JOHN ACTON

THE HISTORY OF FREEDOM, AND OTHER ESSAYS

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Acton J.

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Содержание

John Emerich Edward Dalberg-Acton
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PREFATORY NOTE

The Editors desire to thank the members of the Acton family for their help and advice during the preparation of this volume and of the volume of *Historical Essays and Studies*. They have had the advantage of access to many of Acton's letters, especially those to Döllinger and Lady Blennerhasset. They have thus been provided with valuable material for the Introduction. At the same time they wish to take the entire responsibility for the opinions expressed therein. They are again indebted to Professor Henry Jackson for valuable suggestions.

This volume consists of articles reprinted from the following journals: *The Quarterly Review*, *The English Historical Review*, *The Nineteenth Century*, *The Rambler*, *The Home and Foreign Review*, *The North British Review*, *The Bridgnorth Journal*. The Editors have to thank Mr. John Murray, Messrs. Longmans, Kegan Paul, Williams and Norgate, and the proprietors of *The Bridgnorth Journal* for their kind permission to republish these articles, and also the Delegacy of the Clarendon Press for allowing the reprint of the Introduction to Mr. Burd's edition of *Il Principe*. They desire to point out that in *Lord Acton and his Circle* the article on "The Protestant Theory of Persecution" is attributed to Simpson: this is an error.

J.N.F.
R.V.L.
August 24, 1907.

CHRONICLE

John Emerich Edward Dalberg-Acton, born at Naples, 10th January 1834, son of Sir Ferdinand Richard Edward Dalberg-Acton and Marie de Dalberg, afterwards Countess Granville.

French school near Paris

1843-1848.	Student at Oscott
	" " Edinburgh.
1848-1854.	" " Munich University, living with Döllinger.
1855.	Visits America in company with Lord Ellesmere.
1858-1862.	Becomes editor of *The Rambler*.
1859-1865.	M.P. for Carlow.
1862-1864.	Founds, edits, and concludes *The Home and Foreign Review*.
1864.	Pius IX. issued *Quanta Cura*, with appended *Syllabus Errorum*.
1865-1866.	M.P. for Bridgnorth
1865.	Marries Countess Marie Arco-Valley.
1867-1868.	Writes for *The Chronicle*.
1869.	Created Baron Acton.
1869-1871.	Writes for *North British Review*.
1869-1870.	Vatican Council. Acton at Rome. Writes "Letters of Quirinus" in *alleging Zeitung*.
1872.	Honorary degree at Munich.
1874.	Letters to *The Times* on "The Vatican Decrees."
1888.	Honorary degree at Cambridge.
1889.	" " Oxford.
1890.	Honorary Fellow of All Souls'.
1892-1895.	Lord-in-Waiting.
1895-1902.	Regius Professor of Modern History at Cambridge Honorary Fellow of Trinity College.
19th June 1902.	Died at Tegernsee.

INTRODUCTION

The two volumes here published contain but a small selection from the numerous writings of Acton on a variety of topics, which are to be found scattered through many periodicals of the last half-century. The result here displayed is therefore not complete. A further selection of nearly equal quantity might be made, and still much that is valuable in Acton's work would remain buried. Here, for instance, we have extracted nothing from the *Chronicle*; and Acton's gifts as a leader-writer remain without illustration. Yet they were remarkable. Rarely did he show to better advantage than in the articles and reviews he wrote in that short-lived rival of the *Saturday Review*. From the two bound volumes of that single weekly, there might be made a selection which would be of high interest to all who cared to learn what was passing in the minds of the most acute and enlightened members of the Roman Communion at one of the most critical epochs in the history of the papacy. But what could never be reproduced is the general impression of Acton's many contributions to the *Rambler*, the *Home and Foreign*, and the *North British Review*. Perhaps none of his longer and more ceremonious writings can give to the reader so vivid a sense at once of the range of Acton's erudition and the strength of his critical faculty as does the perusal of these short notices. Any one who wished to understand the personality of Acton could not do better than take the published Bibliography and read a few of the articles on "contemporary literature" furnished by him to the three Reviews. In no other way could the reader so clearly realise the complexity of his mind or the vast number of subjects which he could touch with the hand of a master. In a single number there are twenty-eight such notices. His writing before he was thirty years of age shows an intimate and detailed knowledge of documents and authorities which with most students is the "hard won and hardly won" achievement of a lifetime of labour. He always writes as the student, never as the *littérateur*. Even the memorable phrases which give point to his briefest articles are judicial, not journalistic. Yet he treats of matters which range from the dawn of history through the ancient empires down to subjects so essentially modern as the vast literature of revolutionary France or the leaders of the romantic movement which replaced it. In all these writings of Acton those qualities manifest themselves, which only grew stronger with time, and gave him a distinct and unique place among his contemporaries. Here is the same austere love of truth, the same resolve to dig to the bed-rock of fact, and to exhaust all sources of possible illumination, the same breadth of view and intensity of inquiring ardour, which stimulated his studies and limited his productive power. Above all, there is the same unwavering faith in principles, as affording the only criterion of judgment amid the ever-fluctuating welter of human passions, political manœuvring, and ecclesiastical intrigue. But this is not all. We note the same value for great books as the source of wisdom, combined with the same enthusiasm for immediate justice which made Acton the despair of the mere academic student, an enigma among men of the world, and a stumbling-block to the politician of the clubs. Beyond this, we find that certainty and decision of judgment, that crisp concentration of phrase, that grave and deliberate irony and that mastery of subtlety, allusion, and wit, which make his interpretation an adventure and his judgment a sword.

A few instances may be given. In criticising a professor of history famous in every way rather than as a student, Acton says, "his Lectures are indeed not entirely unhistorical, for he has borrowed quite discriminatingly from Tocqueville." Of another writer he says that "ideas, if they occur to him, he rejects like temptations to sin." Of Ranke, thinking perhaps also of himself, he declares that "his intimate knowledge of all the contemporary history of Europe is a merit not suited to his insular readers." Of a partisan French writer under Louis Napoleon he says that "he will have a fair grievance if he fails to obtain from a discriminating government some acknowledgment of the services which mere historical science will find it hard to appreciate." Of Laurent he says, that "sometimes it even happens that his information is not second-hand, and there are some original authorities with which he is evidently familiar. The ardour of his opinions, so different from those which have usually distorted

history, gives an interest even to his grossest errors. Mr. Buckle, if he had been able to distinguish a good book from a bad one, would have been a tolerable imitation of M. Laurent." Perhaps, however, the most characteristic of these forgotten judgments is the description of Lord Liverpool and the class which supported him. Not even Disraeli painting the leader of that party which he was destined so strangely to "educate" could equal the austere and accurate irony with which Acton, writing as a student, not as a novelist, sums up the characteristics of the class of his birth.

> Lord Liverpool governed England in the greatest crisis of the war, and for twelve troubled years of peace, chosen not by the nation, but by the owners of the land. The English gentry were well content with an order of things by which for a century and a quarter they had enjoyed so much prosperity and power. Desiring no change they wished for no ideas. They sympathised with the complacent respectability of Lord Liverpool's character, and knew how to value the safe sterility of his mind. He distanced statesmen like Grenville, Wellesley, and Canning, not in spite of his inferiority, but by reason of it. His mediocrity was his merit. The secret of his policy was that he had none. For six years his administration outdid the Holy Alliance. For five years it led the liberal movement throughout the world. The Prime Minister hardly knew the difference. He it was who forced Canning on the King. In the same spirit he wished his government to include men who were in favour of the Catholic claims and men who were opposed to them. His career exemplifies, not the accidental combination but the natural affinity, between the love of conservatism and the fear of ideas.

The longer essays republished in these volumes exhibit in most of its characteristics a personality which even those who disagreed with his views must allow to have been one of the most remarkable products of European culture in the nineteenth century. They will show in some degree how Acton's mind developed in the three chief periods of his activity, something of the influences which moulded it, a great deal of its preferences and its antipathies, and nearly all its directing ideals. During the first period – roughly to be dated from 1855 to 1863 – he was hopefully striving, under the influence of Döllinger (his teacher from the age of seventeen), to educate his co-religionists in breadth and sympathy, and to place before his countrymen ideals of right in politics, which were to him bound up with the Catholic faith. The combination of scientific inquiry with true rules of political justice he claimed, in a letter to Döllinger, as the aim of the *Home and Foreign Review*. The result is to be seen in a quarterly, forgotten, like all such quarterlies to-day, but far surpassing, alike in knowledge, range, and certainty, any of the other quarterlies, political, or ecclesiastical, or specialist, which the nineteenth century produced. There is indeed no general periodical which comes near to it for thoroughness of erudition and strength of thought, if not for brilliance and ease; while it touches on topics contemporary and political in a way impossible to any specialist journal. A comparison with the *British Critic* in the religious sphere, with the *Edinburgh* in the political, will show how in all the weightier matters of learning and thought, the *Home and Foreign* (indeed the *Rambler*) was their superior, while it displayed a cosmopolitan interest foreign to most English journals.

We need not recapitulate the story so admirably told already by Doctor Gasquet of the beginning and end of the various journalistic enterprises with which Acton was connected. So far as he was concerned, however, the time may be regarded as that of youth and hope.

Next came what must be termed the "fighting period," when he stood forth as the leader among laymen of the party opposed to that "insolent and aggressive faction" which achieved its imagined triumph at the Vatican Council. This period, which may perhaps be dated from the issue of the Syllabus by Pius IX. in 1864, may be considered to close with the reply to Mr. Gladstone's pamphlet on "The Vatican Decrees," and with the attempt of the famous Cardinal, in whose mind history was identified with heresy, to drive from the Roman communion its most illustrious English layman. Part

of this story tells itself in the letters published by the Abbot Gasquet; and more will be known when those to Döllinger are given to the world.

We may date the third period of Acton's life from the failure of Manning's attempt, or indeed a little earlier. He had now given up all attempt to contend against the dominant influence of the Court of Rome, though feeling that loyalty to the Church of his Baptism, as a living body, was independent of the disastrous policy of its hierarchy. During this time he was occupied with the great unrealised project of the history of liberty or in movements of English politics and in the usual avocations of a student. In the earlier part of this period are to be placed some of the best things that Acton ever wrote, such as the lectures on Liberty, here republished. It is characterised by his discovery in the "eighties" that Döllinger and he were divided on the question of the severity of condemnation to be passed on persecutors and their approvers. Acton found to his dismay that Döllinger (like Creighton) was willing to accept pleas in arrest of judgment or at least mitigation of sentence, which the layman's sterner code repudiated. Finding that he had misunderstood his master, Acton was for a time profoundly discouraged, declared himself isolated, and surrendered the outlook of literary work as vain. He found, in fact, that in ecclesiastical as in general politics he was alone, however much he might sympathise with others up to a certain point. On the other hand, these years witnessed a gradual mellowing of his judgment in regard to the prospects of the Church, and its capacity to absorb and interpret in a harmless sense the dogma against whose promulgation he had fought so eagerly. It might also be correct to say that the English element in Acton came out most strongly in this period, closing as it did with the Cambridge Professorship, and including the development of the friendship between himself and Mr. Gladstone.

We have spoken both of the English element in Acton and of his European importance. This is the only way in which it is possible to present or understand him. There were in him strains of many races. On his father's side he was an English country squire, but foreign residence and the Neapolitan Court had largely affected the family, in addition to that flavour of cosmopolitan culture which belongs to the more highly placed Englishmen of the Roman Communion. On his mother's side he was a member of one of the oldest and greatest families in Germany, which was only not princely. The Dalbergs, moreover, had intermarried with an Italian family, the Brignoli. Trained first at Oscott under Wiseman, and afterwards at Munich under Döllinger, in whose house he lived, Acton by education as well as birth was a cosmopolitan, while his marriage with the family of Arco-Valley introduced a further strain of Bavarian influence into his life. His mother's second marriage with Lord Granville brought him into connection with the dominant influences of the great Whig Houses. For a brief period, like many another county magnate, he was a member of the House of Commons, but he never became accustomed to its atmosphere. For a longer time he lived at his house in Shropshire, and was a stately and sympathetic host, though without much taste for the avocations of country life. His English birth and Whig surroundings were largely responsible for that intense constitutionalism, which was to him a religion, and in regard both to ecclesiastical and civil politics formed his guiding criterion. This explains his detestation of all forms of absolutism on the one hand, and what he always called "the revolution" on the other.

It was not, however, the English strain that was most obvious in Acton, but the German. It was natural that he should become fired under Döllinger's influence with the ideals of continental scholarship and exact and minute investigation. He had a good deal of the massive solidity of the German intellect. He liked, as in the "Letter to a German Bishop," to make his judgment appear as the culmination of so much weighty evidence, that it seemed to speak for itself. He had, too, a little of the German habit of breaking a butterfly upon a wheel, and at times he makes reading difficult by a more than Teutonic allusiveness. It was not easy for Acton to bear in mind that the public is often ignorant of even the names of distinguished scholars, and that "a European reputation" is sometimes confined to the readers of specialist publications.

The Italian strain in Acton is apparent in another quality, which is perhaps his one point of kinship with Machiavelli, the absence of hesitation from his thought, and of mystery from his writing. Subtle and ironic as his style is, charged with allusion and weighted with passion, it is yet entirely devoid both of German sentiment and English vagueness. There was no haze in his mind. He judges, but does not paint pictures. It may have been this absence of half-tones in his vein of thought, and of *chiaroscuro* in his imagination that made Manning, an intelligent however hostile critic, speak of "the ruthless talk of undergraduates."

But however much or little be allowed to the diverse strains of hereditary influence or outward circumstances, the interest of Acton to the student lies in his intense individuality. That austerity of moral judgment, that sense of the greatness of human affairs, and of the vast issues that lie in action and in thought, was no product of outside influences, and went beyond what he had learnt from his master Döllinger. To treat politics as a game, to play with truth or make it subservient to any cause other than itself, to take trivial views, was to Acton as deep a crime as to waste in pleasure or futility the hours so brief given for salvation of the soul would have seemed to Baxter or Bunyan; indeed, there was an element of Puritan severity in his attitude towards statesmen both ecclesiastical and civil. He was no "light half-believer of a casual creed," but had a sense of reality more like Dante than many moderns.

This, perhaps, it was that drew him ever closer to Mr. Gladstone, while it made the House of Commons and the daily doings of politicians uncongenial. There is no doubt that he had learned too well "the secret of intellectual detachment." Early in his life his shrewd and kindly stepfather had pointed out to him the danger of losing influence by a too unrestrained desire to escape worshipping the idols of the marketplace. There are, it is true, not wanting signs that his view of the true relations of States and Churches may become one day more dominant, for it appears as though once more the earlier Middle Ages will be justified, and religious bodies become the guardians of freedom, even in the political sphere. Still, a successful career in public life could hardly be predicted for one who felt at the beginning that "I agree with nobody, and nobody agrees with me," and towards the close admitted that he "never had any contemporaries." On the other hand, it may be questioned whether, in the chief of his self-imposed tasks, he failed so greatly as at first appeared. If he did not prevent "infallibility" being decreed, the action of the party of Strossmayer and Hefele assuredly prevented the form of the decree being so dangerous as they at first feared. We can only hazard a guess that the mild and minimising terms of the dogma, especially as they have since been interpreted, were in reality no triumph to Veuillot and the Jesuits. In later life Acton seems to have felt that they need not have the dangerous consequences, both in regard to historical judgments or political principles, which he had feared from the registered victory of ultramontane reaction. However this may be, Acton's whole career is evidence of his detachment of mind, and entire independence even of his closest associates. It was a matter to him not of taste but of principle. What mainly marked him out among men was the intense reality of his faith. This gave to all his studies their practical tone. He had none of the pedant's contempt for ordinary life, none of the æsthete's contempt for action as a "little vulgar," and no desire to make of intellectual pursuits an end in themselves. His scholarship was to him as practical as his politics, and his politics as ethical as his faith. Thus his whole life was a unity. All his various interests were inspired by one unconquered resolve, the aim of securing universally, alike in Church and in State, the recognition of the paramountcy of principles over interests, of liberty over tyranny, of truth over all forms of evasion or equivocation. His ideal in the political world was, as he said, that of securing *suum cuique* to every individual or association of human life, and to prevent any institution, however holy its aims, acquiring more.

To understand the ardour of his efforts it is necessary to bear in mind the world into which he was born, and the crises intellectual, religious, and political which he lived to witness and sometimes to influence. Born in the early days of the July monarchy, when reform in England was a novelty, and Catholic freedom a late-won boon, Acton as he grew to manhood in Munich and in England had

presented to his regard a series of scenes well calculated to arouse a thoughtful mind to consideration of the deepest problems, both of politics and religion. What must have been the "long, long thoughts" of a youth, naturally reflective and acutely observant, as he witnessed the break-up of the old order in '48 and the years that followed. In the most impressionable age of life he was driven to contemplate a Europe in solution; the crash of the kingdoms; the Pope a Liberal, an exile, and a reactionary; the principle of nationality claiming to supersede all vested rights, and to absorb and complete the work of '89; even socialism for once striving to reduce theory to practice, till there came the "saviour of society" with the *coup d'état* and a new era of authority and despotism. This was the outward aspect. In the world of thought he looked upon a period of moral and intellectual anarchy. Philosopher had succeeded philosopher, critic had followed critic, Strauss and Baur were names to conjure with, and Hegel was still unforgotten in the land of his birth. Materialistic science was in the very heyday of its parvenu and tawdry intolerance, and historical knowledge in the splendid dawn of that new world of knowledge, of which Ranke was the Columbus. Everywhere faith was shaken, and except for a few resolute and unconquered spirits, it seemed as though its defence were left to a class of men who thought the only refuge of religion was in obscurity, the sole bulwark of order was tyranny, and the one support of eternal truth plausible and convenient fiction. What wonder then that the pupil of Döllinger should exhaust the intellectual and moral energies of a lifetime, in preaching to those who direct the affairs of men the paramount supremacy of principle. The course of the plebiscitary Empire, and that gradual campaign in the United States by which the will of the majority became identified with that necessity which knows no law, contributed further to educate his sense of right in politics, and to augment the distrust of power natural to a pupil of the great Whigs, of Burke, of Montesquieu, of Madame de Staël. On the other hand, as a pupil of Döllinger, his religious faith was deeper than could be touched by the recognition of facts, of which too many were notorious to make it even good policy to deny the rest; and he demanded with passion that history should set the follies and the crimes of ecclesiastical authority in no better light than those of civil.

We cannot understand Acton aright, if we do not remember that he was an English Roman Catholic, to whom the penal laws and the exploitation of Ireland were a burning injustice. They were in his view as foul a blot on the Protestant establishment and the Whig aristocracy as was the St. Bartholomew's medal on the memory of Gregory XIII., or the murder of the duc d'Enghien on the genius of Napoleon, or the burning of Servetus on the sanctity of Calvin, or the permission of bigamy on the character of Luther, or the September Massacres on Danton.

Two other tendencies dominant in Germany – tendencies which had and have a great power in the minds of scholars, yet to Acton, both as a Christian and a man, seemed corrupting – compelled him to a search for principles which might deliver him from slavery alike to traditions and to fashion, from the historian's vice of condoning whatever has got itself allowed to exist, and from the politician's habit of mere opportunist acquiescence in popular standards.

First of these is the famous maxim of Schiller, *Die Welt-Geschichte ist das Welt-Gericht*, which, as commonly interpreted, definitely identifies success with right, and is based, consciously or unconsciously, on a pantheistic philosophy. This tendency, especially when envisaged by an age passing through revolutionary nationalism back to Machiavelli's ideals and *Realpolitik,* is clearly subversive of any system of public law or morality, and indeed is generally recognised as such nowadays even by its adherents.

The second tendency against which Acton's moral sense revolted, had arisen out of the laudable determination of historians to be sympathetic towards men of distant ages and of alien modes of thought. With the romantic movement the early nineteenth century placed a check upon the habit of despising mediæval ideals, which had been increasing from the days of the Renaissance and had culminated in Voltaire. Instead of this, there arose a sentiment of admiration for the past, while the general growth of historical methods of thinking supplied a sense of the relativity of moral principles, and led to a desire to condone if not to commend the crimes of other ages. It became almost a trick

of style to talk of judging men by the standard of their day and to allege the spirit of the age in excuse for the Albigensian Crusade or the burning of Hus. Acton felt that this was to destroy the very bases of moral judgment and to open the way to a boundless scepticism. Anxious as he was to uphold the doctrine of growth in theology, he allowed nothing for it in the realm of morals, at any rate in the Christian era, since the thirteenth century. He demanded a code of moral judgment independent of place and time, and not merely relative to a particular civilisation. He also demanded that it should be independent of religion. His reverence for scholars knew no limits of creed or church, and he desired some body of rules which all might recognise, independently of such historical phenomena as religious institutions. At a time when such varied and contradictory opinions, both within and without the limits of Christian belief, were supported by some of the most powerful minds and distinguished investigators, it seemed idle to look for any basis of agreement beyond some simple moral principles. But he thought that all men might agree in admitting the sanctity of human life and judging accordingly every man or system which needlessly sacrificed it. It is this preaching in season and out of season against the reality of wickedness, and against every interference with the conscience, that is the real inspiration both of Acton's life and of his writings.

It is related of Frederick Robertson of Brighton, that during one of his periods of intellectual perplexity he found that the only rope to hold fast by was the conviction, "it must be right to do right." The whole of Lord Acton's career might be summed up in a counterphrase, "it must be wrong to do wrong." It was this conviction, universally and unwaveringly applied, and combined with an unalterable faith in Christ, which gave unity to all his efforts, sustained him in his struggle with ecclesiastical authority, accounted for all his sympathies, and accentuated his antipathies, while it at once expanded and limited his interests. It is this that made his personality so much greater a gift to the world than any book which he might have written – had he cared less for the end and more for the process of historical knowledge.

He was interested in knowledge – that it might diminish prejudice and break down barriers. To a world in which the very bases of civilisation seemed to be dissolving he preached the need of directing ideals.

Artistic interests were not strong in him, and the decadent pursuit of culture as a mere luxury had no stronger enemy. Intellectual activity, apart from moral purpose, was anathema to Acton. He has been censured for bidding the student of his hundred best books to steel his mind against the charm of literary beauty and style. Yet he was right. His list of books was expressly framed to be a guide, not a pleasure; it was intended to supply the place of University direction to those who could not afford a college life, and it throws light upon the various strands that mingled in Acton and the historical, scientific, and political influences which formed his mind. He felt the danger that lurks in the charm of literary beauty and style, for he had both as a writer and a reader a strong taste for rhetoric, and he knew how young minds are apt to be enchained rather by the persuasive spell of the manner than the living thought beneath it. Above all, he detested the modern journalistic craze for novelty, and despised the shallowness which rates cleverness above wisdom.

