division powerless to construct, we must follow for a moment the procession of ideas that went before, and bind it to the law of continuity and the operation of constant forces.

If France failed where other nations have succeeded, and if the passage from the feudal and aristocratic forms of society to the industrial and democratic was attended by convulsions, the cause was not in the men of that day, but in the ground on which they stood. As long as the despotic kings were victorious abroad, they were accepted at home. The first signals of revolutionary thinking lurk dimly among the oppressed minorities during intervals of disaster. The Jansenists were loyal and patient; but their famous jurist Domat was a philosopher, and is remembered as the writer who restored the supremacy of reason in the chaotic jurisprudence of the time. He had learnt from St. Thomas, a great name in the school he belonged to, that legislation ought to be for the people and by the people, that the cashiering of bad kings may be not only a right but a duty. He insisted that law shall proceed from common sense, not from custom, and shall draw its precepts from an eternal code. The principle of the higher law signified Revolution. No government founded on positive enactments only can stand before it, and it points the way to that system of primitive, universal and indefeasible rights which the lawyers of the Assembly, descending from Domat, prefixed to their constitution.

Under the edict of Nantes the Protestants were decided royalists; so that, even after the Revocation, Bayle, the apostle of Toleration, retained his loyalty in exile at Rotterdam. His enemy, Jurieu, though intolerant as a divine, was liberal in his politics, and contracted in the neighbourhood of William of Orange the temper of a continental Whig. He taught that sovereignty comes from the people and reverts to the people. The Crown forfeits powers it has made ill use of. The rights of the nation cannot be forfeited. The people alone possess an authority which is legitimate without conditions, and their acts are valid even when they are wrong. The most telling of Jurieu's seditious propositions, preserved in the transparent amber of Bossuet's reply, shared the immortality of a classic, and in

time contributed to the doctrine that the democracy is irresponsible and must have its way.

Maulrot, the best ecclesiastical lawyer of the day, published three volumes in 1790 on the power of the people over kings, in which, with accurate research among sources very familiar to him and to nobody else, he explained how the Canon Law approves the principles of 1688 and rejects the modern invention of divine right. His book explains still better the attitude of the clergy in the Revolution, and their brief season of popularity.

The true originator of the opposition in literature was Fénelon. He was neither an innovating reformer nor a discoverer of new truth; but as a singularly independent and most intelligent witness, he was the first who saw through the majestic hypocrisy of the court, and knew that France was on the road to ruin. The revolt of conscience began with him before the glory of the monarchy was clouded over. His views grew from an extraordinary perspicacity and refinement in the estimate of men. He learnt to refer the problem of government, like the conduct of private life, to the mere standard of morals, and extended further than anyone the plain but hazardous practice of deciding all things by the exclusive precepts of enlightened virtue. If he did not know all about policy and international science, he could always tell what would be expected of a hypothetically perfect man. Fénelon feels like a citizen of Christian Europe, but he pursues his thoughts apart from his country or his church, and his deepest utterances are in the mouth of pagans. He desired to be alike true to his own beliefs, and gracious towards those who dispute them. He approved neither the deposing power nor the punishment of error, and declared that the highest need of the Church was not victory but liberty. Through his friends, Fleury and Chevreuse, he favoured the recall of the Protestants, and he advised a general toleration. He would have the secular power kept aloof from ecclesiastical concerns, because protection leads to religious servitude and

England had recently created a government which was stronger than the institutions that had stood on antiquity. Founded upon fraud and treason, it had yet established the security of law more firmly than it had ever existed under the system of legitimacy, of prolonged inheritance, and of religious sanction. It flourished on the unaccustomed belief that theological dissensions need not detract from the power of the State, while political dissensions are the very secret of its prosperity. The men of questionable character who accomplished the change and had governed for the better part of sixty years had successfully maintained public order, in spite of conspiracy and rebellion; they had built up an enormous system of national credit, and had been victorious in continental war. The Jacobite doctrine, which was the basis of European monarchy, had been backed by the arms of France, and had failed to shake the newly planted throne. A great experiment had been crowned by a great discovery. A novelty that defied the wisdom of centuries had made good its footing, and revolution had become a principle of stability more sure than tradition.

Montesquieu undertook to make the disturbing fact avail in political science. He valued it because it reconciled him with monarchy. He had started with the belief that kings are an evil, and not a necessary evil, and that their time was running short. His visit to Walpolean England taught him a plan by which they might be reprieved. He still confessed that a republic is the reign of virtue; and by virtue he meant love of equality and renunciation of self. But he had seen a monarchy that thrived by corruption. He said that the distinctive principle of monarchy is not virtue but honour, which he once described as a contrivance to enable men of the world to commit almost every offence with impunity. The praise of England was made less injurious to French patriotism by the famous theory that explains institutions and character by the barometer and the latitude. Montesquieu looked about him, and abroad, but not far ahead. His admirable skill in supplying reason

for every positive fact sometimes confounds the cause that produces with the argument that defends. He knows so many pleas for privilege that he almost overlooks the class that has none; and having no friendship for the clergy, he approves their immunities. He thinks that aristocracy alone can preserve monarchies, and makes England more free than any commonwealth. He lays down the great conservative maxim, that success generally depends on knowing the time it will take; and the most purely Whig maxim in his works, that the duty of a citizen is a crime when it obscures the duty of man, is Fénelon's. His liberty is of a Gothic type, and not insatiable. But the motto of his work, *Prolem sine matre creatam*, was intended to signify that the one thing wanting was liberty; and he had views on taxation, equality, and the division of powers that gave him a momentary influence in 1789. His warning that a legislature may be more dangerous than the executive remained unheard. The *Esprit des lois* had lost ground in 1767, during the ascendancy of Rousseau. The mind of the author moved within the conditions of society familiar to him, and he did not heed the coming democracy. He assured Hume that there would be no revolution, because the nobles were without civic courage.