In the same way his eulogy of George Eliot has been censured far more than it has been understood. It was not as an artist superior to all others that he praised the author of *Daniel Deronda* and the translator of Strauss. It was because she supplied in her own person the solution of the problem nearest to his heart, and redeemed (so far as teaching went) infidelity in religion from immorality in ethics. It was, above all, as a constructive teacher of morals that he admired George Eliot, who might, in his view, save a daily increasing scepticism from its worst dangers, and preserve morals which a future age of faith might once more inspire with religious ideals. Here was a writer at the summit of modern culture, saturated with materialistic science, a convinced and unchanging atheist, who, in spite of this, proclaimed in all her work that moral law is binding, and upheld a code of ethics, Christian in content, though not in foundation.

In the same way his admiration for Mr. Gladstone is to be explained. It was not his successes so much as his failures that attracted Acton, and above all, his refusal to admit that nations, in their dealings with one another, are subject to no law but that of greed. Doubtless one who gave himself no credit for practical aptitude in public affairs, admired a man who had gifts that were not his own. But what Acton most admired was what many condemned. It was because he was not like Lord Palmerston, because Bismarck disliked him, because he gave back the Transvaal to the Boers, and tried to restore Ireland to its people, because his love of liberty never weaned him from loyalty to the Crown, and his politics were part of his religion, that Acton used of Gladstone language rarely used, and still more rarely applicable, to any statesman. For this very reason – his belief that political differences do, while religious differences do not, imply a different morality – he censured so severely the generous eulogy of Disraeli, just as in Döllinger's case he blamed the praise of Dupanloup. For Acton was intolerant of all leniency towards methods and individuals whom he thought immoral. He could give quarter to the infidel more easily than to the Jesuit.

We may, of course, deny that Acton was right. But few intelligent observers can dispute the accuracy of his diagnosis, or deny that more than anything else the disease of Western civilisation is a general lack of directing ideals other than those which are included in the gospel of commercialism. It may surely be further admitted that even intellectual activity has too much of triviality about it to-day; that if people despise the schoolmen, it is rather owing to their virtues than their defects, because impressionism has taken the place of thought, and brilliancy that of labour. On the other hand, Acton's dream of ethical agreement, apart from religion, seems further off from realisation than ever.

Acton, however, wrote for a world which breathed in the atmosphere created by Kant. His position was something as follows: After the discovery of facts, a matter of honesty and industry independent of any opinions, history needs a criterion of judgment by which it may appraise men's actions. This criterion cannot be afforded by religion, for religion is one part of the historic process of which we are tracing the flow. The principles on which all can combine are the inviolable sanctity of human life, and the unalterable principle of even justice and toleration. Wherever these are violated our course is clear. Neither custom nor convenience, neither distance of time nor difference of culture may excuse or even limit our condemnation. Murder is always murder, whether it be committed by populace or patricians, by councils or kings or popes. Had they had their dues, Paolo Sarpi would have been in Newgate and George I. would have died at Tyburn.

The unbending severity of his judgment, which is sometimes carried to an excess almost ludicrous, is further explained by another element in his experience. In his letters to Döllinger and others he more than once relates how in early life he had sought guidance in the difficult historical and ethical questions which beset the history of the papacy from many of the most eminent ultramontanes. Later on he was able to test their answers in the light of his constant study of original authorities and his careful investigation of archives. He found that the answers given him had been at the best but plausible evasions. The letters make it clear that the harshness with which Acton always regarded ultramontanes was due to that bitter feeling which arises in any reflecting mind on the discovery that it has been put off with explanations that did not explain, or left in ignorance of material facts.

Liberalism, we must remember, was a religion to Acton —*i. e.* liberalism as he understood it, by no means always what goes by the name. His conviction that ultramontane theories lead to immoral politics prompted his ecclesiastical antipathies. His anger was aroused, not by any feeling that Papal infallibility was a theological error, but by the belief that it enshrined in the Church monarchical autocracy, which could never maintain itself apart from crime committed or condoned. It was not intellectual error but moral obliquity that was to him here, as everywhere, the enemy. He could tolerate unbelief, he could not tolerate sin. Machiavelli represented to him the worst of political principles, because in the name of the public weal he destroyed the individual's conscience. Yet he left a loophole in private life for religion, and a sinning statesman might one day become converted. But when the same principles are applied, as they have been applied by the Jesuit organisers of ultramontane

reaction (also on occasion by Protestants), *ad majorem dei gloriam*, it is clear that the soul is corrupted at its highest point, and the very means of serving God are made the occasion of denying him. Because for Acton there was no comparison between goodness and knowledge, and because life was to him more than thought, because the passion of his life was to secure for all souls the freedom to live as God would have them live, he hated in the Church the politics of ultramontanism, and in the State the principles of Machiavelli. In the same way he denied the legitimacy of every form of government, every economic wrong, every party creed, which sacrificed to the pleasures or the safety of the few the righteousness and salvation of the many. His one belief was the right of every man not to have, but to be, his best.

This fact gives the key to what seems to many an unsolved contradiction, that the man who said what he did say and fought as he had fought should yet declare in private that it had never occurred to him to doubt any single dogma of his Church, and assert in public that communion with it was "dearer than life itself" Yet all the evidence both of his writings and his most intimate associates confirms this view. His opposition to the doctrine of infallibility was ethical and political rather than theological. As he wrote to Döllinger, the evil lay deeper, and Vaticanism was but the last triumph of a policy that was centuries old. Unless he were turned out of her he would see no more reason to leave the Church of his baptism on account of the Vatican Decrees than on account of those of the Lateran Council. To the dogma of the Immaculate Conception he had no hostility. And could not understand Döllinger's condemnation of it, or reconcile it with his previous utterances. He had great sympathy with the position of Liberal High Anglicans; but there is not the slightest reason to suppose that he ever desired to join the English Church. Even with the old Catholic movement he had no sympathy, and dissuaded his friends from joining it.[1] All forms of Gallicanism were distasteful to Acton, and he looked to the future for the victory of his ideas. His position in the Roman Church symbolises in an acute form what may be called the soul's tragedy of the whole nineteenth century, but Acton had not the smallest inclination to follow either Gavazzi or Lamennais. It was, in truth, the unwavering loyalty of his churchmanship and his far-reaching historical sense that enabled him to attack with such vehemence evils which he believed to be accidental and temporary, even though they might have endured for a millennium. Long searching of the vista of history preserved Acton from the common danger of confusing the eternal with what is merely lengthy. To such a mind as his, it no more occurred to leave the Church because he disapproved some of its official procedure, than it would to an Englishman to surrender his nationality when his political opponents came into office. He distinguished, as he said Froschammer ought to have done, between the authorities and the authority of the Church. He had a strong belief in the doctrine of development, and felt that it would prove impossible in the long run to bind the Christian community to any explanation of the faith which should have a non-Christian or immoral tendency. He left it to time and the common[Pg xxviii] conscience to clear the dogma from association with dangerous political tendencies, for his loyalty to the institution was too deep to be affected by his dislike of the *Camarilla* in power. He not only did not desire to leave the Church, but took pains to make his confession and receive absolution immediately after his letters appeared in the *Times*. It must also be stated that so far from approving Mr. Gladstone's attack on Vaticanism, he did his utmost to prevent its publication, which he regarded as neither fair nor wise.

It is true that Acton's whole tendency was individualistic, and his inner respect for mere authority apart from knowledge and judgment was doubtless small. But here we must remember what he said once of the political sphere – that neither liberty nor authority is conceivable except in an ordered society, and that they are both relative to conditions remote alike from anarchy and

[1] There is no foundation for the statement of Canon Meyrick in his *Reminiscences*, that Acton, had he lived on the Continent, would have undoubtedly become an Old Catholic. He did very largely live on the Continent. Nor did even Döllinger, of whom Dr. Meyrick also asserts it, ever become an adherent of that movement.

tyranny. Doubtless he leaned away from those in power, and probably felt of Manning as strongly as the latter wrote of him. Yet his individualism was always active within the religious society, and never contemplated itself as outside. He showed no sympathy for any form of Protestantism, except the purely political side of the Independents and other sects which have promoted liberty of conscience.

Acton's position as a churchman is made clearer by a view of his politics. At once an admirer and an adviser of Mr. Gladstone, he probably helped more than any other single friend to make his leader a Home Ruler. Yet he was anything but a modern Radical: for liberty was his goddess, not equality, and he dreaded any single power in a State, whether it was the King, or Parliament, or People. Neither popes nor princes, not even Protestant persecutors, did Acton condemn more deeply than the crimes of majorities and the fury of uncontrolled democracy. It was not the rule of one or many that was his ideal, but a balance of powers that might preserve freedom and keep every kind of authority subject to law. For, as he said, "liberty is not a means to a higher end, it is itself the highest political end." His preference was, therefore, not for any sovereign one or number, such as formed the ideal of Rousseau or the absolutists; but for a monarchy of the English type, with due representation to the aristocratic and propertied classes, as well as adequate power to the people. He did not believe in the doctrine of numbers, and had no sympathy with the cry *Vox populi Vox Dei*; on the other hand, he felt strongly that the stake in the country argument really applied with fullest force to the poor, for while political error means mere discomfort to the rich, it means to the poor the loss of all that makes life noble and even of life itself. As he said in one of his already published letters: —

The men who pay wages ought not to be the political masters of those who earn them, for laws should be adapted to those who have the heaviest stake in the country, for whom misgovernment means not mortified pride or stinted luxury, but want and pain and degradation, and risk to their own lives and to their children's souls.

While he felt the dangers of Rousseau's doctrine of equality, declaring that in the end it would be destructive alike of liberty and religion, he was yet strongly imbued with the need of reconciling some of the socialists' ideals with the regard due to the principles which he respected. He was anxious to promote the study of Roscher and the historical economists, and he seems to have thought that by their means some solution of the great economic evils of the modern world might be found, which should avoid injustice either to the capitalist or the wage-earner. He had a burning hatred of injustice and tyranny, which made him anxious to see the horrors of the modern proletariat system mitigated and destroyed; but combined with this there was a very deep sense of the need of acting on principles universally valid, and a distrust of any merely emotional enthusiasm which might, in the future, create more evils than it cured. Acton was, in truth, the incarnation of the "spirit of Whiggism," although in a very different sense of the phrase from that in which it became the target for the arrows of Disraeli's scorn and his mockery of the Venetian constitution. He was not the Conservative Whig of the "glorious revolution," for to him the memory of William of Orange might be immortal but was certainly not pious: yet it was "revolution principles" of which he said that they were the great gift of England to the world. By this he meant the real principles by which the events of 1688 could be philosophically justified, when purged of all their vulgar and interested associations, raised above their connection with a territorial oligarchy, and based on reasoned and universal ideals. Acton's liberalism was above all things historical, and rested on a consciousness of the past. He knew very well that the roots of modern constitutionalism were mediæval, and declared that it was the stolid conservatism of the English character, which had alone enabled it to preserve what other nations had lost in the passion for autocracy that characterised the men of the Renaissance and the Reformation. Constitutional government was for him the sole eternal truth in politics, the rare but the only guardian of freedom. He loved to trace the growth of the principle of power limiting itself and law triumphant alike over king, aristocracies, and majorities; and to show how it arose out of the cruel conflicts of the religious wars and rested upon the achievements of Constance and the efforts of Basle, and how it was influenced in expression by the thinkers of the ancient world and the theologians of the modern,

by the politics of Aristotle, by the maxims of Ulpian and of Gaius, by the theology of St. Thomas and Ockham, and even by Suarez and Molina.

What Acton feared and hated was the claim of absolutism to crush the individuality and destroy the conscience of men. It was indifferent to him whether this claim was exercised by Church or State, by Pope or Council, or King or Parliament. He felt, however, that it was more dangerous because more absorbing when exercised in religious matters, and thus condemned the Protestant theory more deeply than the Catholic permission of persecution. He also felt that monarchy was more easily checked than pure democracy, and that the risk of tyranny was greater in the latter.

Provided that freedom was left to men to do their duty, Acton was not greatly careful of mere rights. He had no belief in the natural equality of men, and no dislike of the subordination of classes on the score of birth. His ideal of freedom as of the Church was in some respects that of the earlier Middle Ages. He did not object to serfdom, provided that it safeguarded the elementary rights of the serf to serve God as well as man. In the great struggle in America, he had no sympathy with the North, which seemed to him to make majority rule the only measure of right: and he wrote, if not in favour, at least in palliation, of slavery. It may be doubted how far he would have used the same language in later life, but his reasons were in accord with all his general views. Slavery might be rendered harmless by the State, and some form of compulsion might be the only way of dealing with child-races, indeed, it might be merely a form of education no more morally blameworthy than the legal disabilities of minors. But the absolute state recognising no limits but its own will, and bound by no rule either of human or Divine law, appeared to him definitely immoral.

Acton's political conscience was also very broad on the side technically called moral. No one had higher ideals of purity. Yet he had little desire to pry into the private morality of kings or politicians. It was by the presence or absence of *political* principles that he judged them. He would have condemned Pope Paul the Fourth more than Rodrigo Borgia, and the inventor of the "dragonnades" more than his great-grandson. He did not view personal morality as relevant to political judgment.

In this, if in nothing else, he agreed with Creighton. His correspondence with the latter throws his principles into the strongest light, and forms the best material for a judgment. For it must, we think, be admitted that he applied these doctrines with a rigidity which human affairs will not admit, and assumed a knowledge beyond our capacity. To declare that no one could be in a state of grace who praised S. Carlo Borromeo, because the latter followed the evil principle of his day in the matter of persecution, is not merely to make the historian a hanging judge, but to ignore the great truth that if crime is always crime, degrees of temptation are widely variable. The fact is, Acton's desire to maintain the view that "morality is not ambulatory," led him at times to ignore the complementary doctrine that it certainly develops, and that the difficulties of statesmen or ecclesiastics, if they do not excuse, at least at times explain their less admirable courses. At the very close of his life Acton came to this view himself. In a pathetic conversation with his son, he lamented the harshness of some of his judgments, and hoped the example would not be followed.

Still, Acton, if he erred here, erred on the nobler side. The doctrine of moral relativity had been overdone by historians, and the principles of Machiavelli had become so common a cry of politicians, that severe protest was necessary. The ethics of Nietzsche are the logical ex[Pg xxxiii]pansion of Machiavelli, and his influence is proof that, in the long-run, men cannot separate their international code from their private one. We must remember that Acton lived in a time when, as he said, the course of history had been "twenty-five times diverted by actual or attempted crime," and when the old ideals of liberty seemed swallowed up by the pursuit of gain. To all those who reflect on history or politics, it was a gain of the highest order that at the very summit of historical scholarship and profound political knowledge there should be placed a leader who erred on the unfashionable side, who denied the statesmen's claim to subject justice to expediency, and opposed the partisan's attempt to palter with facts in the interest of his creed.

It is these principles which both explain Acton's work as a student, and make it so difficult to understand. He believed, that as an investigator of facts the historian must know no passion, save that of a desire to sift evidence; and his notion of this sifting was of the remorseless scientific school of Germany, which sometimes, perhaps, expects more in the way of testimony than human life affords. At any rate, Acton demanded that the historian must never misconceive the case of the adversaries of his views, or leave in shade the faults of his own side. But on the other hand, when he comes to interpret facts or to trace their relation, his views and even his temperament will affect the result. It is only the barest outline that can be quite objective. In Acton's view the historian as investigator is one thing, the historian as judge another. In an early essay on Döllinger he makes a distinction of this kind. The reader must bear it in mind in considering Acton's own writing. Some of the essays here printed, and still more the lectures, are anything but colourless; they show very distinctly the predilections of the writer, and it is hardly conceivable that they should have been written by a defender of absolutism, or even by an old-fashioned Tory. What Acton really demanded was not the academic aloofness of the pedant who stands apart from the strife of principles, but the honesty of purpose which "throws itself into the mind of one's opponents, and accounts for their mistakes," giving their case the best possible colouring. For, to be sure of one's ground, one must meet one's adversaries' strongest arguments, and not be content with merely picking holes in his armour. Otherwise one's own belief may be at the mercy of the next clever opponent. The reader may doubt how far Acton succeeded in his own aim, for there was a touch of intolerance in his hatred of absolutism, and he believed himself to be divided from his ecclesiastical and political foes by no mere intellectual difference but by a moral cleavage. Further, his writing is never half-hearted. His convictions were certitudes based on continual reading and reflection, and admitting in his mind of no qualification. He was eminently a Victorian in his confidence that he was right. He had none of the invertebrate tendency of mind which thinks it is impartial, merely because it is undecided, and regards the judicial attitude as that which refrains from judging. Acton's was not a doubting mind. If he now and then suspended his judgment, it was as an act of deliberate choice, because he had made up his mind that the matter could not be decided, not because he could not decide to make up his mind. Whether he was right or wrong, he always knew what he thought, and his language was as exact an expression of his meaning as he could make it. It was true that his subtle and far-sighted intelligence makes his style now and then like a boomerang, as when he says of Ranke's method "it is a discipline we shall all do well to adopt, and also do well to relinquish." Indeed, it is hardly possible to read a single essay without observing this marked characteristic. He has been called a "Meredith turned historian," and that there is truth in this judgment, any one who sees at once the difficulty and the suggestiveness of his reviews can bear witness. He could hardly write the briefest note without stamping his personality upon it and exhibiting the marks of a very complex culture. But the main characteristic of his style is that it represents the ideals of a man to whom every word was sacred. Its analogies are rather in sculpture than painting. Each paragraph, almost every sentence is a perfectly chiselled whole, impressive by no brilliance or outside polish, so much as by the inward intensity of which it is the symbol. Thus his writing is never fluent or easy, but it has a moral dignity rare and unfashionable.

Acton, indeed, was by no means without a gift of rhetoric, and in the "Lecture on Mexico," here republished, there is ample evidence of a power of handling words which should impress a popular audience. It is in gravity of judgment and in the light he can draw from small details that his power is most plainly shown. On the other hand, he had a little of the scholar's love of clinging to the bank, and, as the notes to his "Inaugural" show, he seems at times too much disposed to use the crutches of quotation to prop up positions which need no such support. It was of course the same habit – the desire not to speak before he had read everything that was relevant, whether in print or manuscript – that hindered so severely his output. His projected *History of Liberty* was, from the first, impossible of achievement. It would have required the intellects of Napoleon and Julius Cæsar combined, and the lifetime of the patriarchs, to have executed that project as Acton appears to have planned it. A *History*

of Liberty, beginning with the ancient world and carried down to our own day, to be based entirely upon original sources, treating both of the institutions which secured it, the persons who fought for it, and the ideas which expressed it, and taking note of all that scholars had written about every several portion of the subject, was and is beyond the reach of a single man. Probably towards the close of his life Acton had felt this. The *Cambridge Modern History*, which required the co-operation of so many specialists, was to him really but a fragment of this great project.

Two other causes limited Acton's output. Towards the close of the seventies he began to suspect, and eventually discovered, that he and Döllinger were not so close together as he had believed. That is to say, he found that in regard to the crimes of the past, Döllinger's position was more like that of Creighton than his own – that, while he was willing to say persecution was always wrong, he was not willing to go so far as Acton in rejecting every kind of mitigating plea and with mediæval certainty consigning the persecutors to perdition. Acton, who had as he thought, learnt all this from Döllinger, was distressed at what seemed to him the weakness and the sacerdotal prejudice of his master, felt that he was now indeed alone, and for the time surrendered, as he said, all views of literary work. This was the time when he had been gathering materials for a *History of the Council of Trent*. That this cleavage, coming when it did, had a paralysing effect on Acton's productive energy is most probable, for it made him feel that he was no longer one of a school, and was without sympathy and support in the things that lay nearest his heart.

Another cause retarded production – his determination to know all about the work of others. Acton desired to be in touch with university life all over Europe, to be aware, if possible through personal knowledge, of the trend of investigation and thought of scholars working in[Pg xxxvii] all the cognate branches of his subject. To keep up thoroughly with other people's work, and do much original writing of one's own, is rarely possible. At any rate we may say that the same man could not have produced the essay on German schools of history, and written a *magnum opus* of his own.

His life marks what, in an age of minute specialism, must always be at once the crown and the catastrophe of those who take all knowledge for their province. His achievement is something different from any book. Acton's life-work was, in fact, himself. Those who lament what he might have written as a historian would do well to reflect on the unique position which he held in the world of letters, and to ask themselves how far he could have wielded the influence that was his, or held the standard so high, had his own achievement been greater. Men such as Acton and Hort give to the world, by their example and disposition, more than any written volume could convey. In both cases a great part of their published writings has had, at least in book form, to be posthumous. But their influence on other workers is incalculable, and has not yet determined.

To an age doubting on all things, and with the moral basis of its action largely undermined, Acton gave the spectacle of a career which was as moving as it was rare. He stood for a spirit of unwavering and even childlike faith united to a passion for scientific inquiry, and a scorn of consequences, which at times made him almost an iconoclast. His whole life was dedicated to one high end, the aim of preaching the need of principles based on the widest induction and the most penetrating thought, as the only refuge amid the storm and welter of sophistical philosophies and ecclesiastical intrigues. The union of faith with knowledge, and the eternal supremacy of righteousness, this was the message of Acton to mankind.[Pg xxxviii] It may be thought that he sometimes exaggerated his thesis, that he preached it out of season, that he laid himself open to the charge of being doctrinaire, and that in fighting for it he failed to utter the resources of his vast learning. Enough, however, is left to enable the world to judge what he was. No books ever do more than that for any man. Those who are nice in comparisons may weigh against the book lost the man gained. Those who loved him will know no doubt.

The following document was found among Lord Acton's Papers. It records in an imaginative form the ideals which he set before him. Perhaps it forms the most fitting conclusion to this Introduction.

This day's post informed me of the death of Adrian, who was the best of all men I have known. He loved retirement, and avoided company, but you might sometimes meet him coming from scenes of sorrow, silent and appalled, as if he had seen a ghost, or in the darkest corner of churches, his dim eyes radiant with light from another world. In youth he had gone through much anxiety and contention; but he lived to be trusted and honoured. At last he dropped out of notice and the memory of men, and that part of his life was the happiest.

Years ago, when I saw much of him, most people had not found him out. There was something in his best qualities themselves that baffled observation, and fell short of decided excellence. He looked absent and preoccupied, as if thinking of things he cared not to speak of, and seemed but little interested in the cares and events of the day. Often it was hard to decide whether he had an opinion, and when he showed it, he would defend it with more eagerness and obstinacy than we liked. He did not mingle readily with others or co-operate in any common undertaking, so that one could not rely on him socially, or for practical objects. As he never spoke harshly of persons, so he seldom praised them warmly, and there was some apparent indifference and want of feeling. Ill success did not depress, but happy prospects did not elate him, and though never impatient, he was not actively hopeful. Facetious friends called him the weather-cock, or Mr. Facingbothways, because there was no heartiness in his judgments, and he satisfied nobody, and said things that were at first sight grossly inconsistent, without attempting to reconcile them. He was reserved about himself, and gave no explanations, so that he was constantly misunderstood, and there was a sense of failure, of disappointment, of perplexity about him.

These things struck me, as well as others, and at first repelled me. I could see indeed, at the same time, that his conduct was remarkably methodical, and was guided at every step by an inexhaustible provision of maxims. He had meditated on every contingency in life, and was prepared with rules and precepts, which he never disobeyed. But I doubted whether all this was not artificial, – a contrivance to satisfy the pride of intellect and establish a cold superiority. In time I discovered that it was the perfection of a developed character. He had disciplined his soul with such wisdom and energy as to make it the obedient and spontaneous instrument of God's will, and he moved in an orbit of thoughts beyond our reach.

It was part of his religion to live much in the past, to realise every phase of thought, every crisis of controversy, every stage of progress the Church has gone through. So that the events and ideas of his own day lost much of their importance in comparison, were old friends with new faces, and impressed him less than the multitude of those that went before. This caused him to seem absent and indifferent, rarely given to admire, or to expect. He respected other men's opinions, fearing to give pain, or to tempt with anger by contradiction, and when forced to defend his own he felt bound to assume that every one would look sincerely for the truth, and would gladly recognise it. But he could not easily enter into their motives when they were mixed, and finding them generally mixed, he avoided contention by holding much aloof. Being quite sincere, he was quite impartial, and pleaded with equal zeal for what seemed true, whether it was on one side or on the other. He would have felt dishonest if he had unduly favoured people of his own country, his own religion, or his own party, or if he had entertained the shadow of a prejudice against those who were against them, and when he was asked why he did not try to clear himself from misrepresentation, he said that he was silent both from humility and pride.

At last I understood that what we had disliked in him was his virtue itself.

J.N.F.

R.V.L.

I
THE HISTORY OF FREEDOM IN ANTIQUITY [2]

Liberty, next to religion, has been the motive of good deeds and the common pretext of crime, from the sowing of the seed at Athens, two thousand four hundred and sixty years ago, until the ripened harvest was gathered by men of our race. It is the delicate fruit of a mature civilisation; and scarcely a century has passed since nations, that knew the meaning of the term, resolved to be free. In every age its progress has been beset by its natural enemies, by ignorance and superstition, by lust of conquest and by love of ease, by the strong man's craving for power, and the poor man's craving for food. During long intervals it has been utterly arrested, when nations were being rescued from barbarism and from the grasp of strangers, and when the perpetual struggle for existence, depriving men of all interest and understanding in politics, has made them eager to sell their birthright for a mess of pottage, and ignorant of the treasure they resigned. At all times sincere friends of freedom have been rare, and its triumphs have been due to minorities, that have prevailed by associating themselves with auxiliaries whose objects often differed from their own; and this association, which is always dangerous, has been sometimes disastrous, by giving to opponents just grounds of opposition, and by kindling dispute over the spoils in the hour of success. No obstacle has been so constant, or so difficult to overcome, as uncertainty and confusion touching the nature of true liberty. If hostile interests have wrought much injury, false ideas have wrought still more; and its advance is recorded in the increase of knowledge, as much as in the improvement of laws. The history of institutions is often a history of deception and illusions; for their virtue depends on the ideas that produce and on the spirit that preserves them, and the form may remain unaltered when the substance has passed away.

A few familiar examples from modern politics will explain why it is that the burden of my argument will lie outside the domain of legislation. It is often said that our Constitution attained its formal perfection in 1679, when the Habeas Corpus Act was passed. Yet Charles II. succeeded, only two years later, in making himself independent of Parliament. In 1789, while the States-General assembled at Versailles, the Spanish Cortes, older than Magna Charta and more venerable than our House of Commons, were summoned after an interval of generations, but they immediately prayed the King to abstain from consulting them, and to make his reforms of his own wisdom and authority. According to the common opinion, indirect elections are a safeguard of conservatism. But all the Assemblies of the French Revolution issued from indirect elections. A restricted suffrage is another reputed security for monarchy. But the Parliament of Charles X., which was returned by 90,000 electors, resisted and overthrew the throne; while the Parliament of Louis Philippe, chosen by a Constitution of 250,000, obsequiously promoted the reactionary policy of his Ministers, and in the fatal division which, by rejecting reform, laid the monarchy in the dust, Guizot's majority was obtained by the votes of 129 public functionaries. An unpaid legislature is, for obvious reasons, more independent than most of the Continental legislatures which receive pay. But it would be unreasonable in America to send a member as far as from here to Constantinople to live for twelve months at his own expense in the dearest of capital cities. Legally and to outward seeming the American President is the successor of Washington, and still enjoys powers devised and limited by the Convention of Philadelphia. In reality the new President differs from the Magistrate imagined by 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

[2] An address delivered to the members of the Bridgnorth Institution at the Agricultural Hall, 26th February 1877.

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 recognised 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 unfailing 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 patriarchal age failed to resist the growth of absolute States when the difficulties and temptations of advancing life began to tell; and with one sovereign exception, which is not within my scope to-day, it is scarcely possible to trace their survival in the institutions of later times. Six hundred years before the birth of Christ absolutism held unbounded sway. Throughout the East it was propped by the unchanging influence of priests and armies. In the West, where there were no sacred books requiring trained interpreters, the priesthood acquired no preponderance, and when the kings were overthrown their powers passed to aristocracies of birth. What followed, during many generations, was the cruel domination of class over class, the oppression of the poor by the rich, and of the ignorant by the wise. The spirit of that domination found passionate utterance in the verses of the aristocratic poet Theognis, a man of genius and refinement, who avows that he longed to drink the blood of his political adversaries. From these oppressors the people of many cities sought deliverance in the less intolerable tyranny of revolutionary usurpers. The remedy gave new shape and energy to the evil. The tyrants were often men of surprising capacity and merit, like some of those who, in the fourteenth century, made themselves lords of Italian cities; but rights secured by equal laws and by sharing power existed nowhere.

From this universal degradation the world was rescued by the most gifted of the nations. Athens, which like other cities was distracted and oppressed by a privileged class, avoided violence and appointed Solon to revise its laws. It was the happiest choice that history records. Solon was not only the wisest man to be found in Athens, but the most profound political genius of antiquity; and the easy, bloodless, and pacific revolution by which he accomplished the deliverance of his country was the first step in a career which our age glories in pursuing, and instituted a power which has done more than anything, except revealed religion, for the regeneration of society. The upper class had possessed the right of making and administering the laws, 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 determined by the fundamental doctrine of Solon, that political power ought to be commensurate with public service. In the Persian war the services of the Democracy eclipsed those of the Patrician orders, for the fleet that swept the Asiatics from the Egean Sea was manned by the poorer Athenians. That class, whose valour had saved the State and had preserved European civilisation, had gained a title to increase of influence and privilege. The offices of State, which had been a monopoly of the rich, were thrown open to the poor, and in order to make sure that they should obtain their share, all but the highest commands were distributed by lot.

Whilst the ancient authorities were decaying, there was no accepted standard of moral and political right to make the framework of society fast in the midst of change. The instability that had seized on the forms threatened the very principles of government. The national beliefs were yielding to doubt, and doubt was not yet making way for knowledge. There had been a time when the obligations of public as well as private life were identified with the will of the gods. But that time had passed. Pallas, the ethereal goddess of the Athenians, and the Sun god whose oracles, delivered from the temple between the twin summits of Parnassus, did so much for the Greek nationality, aided in keeping up a lofty ideal of religion; but when the enlightened men of Greece learnt to apply their keen faculty of reasoning to the system of their inherited belief, they became quickly conscious that the conceptions of the gods corrupted the life and degraded the minds of the public. Popular morality could not be sustained by the popular religion. The moral instruction which was no longer supplied by the gods could not yet be found in books. There was no venerable code expounded by experts, no doctrine proclaimed by men of reputed sanctity like those teachers of the far East whose words still rule the fate of nearly half mankind. The effort to account for things by close observation and exact reasoning began by destroying. There came a time when the philosophers of the Porch and the Academy wrought the dictates of wisdom and virtue into a system so consistent and profound that it has vastly shortened the task of the Christian divines. But that time had not yet come.

The epoch of doubt and transition during which the Greeks passed from the dim fancies of mythology to the fierce light of science was the age of Pericles, and the endeavour to substitute certain truth for the prescriptions of impaired authorities, which was then beginning to absorb the energies of the Greek intellect, is the grandest movement in the profane annals of mankind, for to it we owe, even after the immeasurable progress accomplished by Christianity, much of our philosophy and far the better part of the political knowledge we possess. Pericles, who was at the head of the Athenian Government, was the first statesman who encountered the problem which the rapid weakening of traditions forced on the political world. No authority in morals or in politics remained unshaken by the motion that was in the air. No guide could be confidently trusted; there was no available criterion to appeal to, for the means of controlling or denying convictions that prevailed among the people. The popular sentiment as to what was right might be mistaken, but it was subject to no test. The people were, for practical purposes, the seat of the knowledge of good and evil. The people, therefore, were the seat of power.

The political philosophy of Pericles consisted of this conclusion. He resolutely struck away all the props that still sustained the artificial preponderance of wealth. For the ancient doctrine that power goes with land, he introduced the idea that power ought to be so equitably diffused as to afford equal security to all. That one part of the community should govern the whole, or that one class should make laws for another, he declared to be tyrannical. The abolition of privilege would have served only to transfer the supremacy from the rich to the poor, if Pericles had not redressed the

balance by restricting the right of citizenship to Athenians of pure descent. By this measure 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 ascendency 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 declared 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 near 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 notions 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 and restless Athenians went through in one generation, lasted for more than two centuries, from a time when the *plebs* were excluded from the government of the city, and were taxed, and made to serve without pay, until, in the year 286, they were admitted to political equality. Then followed one hundred and fifty years of unexampled prosperity and glory; and then, out of the original conflict which had been compromised, if not theoretically settled, a new struggle arose which was without an issue.

The mass of poorer families, impoverished by incessant service in war, were reduced to dependence on an aristocracy of about two thousand wealthy men, who divided among themselves the immense domain of the State. When the need became intense the Gracchi tried to relieve it by inducing the richer classes to allot some share in the public lands to the common people. The old

and famous aristocracy of birth and rank had made a stubborn resistance, but it knew the art of yielding. The later and more selfish aristocracy was unable to learn it. The character of the people was changed by the sterner motives of dispute. The fight for political power had been carried on with the moderation which is so honourable a quality of party contests in England. But the struggle for the objects of material existence grew to be as ferocious as civil controversies in France. Repulsed by the rich, after a struggle of twenty-two years, the people, three hundred and twenty thousand of whom depended on public rations for food, were ready to follow any man who promised to obtain for them by revolution what they could not obtain by law.

For a time the Senate, representing the ancient and threatened order of things, was strong enough to overcome every popular leader that arose, until Julius Cæsar, supported by an army which he had led in an unparalleled career of conquest, and by the famished masses which he won by his lavish liberality, and skilled beyond all other men in the art of governing, converted the Republic into a Monarchy by a series of measures that were neither violent nor injurious.

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 wisely 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 jurists 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 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 overshadows 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 subjugation to despotic rule, and whose enlightened and elevated views of life bridged the chasm that separates the ancient from the Christian state, and led the way to freedom. Seeing how little security there is that the laws of any land shall be wise or just, and that the unanimous will of a people and the assent of nations are liable to err, the Stoics looked beyond those narrow barriers, and above those inferior sanctions, for the principles that ought to regulate the lives of men and the existence of society. They made it known that there is a will superior to the collective will of man, and a law that overrules those of Solon and Lycurgus. Their test of good government is its conformity to principles that can be traced to a higher legislator. That which we must obey, that to which we are bound to reduce all civil authorities, and to sacrifice every earthly interest, is that immutable law which is perfect and eternal as God Himself, which proceeds from His nature, and reigns over heaven and earth and over all the nations.

The great question is to discover, not what governments prescribe, but what they ought to prescribe; for no prescription is valid against the conscience of mankind. Before God, there is neither Greek nor barbarian, neither rich nor poor, and the slave is as good as his master, for by birth all men are free; they are citizens of that universal commonwealth which embraces all the world, brethren of one family, and children of God. The true guide of our conduct is no outward authority, but the voice of God, who comes down to dwell in our souls, who knows all our thoughts, to whom are owing all the truth we know, and all the good we do; for vice is voluntary, and virtue comes from the grace of the heavenly spirit within.

What the teaching of that divine voice is, the philosophers who had imbibed the sublime ethics of the Porch went on to expound: It is not enough to act up to the written law, or to give all men their due; we ought to give them more than their due, to be generous and beneficent, to devote ourselves for the good of others, seeking our 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, 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 4000. But their example testifies to how great a height religious men were able to raise their conception of society even without the succour of the New Testament, and affords the strongest condemnation of their contemporaries.

This, then, is the conclusion to which our survey brings us: There is hardly a truth in politics or in the system of the rights of man that was not grasped by the wisest of the Gentiles and the Jews, or that they did not declare with a refinement of thought and a nobleness of expression that later writers could never surpass. I might go on for hours, reciting to you passages on the law of nature and the duties of man, so solemn and religious that though they come from the profane theatre on the Acropolis, and from the Roman Forum, you would deem that you were listening to the hymns of Christian Churches and the discourse of ordained divines. But although the maxims of the great classic teachers, of Sophocles, and Plato, and Seneca, and the glorious examples of public virtue were in the mouths of all men, there was no power in them to avert the doom of that civilisation for which the blood of so many patriots and the genius of such incomparable writers had been wasted in vain. The liberties of the ancient nations were crushed beneath a hopeless and inevitable despotism, and

their vitality was spent, when the new power came forth from Galilee, giving what was wanting to the efficacy of human knowledge to redeem societies as well as men.

It would be presumptuous if I attempted to indicate the numberless channels by which Christian influence gradually penetrated the State. The first striking phenomenon is the slowness with which an action destined to be so prodigious became manifest. Going forth to all nations, in many stages of civilisation and under almost every form of government, Christianity had none of the character of a political apostolate, and in its absorbing mission to individuals did not challenge public authority. The early Christians avoided contact with the State, abstained from the responsibilities of office, and were even reluctant to serve in the army. Cherishing their citizenship of a kingdom not of this world, they despaired of an empire which seemed too powerful to be resisted and too corrupt to be converted, whose institutions, the work and the pride of untold centuries of paganism, drew their sanctions from the gods whom the Christians accounted devils, which plunged its hands from age to age in the blood of martyrs, and was beyond the hope of regeneration and foredoomed to perish. They were so much overawed as to imagine that the fall of the State would be the end of the Church and of the world, and no man dreamed of the boundless future of spiritual and social influence that awaited their religion among the race of destroyers that were bringing the empire of Augustus and of Constantine to humiliation and ruin. The duties of government were less in their thoughts than the private virtues and duties of subjects; and it was long before they became aware of the burden of power in their faith. Down almost to the time of Chrysostom, they shrank from contemplating the obligation to emancipate the slaves.

Although the doctrine of self-reliance and self-denial, which is the foundation of political economy, was written as legibly in the New Testament as in the *Wealth of Nations*, it was not recognised until our age. Tertullian boasts of the passive obedience of the Christians. Melito writes to a pagan Emperor as if he were incapable of giving an unjust command; and in Christian times Optatus thought that whoever presumed to find fault with his sovereign exalted himself almost to the level of a god. But this political quietism was not universal. Origen, the ablest writer of early times, spoke with approval of conspiring for the destruction of tyranny.

After the fourth century the declarations against slavery are earnest and continual. And in a theological but yet pregnant sense, divines of the second century insist on liberty, and divines of the fourth century on equality. There was one essential and inevitable transformation in politics. Popular governments had existed, and also mixed and federal governments, but there had been no limited government, no State the circumference of whose authority 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.

II
THE HISTORY OF FREEDOM IN CHRISTIANITY [3]

When Constantine the Great carried the seat of empire from Rome to Constantinople he set up in the marketplace of the new capital a porphyry pillar which had come from Egypt, and of which a strange tale is told. In a vault beneath he secretly buried the seven sacred emblems of the Roman State, which were guarded by the virgins in the temple of Vesta, with the fire that might never be quenched. On the summit he raised a statue of Apollo, representing himself, and enclosing a fragment of the Cross; and he crowned it with a diadem of rays consisting of the nails employed at the Crucifixion, which his mother was believed to have found at Jerusalem.

The pillar still stands, the most significant monument that exists of the converted empire; for the notion that the nails which had pierced the body of Christ became a fit ornament for a heathen idol as soon as it was called by the name of a living emperor indicates the position designed for Christianity in the imperial structure of Constantine. Diocletian's attempt to transform the Roman Government into a despotism of the Eastern type had brought on the last and most serious persecution of the Christians; and Constantine, in adopting their faith, intended neither to abandon his predecessor's scheme of policy nor to renounce the fascinations of arbitrary authority, but to strengthen his throne with the support of a religion which had astonished the world by its power of resistance, and to obtain that support absolutely and without a drawback he fixed the seat of his government in the East, with a patriarch of his own creation.

Nobody warned him that by promoting the Christian religion he was tying one of his hands, and surrendering the prerogative of the Cæsars. As the acknowledged author of the liberty and superiority of the Church, he was appealed to as the guardian of her unity. He admitted the obligation; he accepted the trust; and the divisions that prevailed among the Christians supplied his successors with many opportunities of extending that protectorate, and preventing any reduction of the claims or of the resources of imperialism.

Constantine declared his own will equivalent to a canon of the Church. According to Justinian, the Roman people had formally transferred to the emperors the entire plenitude of its authority, and, therefore, the Emperor's pleasure, expressed by edict or by letter, had force of law. Even in the fervent age of its conversion the Empire employed its refined civilisation, the accumulated wisdom of ancient sages, the reasonableness and subtlety of Roman law, and the entire inheritance of the Jewish, the Pagan, and the Christian world, to make the Church serve as a gilded crutch of absolutism. Neither an enlightened philosophy, nor all the political wisdom of Rome, nor even the faith and virtue of the Christians availed against the incorrigible tradition of antiquity. Something was wanted beyond all the gifts of reflection and experience – a faculty of self-government and self-control, developed like its language in the fibre of a nation, and growing with its growth. This vital element, which many centuries of warfare, of anarchy, of oppression had extinguished in the countries that were still draped in the pomp of ancient civilisation, was deposited on the soil of Christendom by the fertilising stream of migration that overthrew the empire of the West.

In the height of their power the Romans became aware of a race of men that had not abdicated freedom in the hands of a monarch; and the ablest writer of the empire pointed to them with a vague and bitter feeling that, to the institutions of these barbarians, not yet crushed by despotism, the future of the world belonged. Their kings, when they had kings, did not preside at their councils; they were sometimes elective; they were sometimes deposed; and they were bound by oath to act in obedience with the general wish. They enjoyed real authority only in war. This primitive Republicanism, which

[3] An address delivered to the members of the Bridgnorth Institution at the Agricultural Hall, 28th May 1877.

admits monarchy as an occasional incident, but holds fast to the collective supremacy of all free men, of the constituent authority over all constituted authorities, is the remote germ of Parliamentary government. The action of the State was confined to narrow limits; but, besides his position as head of the State, the king was surrounded by a body of followers attached to him by personal or political ties. In these, his immediate dependants, disobedience or resistance to orders was no more tolerated than in a wife, a child, or a soldier; and a man was expected to murder his own father if his chieftain required it. Thus these Teutonic communities admitted an independence of government that threatened to dissolve society; and a dependence on persons that was dangerous to freedom. It was a system very favourable to corporations, but offering no security to individuals. The State was not likely to oppress its subjects; and was not able to protect them.

The first effect of the great Teutonic migration into the regions civilised by Rome was to throw back Europe many centuries to a condition scarcely more advanced than that from which the institutions of Solon had rescued Athens. Whilst the Greeks preserved the literature, the arts, and the science of antiquity and all the sacred monuments of early Christianity with a completeness of which the rended fragments that have come down to us give no commensurate idea, and even the peasants of Bulgaria knew the New Testament by heart, Western Europe lay under the grasp of masters the ablest of whom could not write their names. The faculty of exact reasoning, of accurate observation, became extinct for five hundred years, and even the sciences most needful to society, medicine and geometry, fell into decay, until the teachers of the West went to school at the feet of Arabian masters. To bring order out of chaotic ruin, to rear a new civilisation and blend hostile and unequal races into a nation, the thing wanted was not liberty but force. And for centuries all progress is attached to the action of men like Clovis, Charlemagne, and William the Norman, who were resolute and peremptory, and prompt to be obeyed.

The spirit of immemorial paganism which had saturated ancient society could not be exorcised except by the combined influence of Church and State; and the universal sense that their union was necessary created the Byzantine despotism. The divines of the Empire who could not fancy Christianity flourishing beyond its borders, insisted that the State is not in the Church, but the Church in the State. This doctrine had scarcely been uttered when the rapid collapse of the Western Empire opened a wider horizon; and Salvianus, a priest at Marseilles, proclaimed that the social virtues, which were decaying amid the civilised Romans, existed in greater purity and promise among the Pagan invaders. They were converted with ease and rapidity; and their conversion was generally brought about by their kings.