There was more divination in d'Argenson, who was Minister of Foreign Affairs in 1745, and knew politics from the inside. Less acquiescent than his brilliant contemporary, he was perpetually contriving schemes of fundamental change, and is the earliest writer from whom we can extract the system of 1789. Others before him had perceived the impending revolution; but d'Argenson foretold that it would open with the slaughter of priests in the streets of Paris. Thirty-eight years later these words came true at the gate of St. Germain's Abbey. As the supporter of the Pretender he was quite uninfluenced by admiration for England, and imputed, not to the English Deists and Whigs but to the Church and her divisions and intolerance, the unbelieving spirit that threatened both Church and State. It was conventionally understood on the Con-

men to fix hope and endeavour on the future, and led the world at twenty-three. Turgot, when he proclaimed that upward growth and progress is the law of human life, was studying to become a priest. To us, in any age of science, it has become difficult to imagine Christianity without the attribute of development and the faculty of improving society as well as souls. But the idea was acquired slowly. Under the burden of sin, men accustomed themselves to the consciousness of degeneracy; each generation confessed that they were unworthy children of their parents, and awaited with impatience the approaching end. From Lucretius and Seneca to Pascal and Leibniz we encounter a few dispersed and unsupported passages, suggesting advance towards perfection, and the flame that brightens as it moves from hand to hand; but they were without mastery or radiance. Turgot at once made the idea habitual and familiar, and it became a pervading force in thoughtful minds, whilst the new sciences arose to confirm it. He imparted a deeper significance to history, giving it unity of tendency and direction, constancy where there had been motion, and development instead of change. The progress he meant was moral as much as intellectual; and as he professed to think that the rogues of his day would have seemed sanctified models to an earlier century, he made his calculations without counting the wickedness of men. His analysis left unfathomed depths for future explorers, for Lessing and still more for Hegel; but he taught mankind to expect that the future would be unlike the past, that it would be better, and that the experience of ages may instruct and warn, but cannot guide or control. He is eminently a benefactor to historical study; but he forged a weapon charged with power to abolish the product of history and the existing order. By the hypothesis of progress, the new is always gaining on the old; history is the embodiment of imperfection, and escape from history became the watchword of the coming day. Condorcet, the master's pupil, thought that the world might be emancipated by burning its records.

Turgot was too discreet for such an excess, and he looked to history for the demonstration of his law. He had come upon it in his theological studies. He renounced them soon after, saying that he could not wear a mask. When Guizot called Lamennais a malefactor, because he threw off his cassock and became a freethinker, Scherer, whose course had been some way parallel, observed: "He little knows how much it costs." The abrupt transition seems to have been accomplished by Turgot without a struggle. The Encyclopaedia, which was the largest undertaking since the invention of printing, came out at that time, and Turgot wrote for it. But he broke off, refusing to be connected with a party professedly hostile to revealed religion; and he rejected the declamatory paradoxes of Diderot and Raynal. He found his home among the Physocrats, of all the groups the one that possessed the most compact body of consistent views, and who already knew most of the accepted doctrines of political economy, although they ended by making way for Adam Smith. They are of supreme importance to us, because they founded political science on the economic science which was coming into existence. Harrington, a century before, had seen that the art of government can be reduced to system; but the French economists precede all men in this, that, holding a vast collection of combined and verified truths on matters contiguous to politics and belonging to their domain, they extended it to the whole, and governed the constitution by the same fixed principles that governed the purse. They said: A man's most sacred property is his labour. It is anterior even to the right of property, for it is the possession of those who own nothing else. Therefore he must be free to make the best use of it he can. The interference of one man with another, of society with its members, of the state with the subject, must be brought down to the lowest dimension. Power intervenes only to restrict intervention, to guard the individual from oppression, that is from regulation in an interest not his own. Free labour and its derivative free trade are the first conditions of legitimate

government. Let things fall into their natural order, let society govern itself, and the sovereign function of the State will be to protect nature in the execution of her own law. Government must not be arbitrary, but it must be powerful enough to repress arbitrary action in others. If the supreme power is needlessly limited, the secondary powers will run riot and oppress. Its supremacy will bear no check. The problem is to enlighten the ruler, not to restrain him; and one man is more easily enlightened than many. Government by opposition, by balance and control, is contrary to principle; whereas absolutism might be requisite to the attainment of their higher purpose. Nothing less than concentrated power could overcome the obstacles to such beneficent reforms as they meditated. Men who sought only the general good must wound every distinct and separate interest of class, and would be mad to break up the only force that they could count upon, and thus to throw away the means of preventing the evils that must follow if things were left to the working of opinion and the feeling of masses. They had no love for absolute power in itself, but they computed that, if they had the use of it for five years, France would be free. They distinguish an arbitrary monarch and the irresistible but impersonal state.

It was the era of repentant monarchy. Kings had become the first of public servants, executing, for the good of the people, what the people were unable to do for themselves; and there was a reforming movement on foot which led to many instances of prosperous and intelligent administration. To men who knew what unutterable suffering and wrong were inflicted by bad laws, and who lived in terror of the uneducated and inorganic masses, the idea of reform from above seemed preferable to parliamentary government managed by Newcastle and North, in the interest of the British landlord. The economists are outwardly and avowedly less liberal than Montesquieu, because they are incomparably more impressed by the evils of the time, and the need of immense and fundamental

changes. They prepared to undo the work of absolutism by the hand of absolutism. They were not its opponents, but its advisers, and hoped to convert it by their advice. The indispensable liberties are those which constitute the wealth of nations; the rest will follow. The disease had lasted too long for the sufferer to heal himself: the relief must come from the author of his sufferings. The power that had done the wrong was still efficient to undo the wrong. Transformation, infinitely more difficult in itself than preservation, was not more formidable to the economists because it consisted mainly in revoking the godless work of a darker age. They deemed it their mission not to devise new laws, for that is a task which God has not committed to man, but only to declare the inherent laws of the existence of society and enable them to prevail.