Christianity, which in earlier times had addressed itself to the masses, and relied on the principle of liberty, now made its appeal to the rulers, and threw its mighty influence into the scale of authority. The barbarians, who possessed no books, no secular knowledge, no education, except in the schools of the clergy, and who had scarcely acquired the rudiments of religious instruction, turned with childlike attachment to men whose minds were stored with the knowledge of Scripture, of Cicero, of St. Augustine; and in the scanty world of their ideas, the Church was felt to be something infinitely vaster, stronger, holier than their newly founded States. The clergy supplied the means of conducting the new governments, and were made exempt from taxation, from the jurisdiction of the civil magistrate, and of the political administrator. They taught that power ought to be conferred by election; and the Councils of Toledo furnished the framework of the Parliamentary system of Spain, which is, by a long interval, the oldest in the world. But the monarchy of the Goths in Spain, as well as that of the Saxons in England, in both of which the nobles and the prelates surrounded the throne with the semblance of free institutions, passed away; and the people that prospered and overshadowed the rest were the Franks, who had no native nobility, whose law of succession to the Crown became for one thousand years the fixed object of an unchanging superstition, and under whom the feudal system was developed to excess.

Feudalism made land the measure and the master of all things. Having no other source of wealth than the produce of the soil, men depended on the landlord for the means of escaping starvation; and thus his power became paramount over the liberty of the subject and the authority of the State. Every baron, said the French maxim, is sovereign in his own domain. The nations of the West lay between the competing tyrannies of local magnates and of absolute monarchs, when a force was brought upon the scene which proved for a time superior alike to the vassal and his lord.

In the days of the Conquest, when the Normans destroyed the liberties of England, the rude institutions which had come with the Saxons, the Goths, and the Franks from the forests of Germany were suffering decay, and the new element of popular government afterwards supplied by the rise of towns and the formation of a middle class was not yet active. The only influence capable of resisting the feudal hierarchy was the ecclesiastical hierarchy; and they came into collision, when the process of feudalism threatened the independence of the Church by subjecting the prelates severally to that form of personal dependence on the kings which was peculiar to the Teutonic state.

To that conflict of four hundred years we owe the rise of civil liberty. If the Church had continued to buttress the thrones of the kings whom it anointed, or if the struggle had terminated speedily in an undivided victory, all Europe would have sunk down under a Byzantine or Muscovite despotism. For the aim of both contending parties was absolute authority. But although liberty was not the end for which they strove, it was the means by which the temporal and the spiritual power called the nations to their aid. The towns of Italy and Germany won their franchises, France got her States-General, and England her Parliament out of the alternate phases of the contest; and as long as it lasted it prevented the rise of divine right. A disposition existed to regard the crown as an estate descending under the law of real property in the family that possessed it. But the authority of religion, and especially of the papacy, was thrown on the side that denied the indefeasible title of kings. In France what was afterwards called the Gallican theory maintained that the reigning house was above the law, and that the sceptre was not to pass away from it as long as there should be princes of the royal blood of St. Louis. But in other countries the oath of fidelity itself attested that it was conditional, and should be kept only during good behaviour; and it was in conformity with the public law to which all monarchs were held subject, that King John was declared a rebel against the barons, and that the men who raised Edward III. to the throne from which they had deposed his father invoked the maxim *Vox populi Vox Dei*.

And this doctrine of the divine right of the people to raise up and pull down princes, after obtaining the sanctions of religion, was made to stand on broader grounds, and was strong enough to resist both Church and king. In the struggle between the House of Bruce and the House of Plantagenet for the possession of Scotland and Ireland, the English claim was backed by the censures of Rome. But the Irish and the Scots refused it, and the address in which the Scottish Parliament informed the Pope of their resolution shows how firmly the popular doctrine had taken root. Speaking of Robert Bruce, they say: "Divine Providence, the laws and customs of the country, which we will defend till death, and the choice of the people, have made him our king. If he should ever betray his principles, and consent that we should be subjects of the English king, then we shall treat him as an enemy, as the subverter of our rights and his own, and shall elect another in his place. We care not for glory or for wealth, but for that liberty which no true man will give up but with his life." This estimate of royalty was natural among men accustomed to see those whom they most respected in constant strife with their rulers. Gregory VII. had begun the disparagement of civil authorities by saying that they are the work of the devil; and already in his time both parties were driven to acknowledge the sovereignty of the people, and appealed to it as the immediate source of power.

Two centuries later this political theory had gained both in definiteness and in force among the Guelphs, who were the Church party, and among the Ghibellines, or Imperialists. Here are the sentiments of the most celebrated of all the Guelphic writers: "A king who is unfaithful to his duty forfeits his claim to obedience. It is not rebellion to depose him, for he is himself a rebel whom the

nation has a right to put down. But it is better to abridge his power, that he may be unable to abuse it. For this purpose, the whole nation ought to have a share in governing itself; the Constitution ought to combine a limited and elective monarchy, with an aristocracy of merit, and such an admixture of democracy as shall admit all classes to office, by popular election. No government has a right to levy taxes beyond the limit determined by the people. All political authority is derived from popular suffrage, and all laws must be made by the people or their representatives. There is no security for us as long as we depend on the will of another man." This language, which contains the earliest exposition of the Whig theory of the revolution, is taken from the works of St. Thomas Aquinas, of whom Lord Bacon says that he had the largest heart of the school divines. And it is worth while to observe that he wrote at the very moment when Simon de Montfort summoned the Commons; and that the politics of the Neapolitan friar are centuries in advance of the English statesman's.

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 moveable 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 ascendency 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 neighbours 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 ascendency 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 5000 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 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 democracy of the towns generally took his side. But the dread of revolution was the deepest of his political sentiments; and the gloss by which the Guelphic divines had got over the passive obedience of the apostolic age was characteristic of that mediæval method of interpretation which he rejected. He swerved for a moment in his later years; but the substance of his political teaching was eminently conservative, the Lutheran States became the stronghold of rigid immobility, and Lutheran writers constantly condemned the democratic literature that arose in the second age of the Reformation. For the Swiss reformers were bolder than the Germans in mixing up their cause with politics. Zurich and Geneva were Republics, and the spirit of their governments influenced both Zwingli and Calvin.

Zwingli indeed did not shrink from the mediæval doctrine that evil magistrates must be cashiered; but he was killed too early to act either deeply or permanently on the political character of Protestantism. Calvin, although a Republican, judged that the people are unfit to govern themselves, and declared the popular assembly an abuse that ought to be abolished. He desired an aristocracy of the elect, armed with the means of punishing not only crime but vice and error. For he thought that the severity of the mediæval laws was insufficient for the need of the times; and he favoured the most irresistible weapon which the inquisitorial procedure put into the hand of the Government, the right of subjecting prisoners to intolerable torture, not because they were guilty, but because their guilt could not be proved. His teaching, though not calculated to promote popular institutions, was so adverse to the authority of the surrounding monarchs, that he softened down the expression of his political views in the French edition of his *Institutes*.

The direct political influence of the Reformation effected less than has been supposed. Most States were strong enough to control it. Some, by intense exertion, shut out the pouring flood. Others, with consummate skill, diverted it to their own uses. The Polish Government alone 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 for the criminal art of despots. Calvin preached and Bellarmine lectured, but Machiavelli reigned. Before the close of the century three events occurred which mark the beginning of a momentous change. The massacre of St. Bartholomew convinced the bulk of Calvinists of the lawfulness of rebellion against tyrants, and they became advocates of that doctrine in which the Bishop of Winchester had led the way,[4] and which Knox and Buchanan had received, through their master at Paris, straight from the mediæval schools. Adopted out of aversion to the King of France, it was soon put in practice against the King of Spain. The revolted Netherlands, by a solemn Act, deposed Philip II., and made themselves independent under the Prince of Orange, who had been, and continued to be, styled his Lieutenant. Their example was important, not only because subjects of one religion deposed a monarch of another, for that had been seen in Scotland, but because, moreover, it put a republic in the place of a monarchy, and forced the public law of Europe to recognise the accomplished revolution. At the same time, the French Catholics, rising against Henry III., who was the most contemptible of tyrants, and against his heir, Henry of Navarre, who, as a Protestant, repelled the majority of the nation, fought for the same principles with sword and pen.

Many shelves might be filled with the books which came out in their defence during half a century, and they include the most comprehensive treatises on laws ever written. Nearly all are vitiated by the defect which disfigured political literature in the Middle Ages. That literature, as I have tried to show, is extremely remarkable, and its services in aiding human progress are very great. But from the death of St. Bernard until the appearance of Sir Thomas More's *Utopia*, there was hardly a writer who did not make his politics subservient to the interest of either Pope or King. And those who came after the Reformation were always thinking of laws as they might affect Catholics or Protestants. Knox thundered against what he called *the Monstrous Regiment of Women*, because the Queen went to mass, and Mariana praised the assassin of Henry III. because the King was in league with Huguenots. For the belief that it is right to murder tyrants, first taught among Christians, I believe, by John of Salisbury, the most distinguished English writer of the twelfth century, and confirmed by Roger Bacon, the most celebrated Englishman of the thirteenth, had acquired about this time a fatal significance. Nobody sincerely thought of politics as a law for the just and the unjust, or tried to find out a set of principles that should hold good alike under all changes of religion. Hooker's *Ecclesiastical Polity* stands almost alone among the works I am speaking of, and is still read with admiration by every thoughtful man

[4] [Poynet, in his *Treatise on Political Power*.]

as the earliest and one of the finest prose classics in our language. But though few of the others have survived, they contributed to hand down masculine notions of limited authority and conditional obedience from the epoch of theory to generations of free men. Even the coarse violence of Buchanan and Boucher was a link in the chain of tradition that connects the Hildebrandine controversy with the Long Parliament, and St. Thomas with Edmund Burke.

That men should understand that governments do not exist by divine right, and that arbitrary government is the violation of divine right, was no doubt the medicine suited to the malady under which Europe languished. But although the knowledge of this truth might become an element of salutary destruction, it could give little aid to progress and reform. Resistance to tyranny implied no faculty of constructing a legal government in its place. Tyburn tree may be a useful thing, but it is better still that the offender should live for repentance and reformation. The principles which discriminate in politics between good and evil, and make States worthy to last, were not yet found.

The French philosopher Charron was one of the men least demoralised by party spirit, and least blinded by zeal for a cause. In a passage almost literally taken from St. Thomas, he describes our subordination under a law of nature, 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 Bourbons, 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 suffered 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 perish, not by invasion or war, but by your infernal liberties." Venice suffered from the opposite evil of excessive concentration. It was the most sagacious of Governments, and would rarely have made mistakes if it had not imputed to others motives as wise as its own, and had taken account of passions and follies of which it had little cognisance. But the supreme power of the nobility had passed to a committee, from the committee to a Council of Ten, from the Ten to three Inquisitors of State; and in this intensely centralised form it became, about the year 1600, a frightful despotism. I have shown you how Machiavelli supplied the immoral theory needful for the consummation of royal absolutism; the absolute oligarchy of Venice required the same assurance against the revolt of conscience. It was provided by a writer as able as Machiavelli, who analysed the wants and resources of aristocracy, and made known that its best security is poison. As late as a century ago, Venetian senators of honourable and even religious lives employed assassins for the public good with no more compunction than Philip II. or Charles IX.

The Swiss Cantons, especially Geneva, profoundly influenced opinion in the days preceding the French Revolution, but they had had no part in the earlier movement to inaugurate the reign of law. That honour belongs to the Netherlands alone among the Commonwealths. They earned it, not by their form of government, which was defective and precarious, for the Orange party perpetually plotted against it, and slew the two most eminent of the Republican statesmen, and William III. himself intrigued for English aid to set the crown upon his head; but by the freedom of the press,

which made Holland the vantage-ground from which, in the darkest hour of oppression, the victims of the oppressors obtained the ear of Europe.

The ordinance of Louis XIV., that every French Protestant should immediately renounce his religion, went out in the year in which James II. became king. The Protestant refugees did what their ancestors had done a century before. They asserted the deposing power of subjects over 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 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 conceived that the right of voting taxes belonged to no country but his own. Defoe affirms that from the time of Charles II. to that of George I. he never knew a politician who truly held the faith of either party; and the perversity of the statesmen who led the assault against the later Stuarts threw back the cause of progress for a century.

When the purport of the secret treaty became suspected by which Louis XIV. pledged himself to support Charles II. with an army for the destruction of Parliament, if Charles would overthrow the Anglican Church, it was found necessary to make concession to the popular alarm. It was proposed that whenever James should succeed, great part of the royal prerogative and patronage should be transferred to Parliament. At the same time, the disabilities of Nonconformists and Catholics would have been removed. If the Limitation Bill, which Halifax supported with signal ability, had passed, the monarchical constitution would have advanced, in the seventeenth century, farther than it was destined to do until the second quarter of the nineteenth. But the enemies of James, guided by the Prince of Orange, preferred a Protestant king who should be nearly absolute, to a constitutional king who should be a Catholic. The scheme failed. James succeeded to a power which, in more cautious hands, would have been practically uncontrolled, and the storm that cast him down gathered beyond the sea.

By arresting the preponderance of France, the Revolution of 1688 struck the first real blow at Continental despotism. At home it relieved Dissent, purified justice, developed the national energies and resources, and ultimately, by the Act of Settlement, placed the crown in the gift of the people. But it neither introduced nor determined any important principle, and, that both parties might be able to work together, it left untouched the fundamental question between Whig and Tory. For the divine right of kings it established, in the words of Defoe, the divine right of freeholders; and their domination extended for seventy years, under the authority of John Locke, the philosopher of government by the gentry. Even Hume did not enlarge the 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 conqueror 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, signalised 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 Sieyès 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; and, with few exceptions, neither the hierarchical spirit of the foreign divines, nor the monarchical bias peculiar to the French, characterised the writers of the English school. The Civil Law, transmitted from the degenerate Empire to be the common prop of absolute power, was excluded from England. The Canon Law was restrained, and this country never admitted the Inquisition, nor fully accepted the use of torture which invested Continental royalty with so many terrors. At the end of the Middle Ages foreign writers acknowledged our superiority, and pointed to these causes. After that, our gentry maintained the means of local self-government such as no other country possessed. Divisions in religion forced toleration. The confusion of the common law taught the people that their best safeguard was the independence and the integrity of the judges.

All these explanations lie on the surface, and are as visible as the protecting ocean; but they can only be successive effects of a constant cause which must lie in the same native qualities of perseverance, moderation, individuality, and the manly sense of duty, which give to the English race its supremacy in the stern art of labour, which has enabled it to thrive as no other can on inhospitable shores, and which (although no great people has less of the bloodthirsty craving for glory and an army of 50,000 English soldiers has never been seen in battle) caused Napoleon to exclaim, as he rode away from Waterloo, "It has always been the same since Crecy."

Therefore, if there is reason for pride in the past, there is more for hope in the time to come. Our advantages increase, while other nations fear their neighbours or covet their neighbours' goods. Anomalies and defects there are, fewer and less intolerable, if not less flagrant than of old.

But I have fixed my eyes on the spaces that Heaven's light illuminates, that I may not lay too heavy a strain on the indulgence with which you have accompanied me over the dreary and heart-breaking course by which men have passed to freedom; and because the light that has guided us is still unquenched, and the causes that have carried us so far in the van of free nations have not spent their power; because the story of the future is written in the past, and that which hath been is the same thing that shall be.

III
SIR ERSKINE MAY'S DEMOCRACY IN EUROPE [5]

Scarcely thirty years separate the Europe of Guizot and Metternich from these days of universal suffrage both in France and in United Germany; when a condemned insurgent of 1848 is the constitutional Minister of Austria; when Italy, from the Alps to the Adriatic, is governed by friends of Mazzini; and statesmen who recoiled from the temerities of Peel have doubled the electoral constituency of England. If the philosopher who proclaimed the law that democratic progress is constant and irrepressible had lived to see old age, he would have been startled by the fulfilment of his prophecy. Throughout these years of revolutionary change Sir Thomas Erskine May has been more closely and constantly connected with the centre of public affairs than any other Englishman, and his place, during most of the time, has been at the table of the House of Commons, where he has sat, like Canute, and watched the rising tide. Few could be better prepared to be the historian of European Democracy than one who, having so long studied the mechanism of popular government in the most illustrious of assemblies at the height of its power, has written its history, and taught its methods to the world.

It is not strange that so delicate and laborious a task should have remained unattempted. Democracy is a gigantic current that has been fed by many springs. Physical and spiritual causes have contributed to swell it. Much has been done by economic theories, and more by economic laws. The propelling force lay sometimes in doctrine and sometimes in fact, and error has been as powerful as truth. Popular progress has been determined at one time by legislation, at others by a book, an invention, or a crime; and we may trace it to the influence of Greek metaphysicians and Roman jurists, of barbarian custom and ecclesiastical law, of the reformers who discarded the canonists, the sectaries who discarded the reformers, and the philosophers who discarded the sects. The scene has changed, as nation succeeded nation, and during the most stagnant epoch of European life the new world stored up the forces that have transformed the old.

A history that should pursue all the subtle threads from end to end might be eminently valuable, but not as a tribute to peace and conciliation. Few discoveries are more irritating than those which expose the pedigree of ideas. Sharp definitions and unsparing analysis would displace the veil beneath which society dissembles its divisions, would make political disputes too violent for compromise and political alliances too precarious for use, and would embitter politics with all the passion of social and religious strife. Sir Erskine May writes for all who take their stand within the broad lines of our constitution. His judgment is averse from extremes. He turns from the discussion of theories, and examines his subject by the daylight of institutions, believing that laws depend much on the condition of society, and little on notions and disputations unsupported by reality. He avows his disbelief even in the influence of Locke, and cares little to inquire how much self-government owes to Independency, or equality to the Quakers; and how democracy was affected by the doctrine that society is founded on contract, that happiness is the end of all government, or labour the only source of wealth; and for this reason, because he always touches ground, and brings to bear, on a vast array of sifted fact, the light of sound sense and tried experience rather than dogmatic precept, all men will read his book with profit, and almost all without offence.

Although he does not insist on inculcating a moral, he has stated in his introductory pages the ideas that guide him; and, indeed, the reader who fails to recognise the lesson of the book in every chapter will read in vain. Sir Erskine May is persuaded that it is the tendency of modern progress to elevate the masses of the people, to increase their part in the work and the fruit of civilisation, in

[5] *The Quarterly Review*, January 1878.

comfort and education, in self-respect and independence, in political knowledge and power. Taken for a universal law of history, this would be as visionary as certain generalisations of Montesquieu and Tocqueville; but with the necessary restrictions of time and place, it cannot fairly be disputed. Another conclusion, supported by a far wider induction, is that democracy, like monarchy, is salutary within limits and fatal in excess; that it is the truest friend of freedom or its most unrelenting foe, according as it is mixed or pure; and this ancient and elementary truth of constitutional government is enforced with every variety of impressive and suggestive illustration from the time of the Patriarchs down to the revolution which, in 1874, converted federal Switzerland into an unqualified democracy governed by the direct voice of the entire people.

The effective distinction between liberty and democracy, which has occupied much of the author's thoughts, cannot be too strongly drawn. Slavery has been so often associated with democracy, that a very able writer pronounced it long ago essential to a democratic state; and the philosophers of the Southern Confederation have urged the theory with extreme fervour. For slavery operates like a restricted franchise, attaches power to property, and hinders Socialism, the infirmity that attends mature democracies. The most intelligent of Greek tyrants, Periander, discouraged the employment of slaves; and Pericles designates the freedom from manual labour as the distinguishing prerogative of Athens. At Rome a tax on manumissions immediately followed the establishment of political equality by Licinius. An impeachment of England for having imposed slavery on America was carefully expunged from the Declaration of Independence; and the French Assembly, having proclaimed the Rights of Man, declared that they did not extend to the colonies. The abolition controversy has made everybody familiar with Burke's saying, that men learn the price of freedom by being masters of slaves.

From the best days of Athens, the days of Anaxagoras, Protagoras, and Socrates, a strange affinity has subsisted between democracy and religious persecution. The bloodiest deed committed between the wars of religion and the revolution was due to the fanaticism of men living under the primitive republic in the Rhætian Alps; and of six democratic cantons only one tolerated Protestants, and that after a struggle which lasted the better part of two centuries. In 1578 the fifteen Catholic provinces would have joined the revolted Netherlands but for the furious bigotry of Ghent; and the democracy of Friesland was the most intolerant of the States. The aristocratic colonies in America defended toleration against their democratic neighbours, and its triumph in Rhode Island and Pennsylvania was the work not of policy but of religion. The French Republic came to ruin because it found the lesson of religious liberty too hard to learn. Down to the eighteenth century, indeed, it was understood in monarchies more often than in free commonwealths. Richelieu acknowledged the principle whilst he was constructing the despotism of the Bourbons; so did the electors of Brandenburg, at the time when they made themselves absolute; and after the fall of Clarendon, the notion of Indulgence was inseparable from the design of Charles II. to subvert the constitution.

A government strong enough to act in defiance of public feeling may disregard the plausible heresy that prevention is better than punishment, for it is able to punish. But a government entirely dependent on opinion looks for some security what that opinion shall be, strives for the control of the forces that shape it, and is fearful of suffering the people to be educated in sentiments hostile to its institutions. When General Grant attempted to grapple with polygamy in Utah, it was found necessary to pack the juries with Gentiles; and the Supreme Court decided that the proceedings were illegal, and that the prisoners must be set free. Even the murderer Lee was absolved, in 1875, by a jury of Mormons.

Modern democracy presents many problems too various and obscure to be solved without a larger range of materials than Tocqueville obtained from his American authorities or his own observation. To understand why the hopes and the fears that it excites have been always inseparable, to determine under what conditions it advances or retards the progress of the people and the welfare

of free states, there is no better course than to follow Sir Erskine May upon the road which he has been the first to open.

In the midst of an invincible despotism, among paternal, military, and sacerdotal monarchies, the dawn rises with the deliverance of Israel out of bondage, and with the covenant which began their political life. The tribes broke up into smaller communities, administering their own affairs under the law they had sworn to observe, but which there was no civil power to enforce. They governed themselves without a central authority, a legislature, or a dominant priesthood; and this polity, which, under the forms of primitive society, realised some aspirations of developed democracy, resisted for above three hundred years the constant peril of anarchy and subjugation. The monarchy itself was limited by the same absence of a legislative power, by the submission of the king to the law that bound his subjects, by the perpetual appeal of prophets to the conscience of the people as its appointed guardian, and by the ready resource of deposition. Later still, in the decay of the religious and national constitution, the same ideas appeared with intense energy, in an extraordinary association of men who lived in austerity and self-denial, rejected slavery, maintained equality, and held their property in common, and who constituted in miniature an almost perfect Republic. But the Essenes perished with the city and the Temple, and for many ages the example of the Hebrews was more serviceable to authority than to freedom. After the Reformation, the sects that broke resolutely with the traditions of Church and State as they came down from Catholic times, and sought for their new institutions a higher authority than custom, reverted to the memory of a commonwealth founded on a voluntary contract, on self-government, federalism, equality, in which election was preferred to inheritance, and monarchy was an emblem of the heathen; and they conceived that there was no better model for themselves than a nation constituted by religion, owning no lawgiver but Moses, and obeying no king but God. Political thought had until then been guided by pagan experience.