The defects of the social and political organisation were as distinctly pointed out by the economists as by the electors of the National Assembly, twenty years later, and in nearly all things they proposed the remedy. But they were persuaded that the only thing to regenerate France was a convulsion which the national character would make a dreadful one. They desired a large scheme of popular education, because commands take no root in soil that is not prepared. Political truths can be made so evident that the opinion of an instructed public will be invincible, and will banish the abuse of power. To resist oppression is to make a league with heaven, and all things are oppressive that resist the natural order of freedom. For society secures rights; it neither bestows nor restricts them. They are the direct consequence of duties. As truth can only convince by the exposure of errors and the defeat of objections, liberty is the essential guard of truth. Society is founded, not on the will of man, but on the nature of man and the will of God; and conformity to the divinely appointed order is followed by inevitable reward. Relief of those who suffer is the duty of all men, and the affair of all.

Such was the spirit of that remarkable group of men,

especially of Mercier de la Rivière, of whom Diderot said that he alone possessed the true and everlasting secret of the security and the happiness of empires. Turgot indeed had failed in office; but his reputation was not diminished, and the power of his name exceeded all others at the outbreak of the Revolution. His policy of employing the Crown to reform the State was at once rejected in favour of other counsels; but his influence may be traced in many acts of the Assembly, and on two very memorable occasions it was not auspicious. It was a central dogma of the party that land is the true source of wealth, or, as Aggill said, that man deals in nothing but earth. When a great part of France became national property, men were the more easily persuaded that land can serve as the basis of public credit and of unlimited *assignats*. According to a weighty opinion which we shall have to consider before long, the parting of the ways in the Revolution was on the day when, rejecting the example both of England and America, the French resolved to institute a single undivided legislature. It was the Pennsylvanian model; and Voltaire had pronounced Pennsylvania the best government in the world. Franklin gave the sanction of an oracle to the constitution of his state, and Turgot was its vehement protagonist in Europe.

A king ruling over a level democracy, and a democracy ruling itself through the agency of a king, were long contending notions in the first Assembly. One was monarchy according to Turgot, the other was monarchy adapted to Rousseau; and the latter, for a time, prevailed. Rousseau was the citizen of a small republic, consisting of a single town, and he professed to have applied its example to the government of the world. It was Geneva, not as he saw it, but as he extracted its essential principle, and as it has since become—Geneva illustrated by the Forest Cantons and the Landesgemeinde more than by its own charters. The idea was that the grown men met in the market place, like the peasants of Glarus under their trees, to manage their affairs, making and unmaking officials, con-

soning, with little infusion of other ingredients, Rousseau applied the sequence of the ideas of pure democracy to the government of nations.

Now the most glaring and familiar fact in history shows that the direct self-government of a town cannot be extended over an empire. It is a plan that scarcely reaches beyond the next parish. Either one district will be governed by another, or both by somebody else chosen for the purpose. Either plan contradicts first principles. Subjection is the direct negation of democracy; representation is the indirect. So that an Englishman underwent bondage to parliament as much as Lausanne to Berne or as America to England if it had submitted to taxation, and by law recovered his liberty but once in seven years. Consequently Rousseau, still faithful to Swiss precedent as well as to the logic of his own theory, was a federalist. In Switzerland, when one half of a canton disagrees with the other, or the country with the town, it is deemed natural that they should break into two, that the general will may not oppress minorities. This multiplication of self-governing communities was admitted by Rousseau as a preservative of unanimity on one hand, and of liberty on the other. Helvétius came to his support with the idea that men are not only equal by nature but alike, and that society is the cause of variation; from which it would follow that every thing may be done by laws and by education.

Rousseau is the author of the strongest political theory that had appeared amongst men. We cannot say that he reasons well, but he knew how to make his arguments seem convincing, satisfying, inevitable, and he wrote with an eloquence and a fervour that had never been seen in prose, even in Bolingbroke or Milton. His books gave the first signal of a universal subversion, and were as fatal to the Republic as to the Monarchy. Although he lives by the social contract and the law of resistance, and owes his influence to what was extreme and systematic, his later writings are loaded with sound political wisdom. He owes nothing to the novelty or the originality of his thoughts.

with warnings and remonstrance and the zealous endeavour to preserve, which produced one great scheme of change by the Crown and another at the expense of the Crown, ended in the wild cry for vengeance and a passionate appeal to fire and sword. So many lines of thought converging on destruction explain the agreement that existed when the States-General began, and the explosion that followed the reforms of '89 and the ruins of '93. No conflict can be more irreconcilable than that between a constitution and an enlightened absolutism, between abrogation of old laws and multiplication of new, between representation and direct democracy, the people controlling, and the people governing, kings by contract and kings by mandate.

Yet all these fractions of opinion were called Liberal: Montesquieu, because he was an intelligent Tory; Voltaire, because he attacked the clergy; Turgot, as a reformer; Rousseau, as a democrat; Diderot, as a freethinker. The one thing common to them all is the disregard for liberty.

Holman's as blame for Church & must allow for progress of truth!

CONFLICTS WITH ROME*

Among the causes which have brought dishonour on the Church in recent years, none have had a more fatal operation than those conflicts with science and literature which have led men to dispute the competence, or the justice, or the wisdom, of her authorities. Rare as such conflicts have been, they have awakened a special hostility which the defenders of Catholicism have not succeeded in allaying. They have induced a suspicion that the Church, in her zeal for the prevention of error, represses that intellectual freedom which is essential to the progress of truth; that she allows an administrative interference with convictions to which she cannot attach the stigma of falsehood; and that she claims a right to restrain the growth of knowledge, to justify an acquiescence in ignorance, to promote error, and even to alter at her arbitrary will the dogmas that are proposed to faith. There are few faults or errors imputed to Catholicism which individual Catholics have not committed or held, and the instances on which these particular accusations are founded have sometimes been supplied by the acts of authority itself. Dishonest controversy loves to confound the personal with the spiritual element in the Church—to ignore the distinction between the sinful agents and the divine institution. And this confusion makes it easy to deny, what otherwise would be too evident to question, that knowledge has a freedom in the Catholic Church which it can find in no other religion, though there, as elsewhere, freedom degenerates unless it has to struggle in its own defence.