Among the Greeks, Athens, the boldest pioneer of republican discovery, was the only democracy that prospered. It underwent the changes that were the common lot of Greek society, but it met them in a way that displayed a singular genius for politics. The struggle of competing classes for supremacy, almost everywhere a cause of oppression and bloodshed, became with them a genuine struggle for freedom; and the Athenian constitution grew, with little pressure from below, under the intelligent action of statesmen who were swayed by political reasoning more than by public opinion. They avoided violent and convulsive change, because the rate of their reforms kept ahead of the popular demand. Solon, whose laws began the reign of mind over force, instituted democracy by making the people, not indeed the administrators, but the source of power. He committed the Government not to rank or birth, but to land; and he regulated the political influence of the landowners by their share in the burdens of the public service. To the lower class, who neither bore arms nor paid taxes, and were excluded from the Government, he granted the privilege of choosing and of calling to account the men by whom they were governed, of confirming or rejecting the acts of the legislature and the judgments of the courts. Although he charged the Areopagus with the preservation of his laws, he provided that they might be revised according to need; and the ideal before his mind was government by all free citizens. His concessions to the popular element were narrow, and were carefully guarded. He yielded no more than was necessary to guarantee the attachment of the whole people to the State. But he admitted principles that went further than the claims which he conceded. He took only one step towards democracy, but it was the first of a series.

When the Persian wars, which converted aristocratic Athens into a maritime state, had developed new sources of wealth and a new description of interests, the class which had supplied many of the ships and most of the men that had saved the national independence and founded an empire, could not be excluded from power. Solon's principle, that political influence should be commensurate with political service, broke through the forms in which he had confined it, and the spirit of his constitution was too strong for the letter. The fourth estate was admitted to office, and in order that its candidates might obtain their share, and no more than their share, and that neither interest nor

numbers might prevail, many public functionaries were appointed by lot. The Athenian idea of a Republic was to substitute the impersonal supremacy of law for the government of men. Mediocrity was a safeguard against the pretensions of superior capacity, for the established order was in danger, not from the average citizens, but from men, like Miltiades, of exceptional renown. The people of Athens venerated their constitution as a gift of the gods, the source and title of their power, a thing too sacred for wanton change. They had demanded a code, that the unwritten law might no longer be interpreted at will by Archons and Areopagites; and a well-defined and authoritative legislation was a triumph of the democracy.

So well was this conservative spirit understood, that the revolution which abolished the privileges of the aristocracy was promoted by Aristides and completed by Pericles, men free from the reproach of flattering the multitude. They associated all the free Athenians with the interest of the State, and called them, without distinction of class, to administer the powers that belonged to them. Solon had threatened with the loss of citizenship all who showed themselves indifferent in party conflicts, and Pericles declared that every man who neglected his share of public duty was a useless member of the community. That wealth might confer no unfair advantage, that the poor might not take bribes from the rich, he took them into the pay of the State during their attendance as jurors. That their numbers might give them no unjust superiority, he restricted the right of citizenship to those who came from Athenian parents on both sides; and thus he expelled more than 4000 men of mixed descent from the Assembly. This bold measure, which was made acceptable by a distribution of grain from Egypt among those who proved their full Athenian parentage, reduced the fourth class to an equality with the owners of real property. For Pericles, or Ephialtes – for it would appear that all their reforms had been carried in the year 460, when Ephialtes died – is the first democratic statesman who grasped the notion of political equality. The measures which made all citizens equal might have created a new inequality between classes, and the artificial privilege of land might have been succeeded by the more crushing preponderance of numbers. But Pericles held it to be intolerable that one portion of the people should be required to obey laws which others have the exclusive right of making; and he was able, during thirty years, to preserve the equipoise, governing by the general consent of the community, formed by free debate. He made the undivided people sovereign; but he subjected the popular initiative to a court of revision, and assigned a penalty to the proposer of any measure which should be found to be unconstitutional. Athens, under Pericles, was the most successful Republic that existed before the system of representation; but its splendour ended with his life.

The danger to liberty from the predominance either of privilege or majorities was so manifest, that an idea arose that equality of fortune would be the only way to prevent the conflict of class interests. The philosophers, Phaleas, Plato, Aristotle, suggested various expedients to level the difference between rich and poor. Solon had endeavoured to check the increase of estates; and Pericles had not only strengthened the public resources by bringing the rich under the control of an assembly in which they were not supreme, but he had employed those resources in improving the condition and the capacity of the masses. The grievance of those who were taxed for the benefit of others was easily borne so long as the tribute of the confederates filled the treasury. But the Peloponnesian war increased the strain on the revenue and deprived Athens of its dependencies. The balance was upset; and the policy of making one class give, that another might receive, was recommended not only by the interest of the poor, but by a growing theory, that wealth and poverty make bad citizens, that the middle class is the one most easily led by reason, and that the way to make it predominate is to depress whatever rises above the common level, and to raise whatever falls below it. This theory, which became inseparable from democracy, and contained a force which alone seems able to destroy it, was fatal to Athens, for it drove the minority to treason. The glory of the Athenian democrats is, not that they escaped the worst consequences of their principle, but that, having twice cast out the usurping oligarchy, they set bounds to their own power. They forgave their vanquished enemies; they abolished pay for attendance in the assembly; they established the supremacy of law by making the

code superior to the people; they distinguished things that were constitutional from things that were legal, and resolved that no legislative act should pass until it had been pronounced consistent with the constitution.

The causes which ruined the Republic of Athens illustrate the connection of ethics with politics rather than the vices inherent to democracy. A State which has only 30,000 full citizens in a population of 500,000, and is governed, practically, by about 3000 people at a public meeting, is scarcely democratic. The short triumph of Athenian liberty, and its quick decline, belong to an age which possessed no fixed standard of right and wrong. An unparalleled activity of intellect was shaking the credit of the gods, and the gods were the givers of the law. It was a very short step from the suspicion of Protagoras, that there were no gods, to the assertion of Critias that there is no sanction for laws. If nothing was certain in theology, there was no certainty in ethics and no moral obligation. The will of man, not the will of God, was the rule of life, and every man and body of men had the right to do what they had the means of doing. Tyranny was no wrong, and it was hypocrisy to deny oneself the enjoyment it affords. The doctrine of the Sophists gave no limits to power and no security to freedom; it inspired that cry of the Athenians, that they must not be hindered from doing what they pleased, and the speeches of men like Athenagoras and Euphemus, that the democracy may punish men who have done no wrong, and that nothing that is profitable is amiss. And Socrates perished by the reaction which they provoked.

The disciples of Socrates obtained the ear of posterity. Their testimony against the government that put the best of citizens to death is enshrined in writings that compete with Christianity itself for influence on the opinions of men. Greece has governed the world by her philosophy, and the loudest note in Greek philosophy is the protest against Athenian democracy. But although Socrates derided the practice of leaving the choice of magistrates to chance, and Plato admired the bloodstained tyrant Critias, and Aristotle deemed Theramenes a greater statesman than Pericles, yet these are the men who laid the first stones of a purer system, and became the lawgivers of future commonwealths.

The main point in the method of Socrates was essentially democratic. He urged men to bring all things to the test of incessant inquiry, and not to content themselves with the verdict of authorities, majorities, or custom; to judge of right and wrong, not by the will or sentiment of others, but by the light which God has set in each man's reason and conscience. He proclaimed that authority is often wrong, and has no warrant to silence or to impose conviction. But he gave no warrant to resistance. He emancipated men for thought, but not for action. The sublime history of his death shows that the superstition of the State was undisturbed by his contempt for its rulers.

Plato had not his master's patriotism, nor his reverence for the civil power. He believed that no State can command obedience if it does not deserve respect; and he encouraged citizens to despise their government if they were not governed by wise men. To the aristocracy of philosophers he assigned a boundless prerogative; but as no government satisfied that test, his plea for despotism was hypothetical. When the lapse of years roused him from the fantastic dream of his Republic, his belief in divine government moderated his intolerance of human freedom. Plato would not suffer a democratic polity; but he challenged all existing authorities to justify themselves before a superior tribunal; he desired that all constitutions should be thoroughly remodelled, and he supplied the greatest need of Greek democracy, the conviction that the will of the people is subject to the will of God, and that all civil authority, except that of an imaginary state, is limited and conditional. The prodigious vitality of his writings has kept the glaring perils of popular government constantly before mankind; but it has also preserved the belief in ideal politics and the notion of judging the powers of this world by a standard from heaven. There has been no fiercer enemy of democracy; but there has been no stronger advocate of revolution.

In the *Ethics* Aristotle condemns democracy, even with a property qualification, as the worst of governments. But near the end of his life, when he composed his *Politics*, he was brought, grudgingly, to make a memorable concession. To preserve the sovereignty of law, which is the reason and the

custom of generations, and to restrict the realm of choice and change, he conceived it best that no class of society should preponderate, that one man should not be subject to another, that all should command and all obey. He advised that power should be distributed to high and low; to the first according to their property, to the others according to numbers; and that it should centre in the middle class. If aristocracy and democracy were fairly combined and balanced against each other, he thought that none would be interested to disturb the serene majesty of impersonal government. To reconcile the two principles, he would admit even the poorer citizens to office and pay them for the discharge of public duties; but he would compel the rich to take their share, and would appoint magistrates by election and not by lot. In his indignation at the extravagance of Plato, and his sense of the significance of facts, he became, against his will, the prophetic exponent of a limited and regenerated democracy. But the *Politics*, which, to the world of living men, is the most valuable of his works, acquired no influence on antiquity, and is never quoted before the time of Cicero. Again it disappeared for many centuries; it was unknown to the Arabian commentators, and in Western Europe it was first brought to light by St. Thomas Aquinas, at the very time when an infusion of popular elements was modifying feudalism, and it helped to emancipate political philosophy from despotic theories and to confirm it in the ways of freedom.

The three generations of the Socratic school did more for the future reign of the people than all the institutions of the States of Greece. They vindicated conscience against authority, and subjected both to a higher law; and they proclaimed that doctrine of a mixed constitution, which has prevailed at last over absolute monarchy, and still has to contend against extreme Republicans and Socialists, and against the masters of a hundred legions. But their views of liberty were based on expediency, not on justice. They legislated for the favoured citizens of Greece, and were conscious of no principle that extended the same rights to the stranger and the slave. That discovery, without which all political science was merely conventional, belongs to the followers of Zeno.

The dimness and poverty of their theological speculation caused the Stoics to attribute the government of the universe less to the uncertain design of gods than to a definite law of nature. By that law, which is superior to religious traditions and national authorities, and which every man can learn from a guardian angel who neither sleeps nor errs, all are governed alike, all are equal, all are bound in charity to each other, as members of one community and children of the same God. The unity of mankind implied the existence of rights and duties common to all men, which legislation neither gives nor takes away. The Stoics held in no esteem the institutions that vary with time and place, and their ideal society resembled a universal Church more than an actual State. In every collision between authority and conscience they preferred the inner to the outer guide; and, in the words of Epictetus, regarded the laws of the gods, not the wretched laws of the dead. Their doctrine of equality, of fraternity, of humanity; their defence of individualism against public authority; their repudiation of slavery, redeemed democracy from the narrowness, the want of principle and of sympathy, which are its reproach among the Greeks. In practical life they preferred a mixed constitution to a purely popular government. Chrysippus thought it impossible to please both gods and men; and Seneca declared that the people is corrupt and incapable, and that nothing was wanting, under Nero, to the fulness of liberty, except the possibility of destroying it. But their lofty conception of freedom, as no exceptional privilege but the birthright of mankind, survived in the law of nations and purified the equity of Rome.

Whilst Dorian oligarchs and Macedonian kings crushed the liberties of Greece, the Roman Republic was ruined, not by its enemies, for there was no enemy it did not conquer, but by its own vices. It was free from many causes of instability and dissolution that were active in Greece – the eager quickness, the philosophic thought, the independent belief, the pursuit of unsubstantial grace and beauty. It was protected by many subtle contrivances against the sovereignty of numbers and against legislation by surprise. Constitutional battles had to be fought over and over again; and progress was so slow, that reforms were often voted many years before they could be carried into effect. The

authority allowed to fathers, to masters, to creditors, was as incompatible with the spirit of freedom as the practice of the servile East. The Roman citizen revelled in the luxury of power; and his jealous dread of every change that might impair its enjoyment portended a gloomy oligarchy. The cause which transformed the domination of rigid and exclusive patricians into the model Republic, and which out of the decomposed Republic built up the archetype of all despotism, was the fact that the Roman Commonwealth consisted of two States in one. The constitution was made up of compromises between independent bodies, and the obligation of observing contracts was the standing security for freedom. The plebs obtained self-government and an equal sovereignty, by the aid of the tribunes of the people, the peculiar, salient, and decisive invention of Roman statecraft. The powers conferred on the tribunes, that they might be the guardians of the weak, were ill defined, but practically were irresistible. They could not govern, but they could arrest all government. The first and the last step of plebeian progress was gained neither by violence nor persuasion, but by seceding; and, in like manner, the tribunes overcame all the authorities of the State by the weapon of obstruction. It was by stopping public business for five years that Licinius established democratic equality. The safeguard against abuse was the right of each tribune to veto the acts of his colleagues. As they were independent of their electors, and as there could hardly fail to be one wise and honest man among the ten, this was the most effective instrument for the defence of minorities ever devised by man. After the Hortensian law, which in the year 286 gave to the plebeian assembly co-ordinate legislative authority, the tribunes ceased to represent the cause of a minority, and their work was done.

A scheme less plausible or less hopeful than one which created two sovereign legislatures side by side in the same community would be hard to find. Yet it effectually closed the conflict of centuries, and gave to Rome an epoch of constant prosperity and greatness. No real division subsisted in the people, corresponding to the artificial division in the State. Fifty years passed away before the popular assembly made use of its prerogative, and passed a law in opposition to the senate. Polybius could not detect a flaw in the structure as it stood. The harmony seemed to be complete, and he judged that a more perfect example of composite government could not exist. But during those happy years the cause which wrought the ruin of Roman freedom was in full activity; for it was the condition of perpetual war that brought about the three great changes which were the beginning of the end – the reforms of the Gracchi, the arming of the paupers, and the gift of the Roman suffrage to the people of Italy.

Before the Romans began their career of foreign conquest they possessed an army of 770,000 men; and from that time the consumption of citizens in war was incessant. Regions once crowded with the small freeholds of four or five acres, which were the ideal unit of Roman society and the sinew of the army and the State, were covered with herds of cattle and herds of slaves, and the substance of the governing democracy was drained. The policy of the agrarian reform was to reconstitute this peasant class out of the public domains, that is, out of lands which the ruling families had possessed for generations, which they had bought and sold, inherited, divided, cultivated, and improved. The conflict of interests that had so long slumbered revived with a fury unknown in the controversy between the patricians and the plebs. For it was now a question not Of equal rights but of subjugation. The social restoration of democratic elements could not be accomplished without demolishing the senate; and this crisis at last exposed the defect of the machinery and the peril of divided powers that were not to be controlled or reconciled. The popular assembly, led by Gracchus, had the power of making laws; and the only constitutional check was, that one of the tribunes should be induced to bar the proceedings. Accordingly, the tribune Octavius interposed his veto. The tribunician power, the most sacred of powers, which could not be questioned because it was founded on a covenant between the two parts of the community and formed the keystone of their union, was employed, in opposition to the will of the people, to prevent a reform on which the preservation of the democracy depended. Gracchus caused Octavius to be deposed. Though not illegal, this was a thing unheard of, and it seemed to the Romans a sacrilegious act that shook the pillars of the State, for it was the first

significant revelation of democratic sovereignty. A tribune might burn the arsenal and betray the city, yet he could not be called to account until his year of office had expired. But when he employed against the people the authority with which they had invested him, the spell was dissolved. The tribunes had been instituted as the champions of the oppressed, when the plebs feared oppression. It was resolved that they should not interfere on the weaker side when the democracy were the strongest. They were chosen by the people as their defence against the aristocracy. It was not to be borne that they should become the agents of the aristocracy to make them once more supreme. Against a popular tribune, whom no colleague was suffered to oppose, the wealthy classes were defenceless. It is true that he held office, and was inviolable, only for a year. But the younger Gracchus was re-elected. The nobles accused him of aiming at the crown. A tribune who should be practically irremovable, as well as legally irresistible, was little less than an emperor. The senate carried on the conflict as men do who fight, not for public interests but for their own existence. They rescinded the agrarian laws. They murdered the popular leaders. They abandoned the constitution to save themselves, and invested Sylla with a power beyond all monarchs, to exterminate their foes. The ghastly conception of a magistrate legally proclaimed superior to all the laws was familiar to the stern spirit of the Romans. The decemvirs had enjoyed that arbitrary authority; but practically they were restrained by the two provisions which alone were deemed efficacious in Rome, the short duration of office, and its distribution among several colleagues. But the appointment of Sylla was neither limited nor divided. It was to last as long as he chose. Whatever he might do was right; and he was empowered to put whomsoever he pleased to death, without trial or accusation. All the victims who were butchered by his satellites suffered with the full sanction of the law.

When at last the democracy conquered, the Augustan monarchy, by which they perpetuated their triumph, was moderate in comparison with the licensed tyranny of the aristocratic chief. The Emperor was the constitutional head of the Republic, armed with all the powers requisite to master the senate. The instrument which had served to cast down the patricians was efficient against the new aristocracy of wealth and office. The tribunician power, conferred in perpetuity, made it unnecessary to create a king or a dictator. Thrice the senate proposed to Augustus the supreme power of making laws. He declared that the power of the tribunes already supplied him with all that he required. It enabled him to preserve the forms of a simulated republic. The most popular of all the magistracies of Rome furnished the marrow of Imperialism. For the Empire was created, not by usurpation, but by the legal act of a jubilant people, eager to close the era of bloodshed and to secure the largess of grain and coin, which amounted, at last, to 900,000 pounds a year. The people transferred to the Emperor the plenitude of their own sovereignty. To limit his delegated power was to challenge their omnipotence, to renew the issue between the many and the few which had been decided at Pharsalus and Philippi. The Romans upheld the absolutism of the Empire because it was their own. The elementary antagonism between liberty and democracy, between the welfare of minorities and the supremacy of masses, became manifest. The friend of the one was a traitor to the other. The dogma, that absolute power may, by the hypothesis of a popular origin, be as legitimate as constitutional freedom, began, by the combined support of the people and the throne, to darken the air.

Legitimate, in the technical sense of modern politics, the Empire was not meant to be. It had no right or claim to subsist apart from the will of the people. To limit the Emperor's authority was to renounce their own; but to take it away was to assert their own. They gave the Empire as they chose. They took it away as they chose. The Revolution was as lawful and as irresponsible as the Empire. Democratic institutions continued to develop. The provinces were no longer subject to an assembly meeting in a distant capital. They obtained the privileges of Roman citizens. Long after Tiberius had stripped the inhabitants of Rome of their electoral function, the provincials continued in undisturbed enjoyment of the right of choosing their own magistrates. They governed themselves like a vast confederation of municipal republics; and, even after Diocletian had brought in the forms as

well as the reality of despotism, provincial assemblies, the obscure germ of representative institutions, exercised some control over the Imperial officers.

But the Empire owed the intensity of its force to the popular fiction. The principle, that the Emperor is not subject to laws from which he can dispense others, *princeps legibus solutus*, was interpreted to imply that he was above all legal restraint. There was no appeal from his sentence. He was the living law. The Roman jurists, whilst they adorned their writings with the exalted philosophy of the Stoics, consecrated every excess of Imperial prerogative with those famous maxims which have been balm to so many consciences and have sanctioned so much wrong; and the code of Justinian became the greatest obstacle, next to feudalism, with which liberty had to contend.

Ancient democracy, as it was in Athens in the best days of Pericles, or in Rome when Polybius described it, or even as it is idealised by Aristotle in the Sixth Book of his *Politics*, and by Cicero in the beginning of the Republic, was never more than a partial and insincere solution of the problem of popular government. The ancient politicians aimed no higher than to diffuse power among a numerous class. Their liberty was bound up with slavery. They never attempted to found a free State on the thrift and energy of free labour. They never divined the harder but more grateful task that constitutes the political life of Christian nations.

By humbling the supremacy of rank and wealth; by forbidding the State to encroach on the domain which belongs to God; by teaching man to love his neighbour as himself; by promoting the sense of equality; by condemning the pride of race, which was a stimulus of conquest, and the doctrine of separate descent, which formed the philosopher's defence of slavery; and by addressing not the rulers but the masses of mankind, and making opinion superior to authority, the Church that preached the Gospel to the poor had visible points of contact with democracy. And yet Christianity did not directly influence political progress. The ancient watchword of the Republic was translated by Papinian into the language of the Church: "Summa est ratio quæ pro religione fiat: " and for eleven hundred years, from the first to the last of the Constantines, the Christian Empire was as despotic as the pagan.

Meanwhile Western Europe was overrun by men who in their early home had been Republicans. The primitive constitution of the German communities was based on association rather than on subordination. They were accustomed to govern their affairs by common deliberation, and to obey authorities that were temporary and defined. It is one of the desperate enterprises of historical science to trace the free institutions of Europe and America, and Australia, to the life that was led in the forests of Germany. But the new States were founded on conquest, and in war the Germans were commanded by kings. The doctrine of self-government, applied to Gaul and Spain, would have made Frank and Goth disappear in the mass of the conquered people. It needed all the resources of a vigorous monarchy, of a military aristocracy, and of a territorial clergy, to construct States that were able to last. The result was the feudal system, the most absolute contradiction of democracy that has coexisted with civilisation.