Nothing can better illustrate this truth than the actual

course of events in the cases of Lamennais and Frohschammer. They are two of the most conspicuous instances in point; and they exemplify the opposite mistakes through which a haze of obscurity has gathered over the true notions of authority and freedom in the Church. The correspondence of Lamennais and the later writings of Frohschammer furnish a revelation which ought to warn all those who, through ignorance, or timidity, or weakness of faith, are tempted to despair of the reconciliation between science and religion, and to acquiesce either in the subordination of one to the other, or in their complete segregation and estrangement. Of these alternatives Lamennais chose the first, Frohschammer the second; and the exaggeration of the claims of authority by the one and the extreme assertion of independence by the other have led them, by contrary paths, to nearly the same end.

When Lamennais surveyed the fluctuations of science, the multitude of opinions, the confusion and conflict of theories, he was led to doubt the efficacy of all human tests of truth. Science seemed to him essentially tainted with hopeless uncertainty. In his ignorance of its methods he fancied them incapable of attaining to anything more than a greater or less degree of probability, and powerless to afford a strict demonstration, or to distinguish the deposit of real knowledge amidst the turbid current of opinion. He refused to admit that there is a sphere within which metaphysical philosophy speaks with absolute certainty, or that the landmarks set up by history and natural science may be such as neither authority nor prescription, neither the doctrine of the schools nor the interest of the Church, has the power to disturb or the right to evade. These sciences presented to his eyes a chaos incapable of falling into order and harmony by any internal self-development, and requiring the action of an external director to clear up its darkness and remove its uncertainty. He thought that no research, however rigorous, could make sure of any fragment of knowledge worthy the name. He admitted no certainty but that which relied on the gen-

eral tradition of mankind, recorded and sanctioned by the infallible judgment of the Holy See. He would have all power committed, and every question referred, to that supreme and universal authority. By its means he would supply all the gaps in the horizon of the human intellect, settle every controversy, solve the problems of science, and regulate the policy of states.

The extreme Ultramontanism which seeks the safeguard of faith in the absolutism of Rome he believed to be the keystone of the Catholic system. In his eyes all who rejected it, the Jesuits among them, were Gallicans; and Gallicanism was the corruption of the Christian idea.¹ "If my principles are rejected," he wrote on the 1st of November 1820, "I see no means of defending religion effectually, no decisive answer to the objections of the unbelievers of our time. How could these principles be favourable to them? They are simply the development of the great Catholic maxim, *quod semper, quod ubique, quod ab omnibus.*" Joubert said of him, with perfect justice, that when he destroyed all the bases of human certainty, in order to retain no foundation but authority, he destroyed authority itself. The confidence which led him to confound the human element with the divine in the Holy See was destined to be tried by the severest of all tests; and his exaggeration of the infallibility of the Pope proved fatal to his religious faith.

In 1831 the Roman Breviary was not to be bought in Paris. We may hence measure the amount of opposition with which Lamennais' endeavours to exalt Rome would be met by the majority of the French bishops and clergy, and by the school of St. Sulpice. For him, on the other hand, no terms were too strong to express his animosity against those who rejected his teaching and thwarted his designs. The bishops he railed at as idiotic devotees, incredibly blind, supernaturally foolish. "The Jesuits," he said, "were *grenadiers de la folie*, and united imbecility with the vilest passions."² He fancied that in many dioceses there was a conspiracy to destroy religion, that a

political considerations to the supreme interests of the Church, but must in reality agree with them. As the Polish Revolution brought the political questions into greater prominence, Lamennais became more and more convinced of the wickedness of those who surrounded Gregory XVI, and of the political incompetence of the Pope himself. He described him as weeping and praying, motionless, amidst the darkness which the ambitious, corrupt, and frantic idiots around him were ever striving to thicken. Still he felt secure. When the foundations of the Church were threatened, when an essential doctrine was at stake, though, for the first time in eighteen centuries, the supreme authority might refuse to speak, at least it could not speak out against the truth. In this belief he made his last journey to Rome. Then came his condemnation. The staff on which he leaned with all his weight broke in his hands; the authority he had so grossly exaggerated turned against him, and his faith was left without support. His system supplied no resource for such an emergency. He submitted, not because he was in error, but because Catholicism had no right to defend the Church against the supreme will even of an erring Pontiff. He was persuaded that his silence would injure religion, yet he deemed it his duty to be silent and to abandon theology. He had ceased to believe that the Pope could not err, but he still believed that he could not lawfully be disobeyed. In the two years during which he still remained in the Church his faith in her system fell rapidly to pieces. Within two months after the publication of the Encyclical he wrote that the Pope, like the other princes, seemed careful not to omit any blunder that could secure his annihilation. Three weeks afterwards he denounced in the fiercest terms the corruption of Rome. He predicted that the ecclesiastical hierarchy was about to depart with the old monarchies; and, though the Church could not die, he would not undertake to say that she would revive in her old forms. The Pope, he said, had so zealously embraced the cause of antichristian despotism as to sacrifice to it the religion of which he

justify an insurrection or a war, she cannot condemn that insurrection or that war. She is guided in her judgment on these causes by criteria which are not her own, but are borrowed from departments over which she has no supreme control. This is as true of science as it is of law and politics. Other truths are as certain as those which natural or positive law embraces, and other obligations as imperative as those which regulate the relations of subjects and authorities. The principle which places right above expedience in the political action of the Church has an equal application in history or in astronomy. The Church can no more identify her cause with scientific error than with political wrong. Her interests may be impaired by some measure of political justice, or by the admission of some fact or document. But in neither case can she guard her interests at the cost of denying the truth.