The revival of democracy was due neither to the Christian Church nor to the Teutonic State, but to the quarrel between them. The effect followed the cause instantaneously. As soon as Gregory VII. made the Papacy independent of the Empire, the great conflict began; and the same pontificate gave birth to the theory of the sovereignty of the people. The Gregorian party argued that the Emperor derived his crown from the nation, and that the nation could take away what it had bestowed. The Imperialists replied that nobody could take away what the nation had given. It is idle to look for the spark either in flint or steel. The object of both parties was unqualified supremacy. Fitznigel has no more idea of ecclesiastical liberty than John of Salisbury of political. Innocent IV. is as perfect an absolutist as Peter de Vineis. But each party encouraged democracy in turn, by seeking the aid of the towns; each party in turn appealed to the people, and gave strength to the constitutional theory. In the fourteenth century English Parliaments judged and deposed their kings, as a matter of right; the Estates governed France without king or noble; and the wealth and liberties of the towns, which

had worked out their independence from the centre of Italy to the North Sea, promised for a moment to transform European society. Even in the capitals of great princes, in Rome, in Paris, and, for two terrible days, in London, the commons obtained sway. But the curse of instability was on the municipal republics. Strasburg, according to Erasmus and Bodin, the best governed of all, suffered from perpetual commotions. An ingenious historian has reckoned seven thousand revolutions in the Italian cities. The democracies succeeded no better than feudalism in regulating the balance between rich and poor. The atrocities of the Jacquerie, and of Wat Tyler's rebellion, hardened the hearts of men against the common people. Church and State combined to put them down. And the last memorable struggles of mediæval liberty – the insurrection of the Comuneros in Castile, the Peasants' War in Germany, the Republic of Florence, and the Revolt of Ghent – were suppressed by Charles V. in the early years of the Reformation.

The middle ages had forged a complete arsenal of constitutional maxims: trial by jury, taxation by representation, local self-government, ecclesiastical independence, responsible authority. But they were not secured by institutions, and the Reformation began by making the dry bones more dry. Luther claimed to be the first divine who did justice to the civil power. He made the Lutheran Church the bulwark of political stability, and bequeathed to his disciples the doctrine of divine right and passive obedience. Zwingli, who was a staunch republican, desired that all magistrates should be elected, and should be liable to be dismissed by their electors; but he died too soon for his influence, and the permanent action of the Reformation on democracy was exercised through the Presbyterian constitution of Calvin.

It was long before the democratic element in Presbyterianism began to tell. The Netherlands resisted Philip II. for fifteen years before they took courage to depose him, and the scheme of the ultra-Calvinist Deventer, to subvert the ascendency of the leading States by the sovereign action of the whole people, was foiled by Leicester's incapacity, and by the consummate policy of Barnevelt. The Huguenots, having lost their leaders in 1572, reconstituted themselves on a democratic footing, and learned to think that a king who murders his subjects forfeits his divine right to be obeyed. But Junius Brutus and Buchanan damaged their credit by advocating regicide; and Hotoman, whose *Franco-Gallia* is the most serious work of the group, deserted his liberal opinions when the chief of his own party became king. The most violent explosion of democracy in that age proceeded from the opposite quarter. When Henry of Navarre became the next heir to the throne of France, the theory of the deposing power, which had proved ineffectual for more than a century, awoke with a new and more vigorous life. One-half of the nation accepted the view, that they were not bound to submit to a king they would not have chosen. A Committee of Sixteen made itself master of Paris, and, with the aid of Spain, succeeded for years in excluding Henry from his capital. The impulse thus given endured in literature for a whole generation, and produced a library of treatises on the right of Catholics to choose, to control, and to cashier their magistrates. They were on the losing side. Most of them were bloodthirsty, and were soon forgotten. But the greater part of the political ideas of Milton, Locke, and Rousseau, may be found in the ponderous Latin of Jesuits who were subjects of the Spanish Crown, of Lessius, Molina, Mariana, and Suarez.

The ideas were there, and were taken up when it suited them by extreme adherents of Rome and of Geneva; but they produced no lasting fruit until, a century after the Reformation, they became incorporated in new religious systems. Five years of civil war could not exhaust the royalism of the Presbyterians, and it required the expulsion of the majority to make the Long Parliament abandon monarchy. It had defended the constitution against the crown with legal arts, defending precedent against innovation, and setting up an ideal in the past which, with all the learning of Selden and of Prynne, was less certain than the Puritan statesmen supposed. The Independents brought in a new principle. Tradition had no authority for them, and the past no virtue. Liberty of conscience, a thing not to be found in the constitution, was more prized by many of them than all the statutes of the Plantagenets. Their idea that each congregation should govern itself abolished the force which is

needed to preserve unity, and deprived monarchy of the weapon which made it injurious to freedom. An immense revolutionary energy resided in their doctrine, and it took root in America, and deeply coloured political thought in later times. But in England the sectarian democracy was strong only to destroy. Cromwell refused to be bound by it; and John Lilburne, the boldest thinker among English democrats, declared that it would be better for liberty to bring back Charles Stuart than to live under the sword of the Protector.

Lilburne was among the first to understand the real conditions of democracy, and the obstacle to its success in England. Equality of power could not be preserved, except by violence, together with an extreme inequality of possessions. There would always be danger, if power was not made to wait on property, that property would go to those who had the power. This idea of the necessary balance of property, developed by Harrington, and adopted by Milton in his later pamphlets, appeared to Toland, and even to John Adams, as important as the invention of printing, or the discovery of the circulation of the blood. At least it indicates the true explanation of the strange completeness with which the Republican party had vanished, a dozen years after the solemn trial and execution of the King. No extremity of misgovernment was able to revive it. When the treason of Charles II. against the constitution was divulged, and the Whigs plotted to expel the incorrigible dynasty, their aspirations went no farther than a Venetian oligarchy, with Monmouth for Doge. The Revolution of 1688 confined power to the aristocracy of freeholders. The conservatism of the age was unconquerable. Republicanism was distorted even in Switzerland, and became in the eighteenth century as oppressive and as intolerant as its neighbours.

In 1769, when Paoli fled from Corsica, it seemed that, in Europe at least, democracy was dead. It had, indeed, lately been defended in books by a man of bad reputation, whom the leaders of public opinion treated with contumely, and whose declamations excited so little alarm that George III. offered him a pension. What gave to Rousseau a power far exceeding that which any political writer had ever attained was the progress of events in America. The Stuarts had been willing that the colonies should serve as a refuge from their system of Church and State, and of all their colonies the one most favoured was the territory granted to William Penn. By the principles of the Society to which he belonged, it was necessary that the new State should be founded on liberty and equality. But Penn was further noted among Quakers as a follower of the new doctrine of Toleration. Thus it came to pass that Pennsylvania enjoyed the most democratic constitution in the world, and held up to the admiration of the eighteenth century an almost solitary example of freedom. It was principally through Franklin and the Quaker State that America influenced political opinion in Europe, and that the fanaticism of one revolutionary epoch was converted into the rationalism of another. American independence was the beginning of a new era, not merely as a revival of Revolution, but because no other Revolution ever proceeded from so slight a cause, or was ever conducted with so much moderation. The European monarchies supported it. The greatest statesmen in England averred that it was just. It established a pure democracy; but it was democracy in its highest perfection, armed and vigilant, less against aristocracy and monarchy than against its own weakness and excess. Whilst England was admired for the safeguards with which, in the course of many centuries, it had fortified liberty against the power of the crown, America appeared still more worthy of admiration for the safeguards which, in the deliberations of a single memorable year, it had set up against the power of its own sovereign people. It resembled no other known democracy, for it respected freedom, authority, and law. It resembled no other constitution, for it was contained in half a dozen intelligible articles. Ancient Europe opened its mind to two new ideas – that Revolution with very little provocation may be just; and that democracy in very large dimensions may be safe.

Whilst America was making itself independent, the spirit of reform had been abroad in Europe. Intelligent ministers, like Campomanes and Struensee, and well-meaning monarchs, of whom the most liberal was Leopold of Tuscany, were trying what could be done to make men happy by command. Centuries of absolute and intolerant rule had bequeathed abuses which nothing but the

most vigorous use of power could remove. The age preferred the reign of intellect to the reign of liberty. Turgot, the ablest and most far-seeing reformer then living, attempted to do for France what less gifted men were doing with success in Lombardy, and Tuscany, and Parma. He attempted to employ the royal power for the good of the people, at the expense of the higher classes. The higher classes proved too strong for the crown alone; and Louis XVI. abandoned internal reforms in despair, and turned for compensation to a war with England for the deliverance of her American Colonies. When the increasing debt obliged him to seek heroic remedies, and he was again repulsed by the privileged orders, he appealed at last to the nation. When the States-General met, the power had already passed to the middle class, for it was by them alone that the country could be saved. They were strong enough to triumph by waiting. Neither the Court, nor the nobles, nor the army, could do anything against them. During the six months from January 1789 to the fall of the Bastille in July, France travelled as far as England in the six hundred years between the Earl of Leicester and Lord Beaconsfield. Ten years after the American alliance, the Rights of Man, which had been proclaimed at Philadelphia, were repeated at Versailles. The alliance had borne fruit on both sides of the Atlantic, and for France, the fruit was the triumph of American ideas over English. They were more popular, more simple, more effective against privilege, and, strange to say, more acceptable to the King. The new French constitution allowed no privileged orders, no parliamentary ministry, no power of dissolution, and only a suspensive veto. But the characteristic safeguards of the American Government were rejected: Federalism, separation of Church and State, the Second Chamber, the political arbitration of the supreme judicial body. That which weakened the Executive was taken: that which restrained the Legislature was left. Checks on the crown abounded; but should the crown be vacant, the powers that remained would be without a check. The precautions were all in one direction. Nobody would contemplate the contingency that there might be no king. The constitution was inspired by a profound disbelief in Louis XVI. and a pertinacious belief in monarchy. The assembly voted without debate, by acclamation, a Civil List three times as large as that of Queen Victoria. When Louis fled, and the throne was actually vacant, they brought him back to it, preferring the phantom of a king who was a prisoner to the reality of no king at all.

Next to this misapplication of American examples, which was the fault of nearly all the leading statesmen, excepting Mounier, Mirabeau, and Sieyès, the cause of the Revolution was injured by its religious policy. The most novel and impressive lesson taught by the fathers of the American Republic was that the people, and not the administration, should govern. Men in office were salaried agents, by whom the nation wrought its will. Authority submitted to public opinion, and left to it not only the control, but the initiative of government. Patience in waiting for a wind, alacrity in catching it, the dread of exerting unnecessary influence, characterise the early presidents. Some of the French politicians shared this view, though with less exaggeration than Washington. They wished to decentralise the government, and to obtain, for good or evil, the genuine expression of popular sentiment. Necker himself, and Buzot, the most thoughtful of the Girondins, dreamed of federalising France. In the United States there was no current of opinion, and no combination of forces, to be seriously feared. The government needed no security against being propelled in a wrong direction. But the French Revolution was accomplished at the expense of powerful classes. Besides the nobles, the Assembly, which had been made supreme by the accession of the clergy, and had been led at first by popular ecclesiastics, by Sieyès, Talleyrand, Cicé, La Luzerne, made an enemy of the clergy. The prerogative could not be destroyed without touching the Church. Ecclesiastical patronage had helped to make the crown absolute. To leave it in the hands of Louis and his ministers was to renounce the entire policy of the constitution. To disestablish, was to make it over to the Pope. It was consistent with the democratic principle to introduce election into the Church. It involved a breach with Rome; but so, indeed, did the laws of Joseph II., Charles III., and Leopold. The Pope was not likely to cast away the friendship of France, if he could help it; and the French clergy were not likely to give trouble by their attachment to Rome. Therefore, amid the indifference of many, and against the urgent, and probably

sincere, remonstrances of Robespierre and Marat, the Jansenists, who had a century of persecution to avenge, carried the Civil Constitution. The coercive measures which enforced it led to the breach with the King, and the fall of the monarchy; to the revolt of the provinces, and the fall of liberty. The Jacobins determined that public opinion should not reign, that the State should not remain at the mercy of powerful combinations. They held the representatives of the people under control, by the people itself. They attributed higher authority to the direct than to the indirect voice of the democratic oracle. They armed themselves with power to crush every adverse, every independent force, and especially to put down the Church, in whose cause the provinces had risen against the capital. They met the centrifugal federalism of the friends of the Gironde by the most resolute centralisation. France was governed by Paris; and Paris by its municipality and its mob. Obeying Rousseau's maxim, that the people cannot delegate its power, they raised the elementary constituency above its representatives. As the greatest constituent body, the most numerous accumulation of primary electors, the largest portion of sovereignty, was in the people of Paris, they designed that the people of Paris should rule over France, as the people of Rome, the mob as well as the senate, had ruled, not ingloriously, over Italy, and over half the nations that surround the Mediterranean. Although the Jacobins were scarcely more irreligious than the Abbé Sieyès or Madame Roland, although Robespierre wanted to force men to believe in God, although Danton went to confession and Barère was a professing Christian, they imparted to modern democracy that implacable hatred of religion which contrasts so strangely with the example of its Puritan prototype.

The deepest cause which made the French Revolution so disastrous to liberty was its theory of equality. Liberty was the watchword of the middle class, equality of the lower. It was the lower class that won the battles of the third estate; that took the Bastille, and made France a constitutional monarchy; that took the Tuileries, and made France a Republic. They claimed their reward. The middle class, having cast down the upper orders with the aid of the lower, instituted a new inequality and a privilege for itself. By means of a taxpaying qualification it deprived its confederates of their vote. To those, therefore, who had accomplished the Revolution, its promise was not fulfilled. Equality did nothing for them. The opinion, at that time, was almost universal, that society is founded on an agreement which is voluntary and conditional, and that the links which bind men to it are terminable, for sufficient reason, like those which subject them to authority. From these popular premises the logic of Marat drew his sanguinary conclusions. He told the famished people that the conditions on which they had consented to bear their evil lot, and had refrained from violence, had not been kept to them. It was suicide, it was murder, to submit to starve and to see one's children starving, by the fault of the rich. The bonds of society were dissolved by the wrong it inflicted. The state of nature had come back, in which every man had a right to what he could take. The time had come for the rich to make way for the poor. With this theory of equality, liberty was quenched in blood, and Frenchmen became ready to sacrifice all other things to save life and fortune.

Twenty years after the splendid opportunity that opened in 1789, the reaction had triumphed everywhere in Europe; ancient constitutions had perished as well as new; and even England afforded them neither protection nor sympathy. The liberal, at least the democratic revival, came from Spain. The Spaniards fought against the French for a king, who was a prisoner in France. They gave themselves a constitution, and placed his name at the head of it. They had a monarchy, without a king. It required to be so contrived that it would work in the absence, possibly the permanent absence, of the monarch. It became, therefore, a monarchy only in name, composed, in fact, of democratic forces. The constitution of 1812 was the attempt of inexperienced men to accomplish the most difficult task in politics. It was smitten with sterility. For many years it was the standard of abortive revolutions among the so-called Latin nations. It promulgated the notion of a king who should flourish only in name, and should not even discharge the humble function which Hegel assigns to royalty, of dotting i's for the people.

The overthrow of the Cadiz constitution, in 1823, was the supreme triumph of the restored monarchy of France. Five years later, under a wise and liberal minister, the Restoration was advancing fairly on the constitutional paths, when the incurable distrust of the Liberal party defeated Martignac, and brought in the ministry of extreme royalists that ruined the monarchy. In labouring to transfer power from the class which the Revolution had enfranchised to those which it had overthrown, Polignac and La Bourdonnaie would gladly have made terms with the working men. To break the influence of intellect and capital by means of universal suffrage, was an idea long and zealously advocated by some of their supporters. They had not foresight or ability to divide their adversaries, and they were vanquished in 1830 by the united democracy.

The promise of the Revolution of July was to reconcile royalists and democrats. The King assured Lafayette that he was a republican at heart; and Lafayette assured France that Louis Philippe was the best of republics. The shock of the great event was felt in Poland, and Belgium, and even in England. It gave a direct impulse to democratic movements in Switzerland.

Swiss democracy had been in abeyance since 1815. The national will had no organ. The cantons were supreme; and governed as inefficiently as other governments under the protecting shade of the Holy Alliance. There was no dispute that Switzerland called for extensive reforms, and no doubt of the direction they would take. The number of the cantons was the great obstacle to all improvement. It was useless to have twenty-five governments in a country equal to one American State, and inferior in population to one great city. It was impossible that they should be good governments. A central power was the manifest need of the country. In the absence of an efficient federal power, seven cantons formed a separate league for the protection of their own interests. Whilst democratic ideas were making way in Switzerland, the Papacy was travelling in the opposite direction, and showing an inflexible hostility for ideas which are the breath of democratic life. The growing democracy and the growing Ultramontanism came into collision. The Sonderbund could aver with truth that there was no safety for its rights under the Federal Constitution. The others could reply, with equal truth, that there was no safety for the constitution with the Sonderbund. In 1847, it came to a war between national sovereignty and cantonal sovereignty. The Sonderbund was dissolved, and a new Federal Constitution was adopted, avowedly and ostensibly charged with the duty of carrying out democracy, and repressing the adverse influence of Rome. It was a delusive imitation of the American system. The President was powerless. The Senate was powerless. The Supreme Court was powerless. The sovereignty of the cantons was undermined, and their power centred in the House of Representatives. The Constitution of 1848 was a first step towards the destruction of Federalism. Another and almost a final step in the direction of centralisation was taken in 1874. The railways, and the vast interests they created, made the position of the cantonal governments untenable. The conflict with the Ultramontanes increased the demand for vigorous action; and the destruction of State Rights in the American war strengthened the hands of the Centralists. The Constitution of 1874 is one of the most significant works of modern democracy. It is the triumph of democratic force over democratic freedom. It overrules not only the Federal principle, but the representative principle. It carries important measures away from the Federal Legislature to submit them to the votes of the entire people, separating decision from deliberation. The operation is so cumbrous as to be generally ineffective. But it constitutes a power such as exists, we believe, under the laws of no other country. A Swiss jurist has frankly expressed the spirit of the reigning system by saying, that the State is the appointed conscience of the nation.

The moving force in Switzerland has been democracy relieved of all constraint, the principle of putting in action the greatest force of the greatest number. The prosperity of the country has prevented complications such as arose in France. The ministers of Louis Philippe, able and enlightened men, believed that they would make the people prosper if they could have their own way, and could shut out public opinion. They acted as if the intelligent middle class was destined by heaven to govern. The upper class had proved its unfitness before 1789; the lower class, since 1789. Government by

professional men, by manufacturers and scholars, was sure to be safe, and almost sure to be reasonable and practical. Money became the object of a political superstition, such as had formerly attached to land, and afterwards attached to labour. The masses of the people, who had fought against Marmont, became aware that they had not fought for their own benefit. They were still governed by their employers.

When the King parted with Lafayette, and it was found that he would not only reign but govern, the indignation of the republicans found a vent in street fighting. In 1836, when the horrors of the infernal machine had armed the crown with ampler powers, and had silenced the republican party, the term Socialism made its appearance in literature. Tocqueville, who was writing the philosophic chapters that conclude his work, failed to discover the power which the new system was destined to exercise on democracy. Until then, democrats and communists had stood apart. Although the socialist doctrines were defended by the best intellects of France, by Thierry, Comte, Chevalier, and Georges Sand, they excited more attention as a literary curiosity than as the cause of future revolutions. Towards 1840, in the recesses of secret societies, republicans and socialists coalesced. Whilst the Liberal leaders, Lamartine and Barrot, discoursed on the surface concerning reform, Ledru Rollin and Louis Blanc were quietly digging a grave for the monarchy, the Liberal party, and the reign of wealth. They worked so well, and the vanquished republicans recovered so thoroughly, by this coalition, the influence they had lost by a long series of crimes and follies, that, in 1848, they were able to conquer without fighting. The fruit of their victory was universal suffrage.

From that time the promises of socialism have supplied the best energy of democracy. Their coalition has been the ruling fact in French politics. It created the "saviour of society," and the Commune; and it still entangles the footsteps of the Republic. It is the only shape in which democracy has found an entrance into Germany. Liberty has lost its spell; and democracy maintains itself by the promise of substantial gifts to the masses of the people.

Since the Revolution of July and the Presidency of Jackson gave the impulse which has made democracy preponderate, the ablest political writers, Tocqueville, Calhoun, Mill, and Laboulaye, have drawn, in the name of freedom, a formidable indictment against it. They have shown democracy without respect for the past or care for the future, regardless of public faith and of national honour, extravagant and inconstant, jealous of talent and of knowledge, indifferent to justice but servile towards opinion, incapable of organisation, impatient of authority, averse from obedience, hostile to religion and to established law. Evidence indeed abounds, even if the true cause be not proved. But it is not to these symptoms that we must impute the permanent danger and the irrepressible conflict. As much might be made good against monarchy, and an unsympathising reasoner might in the same way argue that religion is intolerant, that conscience makes cowards, that piety rejoices in fraud. Recent experience has added little to the observations of those who witnessed the decline after Pericles, of Thucydides, Aristophanes, Plato, and of the writer whose brilliant tract against the Athenian Republic is printed among the works of Xenophon. The manifest, the avowed difficulty is that democracy, no less than monarchy or aristocracy, sacrifices everything to maintain itself, and strives, with an energy and a plausibility that kings and nobles cannot attain, to override representation, to annul all the forces of resistance and deviation, and to secure, by Plebiscite, Referendum, or Caucus, free play for the will of the majority. The true democratic principle, that none shall have power over the people, is taken to mean that none shall be able to restrain or to elude its power. The true democratic principle, that the people shall not be made to do what it does not like, is taken to mean that it shall never be required to tolerate what it does not like. The true democratic principle, that every man's free will shall be as unfettered as possible, is taken to mean that the free will of the collective people shall be fettered in nothing. Religious toleration, judicial independence, dread of centralisation, jealousy of State interference, become obstacles to freedom instead of safeguards, when the centralised force of the State is wielded by the hands of the people. Democracy claims to be not only supreme, without authority above, but absolute, without independence below; to be its own master, not a trustee. The

old sovereigns of the world are exchanged for a new one, who may be flattered and deceived, but whom it is impossible to corrupt or to resist, and to whom must be rendered the things that are Cæsar's and also the things that are God's. The enemy to be overcome is no longer the absolutism of the State, but the liberty of the subject. Nothing is more significant than the relish with which Ferrari, the most powerful democratic writer since Rousseau, enumerates the merits of tyrants, and prefers devils to saints in the interest of the community.

For the old notions of civil liberty and of social order did not benefit the masses of the people. Wealth increased, without relieving their wants. The progress of knowledge left them in abject ignorance. Religion flourished, but failed to reach them. Society, whose laws were made by the upper class alone, announced that the best thing for the poor is not to be born, and the next best, to die in childhood, and suffered them to live in misery and crime and pain. As surely as the long reign of the rich has been employed in promoting the accumulation of wealth, the advent of the poor to power will be followed by schemes for diffusing it. Seeing how little was done by the wisdom of former times for education and public health, for insurance, association, and savings, for the protection of labour against the law of self-interest, and how much has been accomplished in this generation, there is reason in the fixed belief that a great change was needed, and that democracy has not striven in vain. Liberty, for the mass, is not happiness; and institutions are not an end but a means. The thing they seek is a force sufficient to sweep away scruples and the obstacle of rival interests, and, in some degree, to better their condition. They mean that the strong hand that heretofore has formed great States, protected religions, and defended the independence of nations, shall help them by preserving life, and endowing it for them with some, at least, of the things men live for. That is the notorious danger of modern democracy. That is also its purpose and its strength. And against this threatening power the weapons that struck down other despots do not avail. The greatest happiness principle positively confirms it. The principle of equality, besides being as easily applied to property as to power, opposes the existence of persons or groups of persons exempt from the common law, and independent of the common will; and the principle, that authority is a matter of contract, may hold good against kings, but not against the sovereign people, because a contract implies two parties.

If we have not done more than the ancients to develop and to examine the disease, we have far surpassed them in studying the remedy. Besides the French Constitution of the year III., and that of the American Confederates, – the most remarkable attempts that have been made since the archonship of Euclides to meet democratic evils with the antidotes which democracy itself supplies, – our age has been prolific in this branch of experimental politics.

Many expedients have been tried, that have been evaded or defeated. A divided executive, which was an important phase in the transformation of ancient monarchies into republics, and which, through the advocacy of Condorcet, took root in France, has proved to be weakness itself.

The constitution of 1795, the work of a learned priest, confined the franchise to those who should know how to read and write; and in 1849 this provision was rejected by men who intended that the ignorant voter should help them to overturn the Republic. In our time no democracy could long subsist without educating the masses; and the scheme of Daunou is simply an indirect encouragement to elementary instruction.

In 1799 Sieyès suggested to Bonaparte the idea of a great Council, whose function it should be to keep the acts of the Legislature in harmony with the constitution – a function which the *Nomophylakes* discharged at Athens, and the Supreme Court in the United States, and which produced the Sénat Conservateur, one of the favourite implements of Imperialism. Sieyès meant that his Council should also serve the purpose of a gilded ostracism, having power to absorb any obnoxious politician, and to silence him with a thousand a year.

Napoleon the Third's plan of depriving unmarried men of their votes would have disfranchised the two greatest Conservative classes in France, the priest and the soldier.

In the American constitution it was intended that the chief of the executive should be chosen by a body of carefully selected electors. But since, in 1825, the popular candidate succumbed to one who had only a minority of votes, it has become the practice to elect the President by the pledged delegates of universal suffrage.

The exclusion of ministers from Congress has been one of the severest strains on the American system; and the law which required a majority of three to one enabled Louis Napoleon to make himself Emperor. Large constituencies make independent deputies; but experience proves that small assemblies, the consequence of large constituencies, can be managed by Government.

The composite vote and the cumulative vote have been almost universally rejected as schemes for baffling the majority. But the principle of dividing the representatives equally between population and property has never had fair play. It was introduced by Thouret into the constitution of 1791. The Revolution made it inoperative; and it was so manipulated from 1817 to 1848 by the fatal dexterity of Guizot as to make opinion ripe for universal suffrage.

Constitutions which forbid the payment of deputies and the system of imperative instructions, which deny the power of dissolution, and make the Legislature last for a fixed term, or renew it by partial re-elections, and which require an interval between the several debates on the same measure, evidently strengthen the independence of the representative assembly. The Swiss veto has the same effect, as it suspends legislation only when opposed by a majority of the whole electoral body, not by a majority of those who actually vote upon it.

Indirect elections are scarcely anywhere in use out of Germany, but they have been a favourite corrective of democracy with many thoughtful politicians. Where the extent of the electoral district obliges constituents to vote for candidates who are unknown to them, the election is not free. It is managed by wire-pullers, and by party machinery, beyond the control of the electors. Indirect election puts the choice of the managers into their hands. The objection is that the intermediate electors are generally too few to span the interval between voters and candidates, and that they choose representatives not of better quality, but of different politics. If the intermediate body consisted of one in ten of the whole constituency, the contact would be preserved, the people would be really represented, and the ticket system would be broken down.

The one pervading evil of democracy is the tyranny of the majority, or rather of that party, not always the majority, that succeeds, by force or fraud, in carrying elections. To break off that point is to avert the danger. The common system of representation perpetuates the danger. Unequal electorates afford no security to majorities. Equal electorates give none to minorities. Thirty-five years ago it was pointed out that the remedy is proportional representation. It is profoundly democratic, for it increases the influence of thousands who would otherwise have no voice in the government; and it brings men more near an equality by so contriving that no vote shall be wasted, and that every voter shall contribute to bring into Parliament a member of his own opinions. The origin of the idea is variously claimed for Lord Grey and for Considérant. The successful example of Denmark and the earnest advocacy of Mill gave it prominence in the world of politics. It has gained popularity with the growth of democracy, and we are informed by M. Naville that in Switzerland Conservatives and Radicals combined to promote it.

Of all checks on democracy, federalism has been the most efficacious and the most congenial; but, becoming associated with the Red Republic, with feudalism, with the Jesuits, and with slavery, it has fallen into disrepute, and is giving way to centralism. The federal system limits and restrains the sovereign power by dividing it, and by assigning to Government only certain defined rights. It is the only method of curbing not only the majority but the power of the whole people, and it affords the strongest basis for a second chamber, which has been found the essential security for freedom in every genuine democracy.

The fall of Guizot discredited the famous maxim of the Doctrinaires, that Reason is sovereign, and not king or people; and it was further exposed to the scoffer by the promise of Comte that

Positivist philosophers shall manufacture political ideas, which no man shall be permitted to dispute. But putting aside international and criminal law, in which there is some approach to uniformity, the domain of political economy seems destined to admit the rigorous certainty of science. Whenever that shall be attained, when the battle between Economists and Socialists is ended, the evil force which Socialism imparts to democracy will be spent. The battle is raging more violently than ever, but it has entered into a new phase, by the rise of a middle party. Whether that remarkable movement, which is promoted by some of the first economists in Europe, is destined to shake the authority of their science, or to conquer socialism, by robbing it of that which is the secret of its strength, it must be recorded here as the latest and the most serious effort that has been made to disprove the weighty sentence of Rousseau, that democracy is a government for gods, but unfit for man.

We have been able to touch on only a few of the topics that crowd Sir Erskine May's volumes. Although he has perceived more clearly than Tocqueville the contact of democracy with socialism, his judgment is untinged with Tocqueville's despondency, and he contemplates the direction of progress with a confidence that approaches optimism. The notion of an inflexible logic in history does not depress him, for he concerns himself with facts and with men more than with doctrines, and his book is a history of several democracies, not of democracy. There are links in the argument, there are phases of development which he leaves unnoticed, because his object has not been to trace out the properties and the connection of ideas, but to explain the results of experience. We should consult his pages, probably, without effect, if we wished to follow the origin and sequence of the democratic dogmas, that all men are equal; that speech and thought are free; that each generation is a law to itself only; that there shall be no endowments, no entails, no primogeniture; that the people are sovereign; that the people can do no wrong. The great mass of those who, of necessity, are interested in practical politics have no such antiquarian curiosity. They want to know what can be learned from the countries where the democratic experiments have been tried; but they do not care to be told how M. Waddington has emended the *Monumentum Ancyranum*, what connection there was between Mariana and Milton, or between Penn and Rousseau, or who invented the proverb *Vox Populi Vox Dei*. Sir Erskine May's reluctance to deal with matters speculative and doctrinal, and to devote his space to the mere literary history of politics, has made his touch somewhat uncertain in treating of the political action of Christianity, perhaps the most complex and comprehensive question that can embarrass a historian. He disparages the influence of the mediæval Church on nations just emerging from a barbarous paganism, and he exalts it when it had become associated with despotism and persecution. He insists on the liberating action of the Reformation in the sixteenth century, when it gave a stimulus to absolutism; and he is slow to recognise, in the enthusiasm and violence of the sects in the seventeenth, the most potent agency ever brought to bear on democratic history. The omission of America creates a void between 1660 and 1789, and leaves much unexplained in the revolutionary movement of the last hundred years, which is the central problem of the book. But if some things are missed from the design, if the execution is not equal in every part, the praise remains to Sir Erskine May, that he is the only writer who has ever brought together the materials for a comparative study of democracy, that he has avoided the temper of party, that he has shown a hearty sympathy for the progress and improvement of mankind, and a steadfast faith in the wisdom and the power that guide it.

IV
THE MASSACRE OF ST. BARTHOLOMEW [6]

The way in which Coligny and his adherents met their death has been handed down by a crowd of trustworthy witnesses, and few things in history are known in more exact detail. But the origin and motives of the tragedy, and the manner of its reception by the opinion of Christian Europe, are still subject to controversy. Some of the evidence has been difficult of access, part is lost, and much has been deliberately destroyed. No letters written from Paris at the time have been found in the Austrian archives. In the correspondence of thirteen agents of the House of Este at the Court of Rome, every paper relating to the event has disappeared. All the documents of 1572, both from Rome and Paris, are wanting in the archives of Venice. In the Registers of many French towns the leaves which contained the records of August and September in that year have been torn out. The first reports sent to England by Walsingham and by the French Government have not been recovered. Three accounts printed at Rome, when the facts were new, speedily became so rare that they have been forgotten. The Bull of Gregory XIII. was not admitted into the official collections; and the reply to Muretus has escaped notice until now. The letters of Charles IX. to Rome, with the important exception of that which he wrote on the 24th *of* August, have been dispersed and lost The letters of Gregory XIII. to France have never been seen by persons willing to make them public. In the absence of these documents the most authentic information is that which is supplied by the French Ambassador and by the Nuncio. The despatches of Ferralz, describing the attitude of the Roman court, are extant, but have not been used. Those of Salviati have long been known. Chateaubriand took a copy when the papal archives were at Paris, and projected a work on the events with which they are concerned. Some extracts were published, with his consent, by the continuator of Mackintosh; and a larger selection, from the originals in the Vatican, appeared in Theiner's *Annals of Gregory XIII*. The letters written under Pius V. are beyond the limits of that work; and Theiner, moreover, has omitted whatever seemed irrelevant to his purpose. The criterion of relevancy is uncertain; and we shall avail ourselves largely of the unpublished portions of Salviati's correspondence, which were transcribed by Chateaubriand. These manuscripts, with others of equal importance not previously consulted, determine several doubtful questions of policy and design.

The Protestants never occupied a more triumphant position, and their prospects were never brighter, than in the summer of 1572. For many years the progress of their religion had been incessant. The most valuable of the conquests it has retained were already made; and the period of its reverses had not begun. The great division which aided Catholicism afterwards to recover so much lost ground was not openly confessed; and the effectual unity of the Reformed Churches was not yet dissolved. In controversial theology the defence was weaker than the attack. The works to which the Reformation owed its popularity and system were in the hands of thousands, while the best authors of the Catholic restoration had not begun to write. The press continued to serve the new opinions better than the old; and in literature Protestantism was supreme. Persecuted in the South, and established by violence in the North, it had overcome the resistance of princes in Central Europe, and had won toleration without ceasing to be intolerant. In France and Poland, in the dominions of the Emperor and under the German prelates, the attempt to arrest its advance by physical force had been abandoned. In Germany it covered twice the area that remained to it in the next generation, and, except in Bavaria, Catholicism was fast dying out. The Polish Government had not strength to persecute, and Poland became the refuge of the sects. When the bishops found that they could not prevent toleration, they resolved that they would not restrict it. Trusting to the maxim, "Bellum Haereticorum pax est Ecclesiae,"

[6] *North British Review*, Oct. 1869.

they insisted that liberty should extend to those whom the Reformers would have exterminated.[7] The Polish Protestants, in spite of their dissensions, formed themselves into one great party. When the death of the last of the Jagellons, on the 7th of July 1572, made the monarchy elective, they were strong enough to enforce their conditions on the candidates; and it was thought that they would be able to decide the election, and obtain a king of their own choosing. Alva's reign of Terror had failed to pacify the Low Countries, and he was about to resign the hopeless task to an incapable successor. The taking of the Brill in April was the first of those maritime victories which led to the independence of the Dutch. Mons fell in May; and in July the important province of Holland declared for the Prince of Orange. The Catholics believed that all was lost if Alva remained in command.[8]

The decisive struggle was in France. During the minority of Charles IX. persecution had given way to civil war, and the Regent, his mother, had vainly striven, by submitting to neither party, to uphold the authority of the Crown. She checked the victorious Catholics, by granting to the Huguenots terms which constituted them, in spite of continual disaster in the field, a vast and organised power in the State. To escape their influence it would have been necessary to invoke the help of Philip II., and to accept protection which would have made France subordinate to Spain. Philip laboured to establish such an alliance; and it was to promote this scheme that he sent his queen, Elizabeth of Valois, to meet her mother at Bayonne. In 1568 Elizabeth died; and a rumour came to Catherine touching the manner of her death which made it hard to listen to friendly overtures from her husband. Antonio Perez, at that time an unscrupulous instrument of his master's will, afterwards accused him of having poisoned his wife. "On parle fort sinistrement de sa mort, pour avoir été advancée," says Brantôme. After the massacre of the Protestants, the ambassador at Venice, a man distinguished as a jurist and a statesman, reproached Catherine with having thrown France into the hands of him in whom the world recognised her daughter's murderer. Catherine did not deny the truth of the report. She replied that she was "bound to think of her sons in preference to her daughters, that the foul-play was not fully proved, and that if it were it could not be avenged so long as France was weakened by religious discord."[9] She wrote as she could not have written if she had been convinced that the suspicion was unjust.

When Charles IX. began to be his own master he seemed resolved to follow his father and grandfather in their hostility to the Spanish Power. He wrote to a trusted servant that all his thoughts were bent on thwarting Philip.[10] While the Christian navies were fighting at Lepanto, the King of France was treating with the Turks. His menacing attitude in the following year kept Don Juan in Sicilian waters, and made his victory barren for Christendom. Encouraged by French protection, Venice withdrew from the League. Even in Corsica there was a movement which men interpreted as a prelude to the storm that France was raising against the empire of Spain. Rome trembled in expectation of a Huguenot invasion of Italy; for Charles was active in conciliating the Protestants both abroad and at home. He married a daughter of the tolerant Emperor Maximilian II.; and he carried on negotiations for the marriage of his brother with Queen Elizabeth, not with any hope of success, but in order to impress public opinion.[11] He made treaties of alliance, in quick succession, with England,

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[7] Satius fore ducebam, si minus profligari possent omnes, ut ferrentur omnes, quo mordentes et comedentes invicem, consumerentur ab invicem (Hosius to Karnkowsky, Feb. 26, 1568).

[8] The Secretary of Medina Celi to Çayas, June 24, 1572 (*Correspondance de Philippe II.*, ii. 264).

[9] Quant à ce qui me touche à moy en particulier, encores que j'ayme unicquement tous mes enffans, je veulx préférer, comme il est bien raysonnable, les filz aux filles; et pour le regard de ce que me mandez de celluy qui a faict mourir ma fille, c'est chose que l'on ne tient point pour certaine, et où elle le seroit, le roy monsieur mondit filz n'en pouvoit faire la vengence en l'estat que son royaulme estoit lors; mais à présent qu'il est tout uni, il aura assez de moien et de forces pour sen ressentir quant l'occasion s'en présentera (Catherine to Du Ferrier, Oct. 1, 1572; Bib. Imp. F. Fr. 15,555). The despatches of Fourquevaulx from Madrid, published by the Marquis Du Prat in the *Histoire d' Elisabeth de Valois*, do not confirm the rumour.

[10] Toutes mes fantaisies sont bandées pour m'opposer à la grandeur des Espagnols, et délibère m'y conduire le plus dextrement qu'il me sera possible (Charles IX. to Noailles, May 2, 1572; Noailles, *Henri de Valois*, i. 8).

[11] Il fault, et je vous prie ne faillir, quand bien il seroit du tout rompu, et que verriés qu'il n'y auroit nulle espérance, de trouver

with the German Protestants, and with the Prince of Orange. He determined that his brother Anjou, the champion of the Catholics, of whom it was said that he had vowed to root out the Protestants to a man,[12] should be banished to the throne of Poland. Disregarding the threats and entreaties of the Pope, he gave his sister in marriage to Navarre. By the peace of St. Germains the Huguenots had secured, within certain limits, freedom from persecution and the liberty of persecuting; so that Pius V. declared that France had been made the slave of heretics. Coligny was now the most powerful man in the kingdom. His scheme for closing the civil wars by an expedition for the conquest of the Netherlands began to be put in motion. French auxiliaries followed Lewis of Nassau into Mons; an army of Huguenots had already gone to his assistance; another was being collected near the frontier, and Coligny was preparing to take the command in a war which might become a Protestant crusade, and which left the Catholics no hope of victory. Meanwhile many hundreds of his officers followed him to Paris, to attend the wedding which was to reconcile the factions, and cement the peace of religion.

In the midst of those lofty designs and hopes, Coligny was struck down. On the morning of the 22nd of August he was shot at and badly wounded. Two days later he was killed; and a general attack was made on the Huguenots of Paris. It lasted some weeks, and was imitated in about twenty places. The chief provincial towns of France were among them.

Judged by its immediate result, the massacre of St. Bartholomew was a measure weakly planned and irresolutely executed, which deprived Protestantism of its political leaders, and left it for a time to the control of zealots. There is no evidence to make it probable that more than seven thousand victims perished. Judged by later events, it was the beginning of a vast change in the conflict of the churches. At first it was believed that a hundred thousand Huguenots had fallen. It was said that the survivors were abjuring by thousands,[13] that the children of the slain were made Catholics, that those whom the priest had admitted to absolution and communion were nevertheless put to death.[14] Men who were far beyond the reach of the French Government lost their faith in a religion which Providence had visited with so tremendous a judgment;[15] and foreign princes took heart to employ severities which could excite no horror after the scenes in France.

Contemporaries were persuaded that the Huguenots had been flattered and their policy adopted only for their destruction, and that the murder of Coligny and his followers was a long premeditated crime. Catholics and Protestants vied with each other in detecting proofs of that which they variously esteemed a sign of supernatural inspiration or of diabolical depravity. In the last forty years a different opinion has prevailed. It has been deemed more probable, more consistent with testimony and with the position of affairs at the time, that Coligny succeeded in acquiring extraordinary influence over the mind of Charles, that his advice really predominated, and that the sanguinary resolution was suddenly embraced by his adversaries as the last means of regaining power. This opinion is made plausible by many facts. It is supported by several writers who were then living, and by the document known as the Confession of Anjou. The best authorities of the present day are nearly unanimous in rejecting premeditation.

The evidence on the opposite side is stronger than they suppose. The doom which awaited the Huguenots had been long expected and often foretold. People at a distance, Monluc in Languedoc,

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moyen d'en entrettenir toujours doucement le propos, d'ici à quelque temps; car cella ne peut que bien servir à establir mes affaires et aussy pour ma réputation (Charles IX. to La Mothe, Aug. 9, 1572; *Corr. de La Mothe*, vii. 311).

[12] This is stated both by his mother and by the Cardinal of Lorraine (Michelet, *La Ligue*, p. 26).

[13] In reliqua Gallia fuit et est incredibilis defectio, quae tamen usque adeo non pacavit immanes illas feras, ut etiam eos qui defecerunt (qui pene sunt innumerabiles) semel ad internecionem una cum integris familiis trucidare prorsus decreverint (Beza, Dec. 3, 1572; *Ill. vir. Epp. Sel.*, p. 621, 1617).

[14] Languet to the Duke of Saxony, Nov. 30, 1572 (*Arcana*, sec. xvi. 183).

[15] Vidi et cum dolore intellexi lanienam illam Gallicam perfidissimam et atrocissimam plurimos per Germaniam ita offendisse, ut jam etiam de veritate nostrae Religionis et doctrinae dubitare incoeperint (Bullinger to Wittgenstein, Feb. 23, 1573; Friedländer, *Beiträge zur rel. Gesch.*, p. 254).

and the Protestant Mylius in Italy, drew the same inference from the news that came from the court. Strangers meeting on the road discussed the infatuation of the Admiral.[16] Letters brought from Rome to the Emperor the significant intimation that the birds were all caged, and now was the time to lay hands on them.[17] Duplessis-Mornay, the future chief of the Huguenots, was so much oppressed with a sense of coming evil, that he hardly ventured into the streets on the wedding-day. He warned the Admiral of the general belief among their friends that the marriage concealed a plot for their ruin, and that the festivities would end in some horrible surprise.[18] Coligny was proof against suspicion. Several of his followers left Paris, but he remained unmoved. At one moment the excessive readiness to grant all his requests shook the confidence of his son-in-law Téligny; but the doubt vanished so completely that Téligny himself prevented the flight of his partisans after the attempt on the Admiral's life. On the morning of the fatal day, Montgomery sent word to Walsingham that Coligny was safe under protection of the King's Guards, and that no further stir was to be apprehended.[19]

For many years foreign advisers had urged Catherine to make away with these men. At first it was computed that half a dozen victims would be enough.[20] That was the original estimate of Alva, at Bayonne.[21] When the Duke of Ferrara was in France, in 1564, he proposed a larger measure, and he repeated this advice by the mouth of every agent whom he sent to France.[22] After the event, both Alva and Alfonso reminded Catherine that she had done no more than follow their advice.[23] Alva's letter explicitly confirms the popular notion which connects the massacre with the conference of Bayonne; and it can no longer now be doubted that La Roche-sur-Yon, on his deathbed, informed Coligny that murderous resolutions had been taken on that occasion.[24] But the Nuncio, Santa Croce, who was present, wrote to Cardinal Borromeo that the Queen had indeed promised to punish the infraction of the Edict of Pacification, but that this was a very different thing from undertaking to extirpate heresy. Catherine affirmed that in this way the law could reach all the Huguenot ministers; and Alva professed to believe her.[25] Whatever studied ambiguity of language she may have used, the action of 1572 was uninfluenced by deliberations which were seven years old.