This is the principle which has so much difficulty in obtaining recognition in an age when science is more or less irreligious, and when Catholics more or less neglect its study. Political and intellectual liberty have the same claims and the same conditions in the eyes of the Church. The Catholic judges the measures of governments and the discoveries of science in exactly the same manner. Public law may make it imperative to overthrow a Catholic monarch, like James II, or to uphold a Protestant monarch, like the King of Prussia. The demonstrations of science may oblige us to believe that the earth revolves round the sun, or that the *Donation of Constantine* is spurious. The apparent interests of religion have much to say against all this; but religion itself prevents those considerations from prevailing. This has not been seen by those writers who have done most in defence of the principle. They have usually considered it from the standing ground of their own practical aims, and have therefore failed to attain that general view which might have been suggested to them by the pursuit of truth as a whole. French writers have done much for political liberty, and Germans for intellectual liberty; but the defenders of the one cause have generally

This inquiry has gradually laid bare the whole policy and process of ecclesiastical authority, and has removed from the past that veil of mystery wherewith, like all other authorities, it tries to surround the present. The human element in ecclesiastical administration endeavours to keep itself out of sight, and to deny its own existence, in order that it may secure the unquestioning submission which authority naturally desires, and may preserve that halo of infallibility which the twilight of opinion enables it to assume. Now the most severe exposure of the part played by this human element is found in histories which show the undeniable existence of sin, error, or fraud in the high places of the Church. Not, indeed, that any history furnishes, or can furnish, materials for undermining the authority which the dogmas of the Church proclaim to be necessary for her existence. But the true limits of legitimate authority are one thing, and the area which authority may find it expedient to attempt to occupy is another. The interests of the Church are not necessarily identical with those of the ecclesiastical government. A government does not desire its powers to be strictly defined, but the subjects require the line to be drawn with increasing precision. Authority may be protected by its subjects being kept in ignorance of its faults, and by their holding it in superstitious admiration. But religion has no communion with any manner of error: and the conscience can only be injured by such arts, which, in reality, give a far more formidable measure of the influence of the human element in ecclesiastical government than any collection of attached cases of scandal can do. For these arts are simply those of all human governments which possess legislative power, fear attack, deny responsibility, and therefore shrink from scrutiny.

One of the great instruments for preventing historical scrutiny had long been the Index of prohibited books, which was accordingly directed, not against falsehood only, but particularly against certain departments of truth. Through it an effort had been made to keep the knowl-

In Rome, however, where the influences of competition were not felt, the reasons of the change could not be understood, nor its benefits experienced; and it was thought absurd that the Germans of the nineteenth century should discard weapons which had been found efficacious with the Germans of the sixteenth. While in Rome it was still held that the truths of science need not be told, and ought not to be told, if, in the judgment of Roman theologians, they were of a nature to offend faith, in Germany Catholics vied with Protestants in publishing matter without being diverted by the consideration whether it might serve or injure their cause in controversy, or whether it was adverse or favourable to the views which it was the object of the Index to protect. But though this great antagonism existed, there was no collision. A moderation was exhibited which contrasted remarkably with the aggressive spirit prevailing in France and Italy. Publications were suffered to pass unnoted in Germany which would have been immediately censured if they had come forth beyond the Alps or the Rhine. In this way a certain laxity grew up side by side with an unmeasured distrust, and German theologians and historians escaped censure.

This toleration gains significance from its contrast to the severity with which Rome smote the German philosophers like Hermes and Günther when they erred. Here, indeed, the case was very different. If Rome had insisted upon suppressing documents, perverting facts, and resisting criticism, she would have been only opposing truth, and opposing it consciously, for fear of its inconveniences. But if she had refrained from denouncing a philosophy which denied creation or the personality of God, she would have failed to assert her own doctrines against her own children who contradicted them. The philosopher cannot claim the same exemption as the historian. God's handwriting exists in history independently of the Church, and no ecclesiastical exigence can alter a fact. The divine lesson has been read, and it is the historian's duty to copy it faithfully without bias and without ulterior views.

erties of Catholic science, and gave the impulse to that new theory on the limits of authority with which his name has become associated.

In the civil affairs of mankind it is necessary to assume that the knowledge of the moral code and the traditions of law cannot perish in a Christian nation. Particular authorities may fall into error; decisions maybe appealed against; laws may be repealed, but the political conscience of the whole people cannot be irrecoverably lost. The Church possesses the same privilege, but in a much higher degree, for she exists expressly for the purpose of preserving a definite body of truths, the knowledge of which she can never lose. Whatever authority, therefore, expresses that knowledge of which she is the keeper must be obeyed. But there is no institution from which this knowledge can be obtained with immediate certainty. A council is not *à priori* œcumenical; the Holy See is not separately infallible. The one has to await a sanction, the other has repeatedly erred. Every decree, therefore, requires a preliminary examination.

A writer who is censured may, in the first place, yield an external submission, either for the sake of discipline, or because his conviction is too weak to support him against the weight of authority. But if the question at issue is more important than the preservation of peace, and if his conviction is strong, he inquires whether the authority which condemns him utters the voice of the Church. If he finds that it does, he yields to it, or ceases to profess the faith of Catholics. If he finds that it does not, but is only the voice of authority, he owes it to his conscience, and to the supreme claims of truth, to remain constant to that which he believes, in spite of opposition. No authority has power to impose error, and, if it resists the truth, the truth must be upheld until it is admitted. Now the adversaries of Dr. Frohschammer had fallen into the monstrous error of attributing to the congregation of the Index a share in the infallibility of the Church. He was placed in the position of a persecuted man, and the

own words I am much in fault. But that has nothing of importance to do with a critique in the H. R. [*English Historical Review*].

And when you say that I am desirous to show how the disruption might have been avoided, I only half recognize myself. The disruption took place over one particular, well-defined point of controversy; and when they went asunder upon that, the logic of things followed. But they needed not to part company on that particular. It was a new view that Luther attacked. Theological authority in its favour there was very little. It was not approved by Hadrian VI, or by many Tridentine divines, or by many later divines, even among the Jesuits. Supposing, therefore, there had been men of influence at Rome such as certain fathers of Constance formerly, or such as Erasmus or Gropper, it might well have been that they would have preferred the opinion of Luther to the opinion of Tetzels, and would have effected straightway the desired reform of the indulgences for the Dead.

But that is what set the stone rolling, and the consequences were derived from that one special doctrine or practice. *Cessante causa cessat effectus*. Introduce, in 1517, the reforms desired six years later, by the next Pope, demanded by many later divines, adopt, a century and a half before it was written, the Exposition de la Foi, and then the particular series of events which ensued would have been cut off.

For the Reformation is not like the Renaissance or the Revolution, a spontaneous movement springing up in many places, produced by similar though not identical causes. It all derives, more or less directly, from Luther, from the consequences he gradually drew from the resistance of Rome on that one disputed point.

I must, therefore, cast the responsibility on those who refused to say, in 1517, what everybody had said two centuries before, and many said a century later. And the motive of these people was not a religious idea, one system of salvation set up against another; but an ecclesiastical

one. They said, Prierias says quite distinctly, that the whole fabric of authority would crumble if a thing permitted, indirectly or implicitly sanctioned by the supreme authority responsible for souls should be given up.

(The English disruption proceeded along other lines, but nearly parallel. Nearly the same argument applies to it, and it is not just now the question.)

Of course, an adversary, a philosophical historian, a *Dogmengeschichtslehrer*, may say that, even admitting that things arose and went on as I say, yet there was so much gunpowder about that any spark would have produced much the same explosion. I cannot disprove it. I do not wish to disprove it. But I know nothing about it. We must take things as they really occurred. What occurred is that Luther raised a just objection, that the authority of tradition and the spiritual interest of man were on his side, and that the Catholic divines refused to yield to him for a reason not founded on tradition or on charity.

Therefore I lay the burden of separation on the shoulders of two sets of men—those who, during the Vice chancellorship and the pontificate of Borgia, promoted the theory of the Privileged Altars (and indirectly the theory of the Dispensing Power); and those who, from 1517 to 1520, sacrificed the tradition of the Church to the credit of the Papacy.

Whether the many reforming rills, partly springing in different regions—Wyclif, the Bohemians before Hus, Hus, the Bohemians after him, the *Frates Communis Vitae*, the divines described by Ullmann, and more than twenty other symptoms of somewhat like kind, would have gathered into one vast torrent, even if Luther had been silenced by knife or pen, is a speculative question not to be confounded with the one here discussed. Perhaps America would have gone, without the help of Grenville or North.

My object is not to show how disruption might have been avoided, but how it was brought on. It was brought on, *secundo me*, by the higher view of the papal monarchy in spirituals that grew with the papal monarchy in tempo-

als (and with much other monarchy). The root, I think, is there, while the Italian prince is the branch. To the growth of those ideas after the fall of the Councils I attribute what followed, and into that workshop or nursery I want to pry. If Rovere or Borgia had never sought or won territorial sovereignty, the breach must have come just the same, with the Saxons if not with the English.

I was disappointed at not learning from you what I never could find out, how that peculiar discipline established itself at Rome between the days of Kempis and of Erasmus. It would not have appeared mysterious or esoteric to your readers if I had said a little more about it. Nor is this a point of serious difference. When you come to talk of the crisis I do not doubt you will say how it came about. Probably you will not give quite the same reasons that occur to me, because you are more sure than I am that the breach was inevitable. But I did think myself justified in saying that these two volumes do not contain an account of some of the principal things pertaining to the Papacy during the Reformation, and in indicating the sort of explanation I desiderate in Vol. V.

What is not at all a question of opportunity or degree is our difference about the Inquisition. Here again I do not admit that there is anything esoteric in my objection. The point is not whether you like the Inquisition—I mean that is a point which the H.R. may mark, but ought not to discuss—but whether you can, without reproach to historical accuracy, speak of the later mediæval Papacy as having been tolerant and enlightened. What you say on that point struck me exactly as it would strike me to read that the French Terrorists were tolerant and enlightened, and avoided the guilt of blood. Bear with me whilst I try to make my meaning quite clear.

We are not speaking of the Papacy towards the end of the fifteenth or early sixteenth century, when, for a couple of generations, and down to 1542, there was a decided lull in the persecuting spirit. Nor are we speaking of the Spanish Inquisition, which is as distinct from the Roman as the

Portuguese, the Maltese, or the Venetian. I mean the Popes of the thirteenth and fourteenth centuries, from Innocent III down to the time of Hus. These men instituted a system of Persecution, with a special tribunal, special functionaries, special laws. They carefully elaborated, and developed, and applied it. They protected it with every sanction, spiritual and temporal. They inflicted, as far as they could, the penalties of death and damnation on everybody who resisted it. They constructed quite a new system of procedure, with unheard-of cruelties, for its maintenance. They devoted to it a whole code of legislation, pursued for several generations, and not to be found in [?].

But although not to be found there it is to be found in books just as common; it is perfectly familiar to every Roman Catholic student initiated in canon law and papal affairs; it has been worn threadbare in a thousand controversies; it has been constantly attacked, constantly defended, and never disputed or denied, by any Catholic authority. There are some dozens of books, some of them official, containing the particulars.

Indeed it is the most conspicuous fact in the history of the mediæval papacy, just as the later Inquisition, with what followed, is the most conspicuous and characteristic fact in the history and record of the modern papacy. A man is hanged not because he can or cannot prove his claim to virtues, but because it can be proved that he has committed a particular crime. That one action overshadows the rest of his career. It is useless to argue that he is a good husband or a good poet. The one crime swells out of proportion to the rest. We all agree that Calvin was one of the greatest writers, many think him the best religious teacher, in the world. But that one affair of Servetus outweighs the nine folios, and settles, by itself, the reputation he deserves. So with the mediæval Inquisition and the Popes that founded it and worked it. That is the breaking point, the article of their system by which they stand or fall.

Therefore it is better known than any other part of their

ity permitting it bears the guilt. Whether Sixtus is infamous or not depends on our view of persecution and absolutism. Whether he is responsible or not depends simply on the ordinary evidence of history.

Here, again, what I said is not in any way mysterious or esoteric. It appeals to no hidden code. It aims at no secret moral. It supposes nothing and implies nothing but what is universally current and familiar. It is the common, even the vulgar, code I appeal to.

Upon these two points we differ widely; still more widely with regard to the principle by which you undertake to judge men. You say that people in authority are not [to] be snubbed or sneezed at from our pinnacle of conscious rectitude. I really don't know whether you exempt them because of their rank, or of their success and power, or of their date. The chronological plea may have some little value in a limited sphere of instances. It does not allow of our saying that such a man did not know right from wrong, unless we are able to say that he lived before Columbus, before Copernicus, and could not know right from wrong. It can scarcely apply to the centre of Christendom, 1500 years after the birth of our Lord. That would imply that Christianity is a mere system of metaphysics, which borrowed some ethics from elsewhere. It is rather a system of ethics which borrowed its metaphysics elsewhere. Progress in ethics means a constant turning of white into black and burning what one has adored. There is little of that between St. John and the Victorian era.

But if we might discuss this point until we found that we nearly agreed, and if we do argue thoroughly about the impropriety of Carlylese denunciations, and Pharisaism in history, I cannot accept your canon that we are to judge Pope and King unlike other men, with a favourable presumption that they did no wrong. If there is any presumption it is the other way against holders of power, increasing as the power increases. Historic responsibility has to make up for the want of legal responsibility. Power tends to corrupt and absolute power corrupts absolutely. Great

men are almost always bad men, even when they exercise influence and not authority: still more when you superadd the tendency or the certainty of corruption by authority. There is no worse heresy than that the office sanctifies the holder of it. That is the point at which the negation of Catholicism and the negation of Liberalism meet and keep high festival, and the end learns to justify the means. You would hang a man of no position, like Ravallac; but if what one hears is true, then Elizabeth asked the gaoler to murder Mary, and William III ordered his Scots minister to extirpate a clan. Here are the greater names coupled with the greater crimes. You would spare these criminals, for some mysterious reason. I would hang them, higher than Haman, for reasons of quite obvious justice; still more, still higher, for the sake of historical science.

The standard having been lowered in consideration of date, is to be still further lowered out of deference to station. Whilst the heroes of history become examples of morality, the historians who praise them, Froude, Macaulay, Carlyle, become teachers of morality and honest men. Quite frankly, I think there is no greater error. The inflexible integrity of the moral code is, to me, the secret of the authority, the dignity, the utility of history. If we may debase the currency for the sake of genius, or success, or rank, or reputation, we may debase it for the sake of a man's influence, of his religion, of his party, of the good cause which prospers by his credit and suffers by his disgrace. Then history ceases to be a science, an arbiter of controversy, a guide of the wanderer, the upholder of that moral standard which the powers of earth, and religion itself, tend constantly to depress. It serves where it ought to reign; and it serves the worst cause better than the purest.

Let me propose a crux whereby to part apologetic history from what I should like to call conscientious history:—an Italian government was induced by the Pope to set a good round price on the heads of certain of its subjects, presumably Protestants, who had got away. Nobody came to

concourse of authorities, to live up to the example of St. Charles?

Of course I know that you do sometimes censure great men severely. But the doctrine I am contesting appears in your preface, and in such places as where you can hardly think that a pope can be a poisoner. This is a far larger question of method in history than what you mean when you say that I think you are afraid to be impartial; as if you were writing with purposes of conciliation and in opposition to somebody who thinks that the old man of the Seven Mountains is worse than the old man of one. I do not mean that, because your language about the Inquisition really baffles and bewilders me. Moreover, you are far more severe on Sixtus about the Pazzi than others; more, for instance, than Capponi or Reumont. And my dogma is not the special wickedness of my own spiritual superiors, but the general wickedness of men in authority—of Luther and Zwingli and Calvin and Cranmer and Knox, of Mary Stuart and Henry VIII, of Philip II and Elizabeth, of Cromwell and Louis XIV, James and Charles and William, Bossuet and Ken. Before this, it is a mere detail that imperfect sincerity is a greater reproach in divines than in laymen, and that, in our Church, priests are generally sacrilegious; and sacrilege is a serious thing. Let me add one word to explain my objection to your use of materials. Here is Pastor, boasting that he knows much that you do not. He does not stand on a very high level, and even his religion seems to be chiefly ecclesiastical. But I do apprehend that his massive information will give him an advantage over you when he gets farther. In that light I regret whatever does not tend to increase the authority of a work written on such *Culturstufe* as yours. I did not mean to overlook what may be urged *per contra*. When you began there was no rival more jealous than Gregorovius. That is not the case now. I should have wished your fortification to be strengthened against a new danger.

I am sure you will take this long and contentious letter

older than 1700; and the notion and analysis of veracity is scarcely older than our time—barring Sacred Writings of East and West.

In Christendom, time and place do not excuse—if the Apostle's Code sufficed for Salvation.

Strong minds think things out, complete the circle of their thinking, and must not be interpreted by types.

Good men and great men are *ex vi termini*, aloof from the action of surroundings.

But goodness generally appeared in unison with authority, sustained by environment, and rarely manifested the force and sufficiency of the isolated will and conscience.

The Reign of Sin is more universal, the influence of unconscious error is less, than historians tell us. Good and evil lie close together. Seek no artistic unity in character.

History teaches a Psychology which is not that of private experience and domestic biography.

The principles of public morality are as definite as those of the morality of private life; but they are not identical.

A good cause proves less in a man's favour than a bad cause against him.

The final judgment depends on the worst action.

Character is tested by true sentiments more than by conduct. A man is seldom better than his word.

History is better written from letters than from histories: let a man criminate himself.

No public character has ever stood the revelation of private utterance and correspondence.

Be prepared to find that the best repute gives way under closer scrutiny.

In public life, the domain of History, vice is less than crime.

Active, transitive sins count for more than others.

The greatest crime is Homicide.

The accomplice is no better than the assassin; the theorist is worse.

Of killing from private motives or from public, from political or from religious, *eadem est ratio*. Morally, the

worst is the last. The source of crime is *pars melior nostri*. What ought to save, destroys. The sinner is hardened and proof against Repentance.

Faith must be sincere. When defended by sin it is not sincere; theologically, it is not Faith. God's grace does not operate by sin.

Transpose the nominative and the accusative and see how things look then.

History deals with Life; Religion with Death. Much of its work and spirit escapes our ken.

The systems of Barrow, Baxter, Bossuet higher, spiritually, constructively, scientifically, than Penn's. In our scales his high morality outweighs them.

Crimes by constituted authorities worse than crimes by Madame Tussaud's private malefactors. Murder may be done by legal means, by plausible and profitable war, by calumny, as well as by dose or dagger.

The College,
Worcester
[April 9, 1887]

My dear Lord Acton,

Your letter is an act of true friendliness, and I am very grateful to you for it, more grateful than I can say. It is a rare encouragement to have such a standard set up as you have put before me. Judged by it I have nothing to say except to submit: *efficaci do manus scientiae*. Before such an ideal I can only confess that I am shallow and frivolous, limited alike in my views and in my knowledge. You conceive of History as an Architectonic, for the writing of which a man needs the severest and largest training. And it is impossible not to agree with you: so it ought to be.

I can only admit that I fall far short of the equipment necessary for the task that I have undertaken. I was engaged in reading quietly for the purpose, and the beginning of writing lay in the remote distance in my mind, when I received a letter asking me to look through the papers of an old gentleman whom I slightly knew, who on

his deathbed had made me his literary executor. I came across him at Oxford in the Bodleian, where he came to read for a history of the rise of Universities. He died at the age of seventy-four, possessor of a vast number of notes, out of which all that I could piece together was an article on Wyclif's Oxford life. This filled me with a horror of notebooks and urged me to begin definitely to write. I thought that I had best frankly do what I could; anything would serve as a step for my successors. So I wrote.

I entirely agree with your principles of historical judgments: but apparently I admit casuistry to a larger extent than you approve. I remember that in 1880 I met John Bright at dinner: he was very cross, apparently a cabinet meeting had disagreed with him. Amongst other things he said: "If the people knew what sort of men statesmen were, they would rise and hang the whole lot of them." Next day I met a young man who had been talking to Gladstone, who urged him to parliamentary life, saying: "Statesmanship is the noblest way to serve mankind."

I am sufficient of a Hegelian to be able to combine both judgments; but the results of my combination cannot be expressed in the terms of the logic of Aristotle. In studying history the question of the salvability of an archdeacon becomes indefinitely extended to all officials, kings and popes included. What I meant in my offending sentence in my preface was that anyone engaged in great affairs occupied a representative position, which required special consideration. Selfishness, even wrongdoing, for an idea, an institution, the maintenance of an accepted view of the basis of society, does not cease to be wrongdoing: but it is not quite the same as personal wrongdoing. It is more difficult to prove, and it does not equally shock the moral sense of others or disturb the moral sense of the doer. The acts of men in power are determined by the effective force behind them of which they are the exponents: their morality is almost always lower than the morality of the mass of men: but there is generally a point fixed below which they cannot sink with impunity. Homicide is always homicide:

You judge the whole question of persecution more rigorously than I do. Society is an organism and its laws are an expression of the conditions which it considers necessary for its own preservation. When men were hanged in England for sheep stealing it was because people thought that sheep stealing was a crime and ought to be severely put down. We still think it a crime, but we think it can be checked more effectively by less stringent punishments. Nowadays people are not agreed about what heresy is; they do not think it a menace to society; hence they do not ask for its punishment. But the men who conscientiously thought heresy a crime may be accused of an intellectual mistake, not necessarily of a moral crime. The immediate results of the Reformation were not to favour free thought, and the error of Calvin, who knew that ecclesiastical unity was abolished, was a far greater one than that of Innocent III who struggled to maintain it. I am hopelessly tempted to admit degrees of criminality, otherwise history becomes a dreary record of wickedness.

I go so far with you that it supplies me with few heroes, and records few good actions; but the actors were men like myself, sorely tempted by the possession of power, trammelled by holding a representative position (none were more trammelled than popes), and in the sixteenth century especially looking at things in a very abstract way. I suppose statesmen rarely regard questions in the concrete. I cannot follow the actions of contemporary statesmen with much moral satisfaction. In the past I find myself regarding them with pity—who am I that I should condemn them? Surely they knew not what they did.

There is no reason for not saying what they did; but what they did was not always what they tried to do or thought that they were doing.

Moral progress has indeed been slow; it still is powerless to affect international relations. If Bright's remedy were adopted and every statesman in Europe were hanged, would that mend matters?

In return for your wisdom I have written enough to