During the spring and summer the Tuscan agents diligently prepared their master for what was to come. Petrucci wrote on the 19th of March that, for a reason which he could not trust to paper, the marriage would certainly take place, though not until the Huguenots had delivered up their strongholds. Four weeks later Alamanni announced that the Queen's pious design for restoring unity of faith would, by the grace of God, be speedily accomplished. On the 9th of August Petrucci was

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[16] De Thou, *Mémoires*, p. 9.

[17] Il me dist qu'on luy avoist escript de Rome, n'avoit que trois semaines ou environ, sur le propos des noces du roy de Navarre en ces propres termes; Que à ceste heure que tous les oiseaux estoient en cage, on les pouvoit prendre tous ensemble (Vulcob to Charles IX., Sept. 26, 1572; Noailles, iii. 214).

[18] *Mémoires de Duplessis-Mornay*, i. 38; Ambert, *Duplessis-Mornay*, p. 38.

[19] Digges, *Compleat Ambassador*, pp. 276, 255.

[20] Correr, *Relazione*; Tommaseo, ii. 116.

[21] He said to Catherine: Que quando quisiesen usar de otro y averlo, con no mas personas que con cinc o seys que son el cabo de todo esto, los tomasen a su mano y les cortasen las cabeças (Alva to Philip II., June 21, 1565; *Papiers de Granvelle*, ix. 298).

[22] Ci rallegriamo con la maestà sua con tutto l' affetto dell' animo, ch' ella habbia presa quella risolutione cosi opportunamente sopra la quale noi stesso l' ultima volta che fummo in Francia parlammo con la Regina Madre… Dipoi per diversi gentilhuomini che in varie occorrenze habbiamo mandato in corte siamo instati nel suddetto ricordo (Alfonso II. to Fogliani, Sept. 13, 1572; Modena Archives).

[23] Muchas vezes me ha accordado de aver dicho a Su Mag. esto mismo en Bayona, y de lo que mi offrecio, y veo que ha muy bien desempeñado su palabra (Alva to Zuñiga, Sept. 9, 1572; Coquerel, *La St. Barthélemy*, p. 12).

[24] Kluckhohn, *Zur Geschichte des angeblichen Bündnisses von Bayonne*, p. 36, 1868.

[25] Il signor duca di Alva … mi disse, che come in questo abboccamento negotio alcuno non havevano trattato, ne volevano trattare, altro che della religione, cosi la lor differenza era nata per questo, perchè non vedeva che la regina ci pigliasse risolutione a modo suo ne de altro, che di buone parole ben generali… È stato risoluto che alla tornata in Parigi si farà una ricerca di quelli che hanno contravenuto all' editto, e si castigaranno; nel che dice S.M. che gli Ugonotti ci sono talmente compresi, che spera con questo mezzo solo cacciare i Ministri di Francia… Il Signor Duca di Alva si satisfa piu di questa deliberatione di me, perchè io non trovo che serva all' estirpation dell' heresia il castigar quelli che hanno contravenuto all' editto (Santa Croce to Borromeo, Bayonne, July 1, 1565, MS.).

able to report that the plan arranged at Bayonne was near execution.[26] Yet he was not fully initiated. The Queen afterwards assured him that she had confided the secret to no foreign resident except the Nuncio,[27] and Petrucci resentfully complains that she had also consulted the Ambassador of Savoy. Venice, like Florence and Savoy, was not taken by surprise. In February the ambassador Contarini explained to the Senate the specious tranquillity in France, by saying that the Government reckoned on the death of the Admiral or the Queen of Navarre to work a momentous change.[28] Cavalli, his successor, judged that a business so grossly mismanaged showed no signs of deliberation.[29] There was another Venetian at Paris who was better informed. The Republic was seeking to withdraw from the league against the Turks; and her most illustrious statesman, Giovanni Michiel, was sent to solicit the help of France in negotiating peace.[30] The account which he gave of his mission has been pronounced by a consummate judge of Venetian State-Papers the most valuable report of the sixteenth century.[31] He was admitted almost daily to secret conference with Anjou, Nevers, and the group of Italians on whom the chief odium rests; and there was no counsellor to whom Catherine more willingly gave ear.[32] Michiel affirms that the intention had been long entertained, and that the Nuncio had been directed to reveal it privately to Pius V.[33]

Salviati was related to Catherine, and had gained her good opinion as Nuncio in the year 1570. The Pope had sent him back because nobody seemed more capable of diverting her and her son from the policy which caused so much uneasiness at Rome.[34] He died many years later, with the reputation of having been one of the most eminent Cardinals at a time when the Sacred College was unusually rich in talent. Personally, he had always favoured stern measures of repression. When the Countess of Entremont was married to Coligny, Salviati declared that she had made herself liable to severe penalties by entertaining proposals of marriage with so notorious a heretic, and demanded that the Duke of Savoy should, by all the means in his power, cause that wicked bride to be put out of the way.[35] When the peace of St. Germains was concluded, he assured Charles and Catherine that their lives were in danger, as the Huguenots were seeking to pull down the throne as well as the altar. He believed that all intercourse with them was sinful, and that the sole remedy was utter extermination by the sword. "I am convinced," he wrote, "that it will come to this." "If they do the tenth part of what I have advised, it will be well for them."[36] After an audience of two hours, at which he had presented a letter from Pius V., prophesying the wrath of Heaven, Salviati perceived that his exhortations made some impression. The King and Queen whispered to him that they hoped to make the peace yield such fruit that the end would more than countervail the badness of the beginning; and the King added, in strict confidence, that his plan was one which, once told, could never be executed.[37] This might have been said to delude the Nuncio; but he was inclined on the whole to believe that it was sincerely meant. The impression was confirmed by the Archbishop of Sens, Cardinal Pellevé, who informed him that the Huguenot leaders were caressed at Court in order to detach them from their party, and

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[26] Desjardins, *Négociations avec la Toscane*, iii. 756, 765, 802.

[27] Io non no fatto intendere cosa alcuna a nessuno principe; ho ben parlato al nunzio solo (Desp. Aug. 31; Desjardins, iii. 828).

[28] Alberi, *Relazioni Venete*, xii. 250.

[29] Alberi, xii. 328.

[30] Son principal but et dessein estoit de sentir quelle espérance ilz pourroient avoir de parvenir à la paix avec le G.S. dont il s'est ouvert et a demandé ce qu'il en pouvoit espérer et attendre (Charles IX. to Du Ferrier, Sept. 28, 1572; Charrière, *Négociations dans le Levant*, iii. 310).

[31] Ranke, *Französische Geschichte*, v. 76.

[32] Digges, p. 258; Cosmi, *Memorie di Morosini*, p. 26.

[33] Alberi, xii. 294.

[34] Mittit eo Antonium Mariam Salviatum, reginae affinem eique pergratum, qui eam in officio contineat (Cardinal of Vercelli, *Comment. de Rebus Gregorii* XIII.; Ranke, *Päpste*, App. 85).

[35] Desp. Aug. 30, 1570.

[36] Oct. 14, 1570.

[37] Sept. 24, 1570.

that after the loss of their leaders it would not take more than three days to deal with the rest.[38] Salviati on his return to France was made aware that his long-deferred hopes were about to be fulfilled. He shadowed it forth obscurely in his despatches. He reported that the Queen allowed the Huguenots to pass into Flanders, believing that the admiral would become more and more presumptuous until he gave her an opportunity of retribution; for she excelled in that kind of intrigue. Some days later he knew more, and wrote that he hoped soon to have good news for his Holiness.[39] At the last moment his heart misgave him. On the morning of the 21st of August the Duke of Montpensier and the Cardinal of Bourbon spoke with so much unconcern, in his presence, of what was then so near, that he thought it hardly possible the secret could be kept.[40]

The foremost of the French prelates was the Cardinal of Lorraine. He had held a prominent position at the council of Trent; and for many years he had wielded the influence of the House of Guise over the Catholics of France. In May 1572 he went to Rome; and he was still there when the news came from Paris in September. He at once made it known that the resolution had been taken before he left France, and that it was due to himself and his nephew, the Duke of Guise.[41] As the spokesman of the Gallican Church in the following year he delivered a harangue to Charles IX., in which he declared that Charles had eclipsed the glory of preceding kings by slaying the false prophets, and especially by the holy deceit and pious dissimulation with which he had laid his plans.[42]

There was one man who did not get his knowledge from rumour, and who could not be deceived by lies. The King's confessor, Sorbin, afterwards Bishop of Nevers, published in 1574 a narrative of the life and death of Charles IX. He bears unequivocal testimony that that clement and magnanimous act, for so he terms it, was resolved upon beforehand, and he praises the secrecy as well as the justice of his hero.[43]

Early in the year a mission of extraordinary solemnity had appeared in France. Pius V., who was seriously alarmed at the conduct of Charles, had sent the Cardinal of Alessandria as Legate to the Kings of Spain and Portugal, and directed him, in returning, to visit the Court at Blois. The Legate was nephew to the Pope, and the man whom he most entirely trusted.[44] His character stood so high that the reproach of nepotism was never raised by his promotion. Several prelates destined to future eminence attended him. His chief adviser was Hippolyto Aldobrandini, who, twenty years later, ascended the papal chair as Clement VIII. The companion whose presence conferred the greatest lustre on the mission was the general of the Jesuits, Francis Borgia, the holiest of the successors of Ignatius, and the most venerated of men then living. Austerities had brought him to the last stage of weakness; and he was sinking under the malady of which he was soon to die. But it was believed that the words of such a man, pleading for the Church, would sway the mind of the King. The ostensible purpose of the Legate's journey was to break off the match with Navarre, and to bring France into

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[38] Nov. 28, 1570.

[39] Quando scrissi ai giorni passati alla S.V. Illma in cifra, che l'ammiraglio s' avanzava troppo et che gli darebbero su l' unge, gia mi ero accorto, che non lo volevano più tollerare, et molto più mi confermai nell' opinione, quando con caratteri ordinarii glie scrivevo che speravo di dover haver occasione di dar qualche buona nova a Sua Beatitudine, benchè mai havrei creduto la x. parte di quello, che al presente veggo con gli occhi (Desp. Aug. 24; Theiner, *Annales*, i. 329).

[40] Che molti siano stati consapevoli del fatto è necessario, potendogli dizer che a 21 la mattina, essendo col Cardinal di Borbone et M. de Montpensier, viddi che ragionavano si domesticamente di quello che doveva seguire, che in me medesimo restando confuso, conobbi che la prattica andava gagliarda, e piutosto disperai di buon fine che altrimente (same Desp.; Mackintosh, *History of England*, ii. 355).

[41] Attribuisce a se, et al nipote, et a casa sua, la morte del' ammiraglio, gloriandosene assai (Desp. Oct. 1; Theiner, p. 331). The Emperor told the French ambassador "que, depuis les choses avenues, on lui avoit mandé de Rome que Mr. le Cardinal de Lorraine avoit dit que tout le fait avoit esté délibéré avant qu'il partist de France" (Vulcob to Charles IX., Nov. 8; Groen van Prinsterer, *Archives de Nassau*, iv. App. 22).

[42] Marlot, *Histoire de Reims*, iv. 426. This language excited the surprise of Dale, Walsingham's successor (Mackintosh, iii. 226).

[43] *Archives Curieuses*, viii. 305.

[44] Egli solo tra tutti gli altri è solito particolarmente di sostenere le nostre fatiche… Essendo partecipe di tutti i nostri consigli, et consapevole de segreti dell' intimo animo nostro (Pius V. to Philip II., June 20, 1571; Zucchi, *Idea del Segretario*, i. 544).

the Holy League. He gained neither object. When he was summoned back to Rome it was understood in France that he had reaped nothing but refusals, and that he went away disappointed.[45] The jeers of the Protestants pursued him.[46] But it was sufficiently certain beforehand that France could not plunge into a Turkish war.[47] The real business of the Legate, besides proposing a Catholic husband for the Princess, was to ascertain the object of the expedition which was fitting out in the Western ports. On both points he had something favourable to report. In his last despatch, dated Lyons, the 6th of March, he wrote that he had failed to prevent the engagement with Navarre, but that he had something for the Pope's private ear, which made his journey not altogether unprofitable.[48] The secret was soon divulged in Italy. The King had met the earnest remonstrances of the Legate by assuring him that the marriage afforded the only prospect of wreaking vengeance on the Huguenots: the event would show; he could say no more, but desired his promise to be carried to the Pope. It was added that he had presented a ring to the Legate, as a pledge of sincerity, which the Legate refused. The first to publish this story was Capilupi, writing only seven months later. It was repeated by Folieta,[49] and is given with all details by the historians of Pius V. – Catena and Gabuzzi. Catena was secretary to the Cardinal of Alessandria as early as July 1572, and submitted his work to him before publication.[50] Gabuzzi wrote at the instance of the same Cardinal, who supplied him with materials; and his book was examined and approved by Borghese, afterwards Paul V. Both the Cardinal of Alessandria and Paul V., therefore, were instrumental in causing it to be proclaimed that the Legate was acquainted in February 1572 with the intention which the King carried out in August.

The testimony of Aldobrandini was given still more distinctly, and with greater definiteness and authority. When he was required, as Pope, to pronounce upon the dissolution of the ill-omened marriage, he related to Borghese and other Cardinals what had passed in that interview between the Legate and the King, adding that, when the report of the massacre reached Rome, the Cardinal exclaimed: "God be praised! the King of France has kept his word." Clement referred D'Ossat to a narrative of the journey which he had written himself, and in which those things would be found.[51] The clue thus given has been unaccountably neglected, although the Report was known to exist. One copy is mentioned by Giorgi; and Mazzuchelli knew of another. Neither of them had read it; for they both ascribe it to Michele Bonelli, the Cardinal of Alessandria. The first page would have satisfied them that it was not his work. Clement VIII. describes the result of the mission to Blois in these words: "Quae rationes eo impulerunt regem ut semel apprehensa manu Cardinalis in hanc vocem proruperit: Significate Pontifici illumque certum reddite me totum hoc quod circa id matrimonium feci et facturus sum, nulla alia de causa facere, quam ulciscendi inimicos Dei et hujus regni, et puniendi tam infidos rebelles, ut eventus ipse docebit, nec aliud vobis amplius significare possum. Quo non obstante semper Cardinalis eas subtexuit difficultates quas potuit, objiciens regi possetne contrahi matrimonium a fidele cum infidele, sitve dispensatio necessaria; quod si est nunquam Pontificem

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[45] Serranus, *Commentarii*, iv. 14; Davila, ii. 104.

[46] Digges, p. 193.

[47] Finis hujus legationis erat non tam suadere Regi ut foedus cum aliis Christianis principibus iniret (id nempe notum erat impossibile illi regno esse); sed ut rex ille praetermissus non videretur, et revera ut sciretur quo tenderent Gallorum cogitationes. Non longe nempe a Rocella naves quasdam praegrandes instruere et armare coeperat Philippus Strozza praetexens velle ad Indias a Gallis inventas navigare (*Relatio gestorum in Legatione Card. Alexandrini MS.*).

[48] Con alcuni particulari che io porto, de' quali ragguaglierò N. Signore a bocca, posso dire di non partirmi affatto mal espedito (Ranke, *Zeitschrift*, iii. 598). Le temps et les effectz luy témoigneront encores d'advantage (*Mémoire baillé au légat Alexandrin*, Feb. 1572; Bib. Imp. F. Dupuy, 523).

[49] *De Sacro Foedere, Graevius Thesaurus*, i. 1038.

[50] Catena, *Vita di Pio V.*, p. 197; Gabutius, *Vita Pii V.*, p. 150, and the Dedication.

[51] D'Ossat to Villeroy, Sept. 22, 1599; *Lettres*, iii. 503. An account of the Legate's journey was found by Mendham among Lord Guildford's manuscripts, and is described in the Supplement to his life of Pius V., p. 13. It is written by the Master of Ceremonies, and possesses no interest. The *Relatio* already quoted, which corresponds to the description given by Clement VIII. of his own work, is among the manuscripts of the Marquis Capponi, No. 164.

inductum iri ut illam concedat. Re ipsa ita in suspenso relicta discedendum esse putavit, cum jam rescivisset qua de causa naves parabantur, qui apparatus contra Rocellam tendebant."

The opinion that the massacre of St. Bartholomew was a sudden and unpremeditated act cannot be maintained; but it does not follow that the only alternative is to believe that it was the aim of every measure of the Government for two years before. Catherine had long contemplated it as her last expedient in extremity; but she had decided that she could not resort to it while her son was virtually a minor.[52] She suggested the idea to him in 1570. In that year he gave orders that the Huguenots should be slaughtered at Bourges. The letter is preserved in which La Chastre spurned the command: "If the people of Bourges learn that your Majesty takes pleasure in such tragedies, they will repeat them often. If these men must die, let them first be tried; but do not reward my services and sully my reputation by such a stain."[53]

In the autumn of 1571 Coligny came to Blois. Walsingham suspected, and was afterwards convinced that the intention to kill him already existed. The Pope was much displeased by his presence at Court; but he received assurances from the ambassador which satisfied him. It was said at the time that he at first believed that Coligny was to be murdered, but that he soon found that there was no such praiseworthy design.[54]

In December the King knew that, when the moment came, the burghers of Paris would not fail him. Marcel, the Prévôt des Marchands, told him that the wealth was driven out of the country by the Huguenots: "The Catholics will bear it no longer… Let your Majesty look to it. Your crown is at stake, Paris alone can save it."[55] By the month of February 1572 the plan had assumed a practical shape. The political idea before the mind of Charles was the same by which Richelieu afterwards made France the first Power in the world; to repress the Protestants at home, and to encourage them abroad. No means of effectual repression was left but murder. But the idea of raising up enemies to Spain by means of Protestantism was thoroughly understood. The Huguenots were allowed to make an expedition to aid William of Orange. Had they gained some substantial success, the Government would have followed it up, and the scheme of Coligny would have become for the moment the policy of France. But the Huguenot commander Genlis was defeated and taken. Coligny had had his chance. He had played and lost. It was useless now to propose his great venture against the King of Spain.[56]

Philip II. perfectly understood that this event was decisive. When the news came from Hainaut, he sent to the Nuncio Castagna to say that the King of France would gain more than himself by the loss of so many brave Protestants, and that the time was come for him, with the aid of the people of Paris, to get rid of Coligny and the rest of his enemies.[57] It appears from the letters of Salviati that he also regarded the resolution as having been finally taken after the defeat of Genlis.

The Court had determined to enforce unity of faith in France. An edict of toleration was issued for the purpose of lulling the Huguenots; but it was well known that it was only a pretence.[58] Strict

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[52] Vuol andar con ogni quiete et dissimulatione, fin che il Rè suo figliolo sia in età (Santa Croce, Desp. June 27, 1563; *Lettres du Card. Santa Croce*, p. 243).

[53] La Chastre to Charles IX., Jan. 21, 1570; Raynal, *Histoire du Berry*, iv. 105; Lavallée, *Histoire des Français*, ii. 478. Both Raynal and Lavallée had access to the original.

[54] Il Papa credeva che la pace fatta, e l'aver consentito il Rè che l'Ammiraglio venisse in corte, fusse con disegno di ammazzarlo; ma accortosi come passa il fatto, non ha creduto che nel Rè Nostro sia quella brava resoluzione (Letter of Nov. 28, 1571; Desjardins, iii. 732). Pour le regard de M. l'Admiral, je n'ay failly de luy faire entendre ce que je devois, suyvant ce qu'il a pleu à V.M. me commander, dont il est demeuré fort satisfaict (Ferralz to Charles IX., Dec. 25, 1571; Bib. Imp. F. Fr. 16,039; Walsingham to Herbert, Oct. 10, 1571; to Smith, Nov. 26, 1572; Digges, p. 290).

[55] Marcel to Charles IX., December 20, 1571; *Cabinet Historique*, ii. 253.

[56] Le Roy estoit d'intelligence, ayant permis à ceux de la Religion de l'assister, et, cas advenant que leurs entreprises succédassent, qu'il les favoriserait ouvertement … Genlis, menant un secours dans Mons, fut défait par le duc d'Alve, qui avoit comme investi la ville. La journée de Saint-Barthélemi se résolut (Bouillon, *Mémoires*, p. 9).

[57] Si potria distruggere il resto, maxime che l'ammiraglio si trova in Parigi, populo Catholico et devoto del suo Rè, dove potria se volesse facilmente levarselo dinnanzi per sempre (Castagna, Desp. Aug. 5, 1572; Theiner, i. 327).

[58] *Mémoires de Claude Haton*, 687.

injunctions were sent into the provinces that it should not be obeyed;[59] and Catherine said openly to the English envoy, "My son will have exercise but of one Religion in his Realm." On the 26th the King explained his plan to Mondoucet, his agent at Brussels: "Since it has pleased God to bring matters to the point they have now reached, I mean to use the opportunity to secure a perpetual repose in my kingdom, and to do something for the good of all Christendom. It is probable that the conflagration will spread to every town in France, and that they will follow the example of Paris, and lay hands on all the Protestants… I have written to the governors to assemble forces in order to cut to pieces those who may resist."[60] The great object was to accomplish the extirpation of Protestantism in such a way as might leave intact the friendship with Protestant States. Every step was governed by this consideration; and the difficulty of the task caused the inconsistencies and the vacillation that ensued. By assassinating Coligny alone it was expected that such an agitation would be provoked among his partisans as would make it appear that they were killed by the Catholics in self-defence. Reports were circulated at once with that object. A letter written on the 23rd states that, after the Admiral was wounded on the day before, the Huguenots assembled at the gate of the Louvre, to avenge him on the Guises as they came out.[61] And the first explanation sent forth by the Government on the 24th was to the effect that the old feud between the Houses of Guise and of Châtillon had broken out with a fury which it was impossible to quell. This fable lasted only for a single day. On the 25th Charles writes that he has begun to discover traces of a Huguenot conspiracy;[62] and on the following day this was publicly substituted for the original story. Neither the vendetta of the Guises nor the conspiracy at Paris could be made to explain the massacre in the provinces. It required to be so managed that the King could disown it; Salviati describes the plan of operations. It was intended that the Huguenots should be slaughtered successively by a series of spontaneous outbreaks in different parts of the country. While Rochelle held out, it was dangerous to proceed with a more sweeping method.[63] Accordingly, no written instructions from the King are in existence; and the governors were expressly informed that they were to expect none.[64] Messengers went into the provinces with letters requiring that the verbal orders which they brought should be obeyed.[65] Many governors refused to act upon directions so vague and so hard to verify. Burgundy was preserved in this way. Two gentlemen arrived with letters of recommendation from the King, and declared his commands. They were asked to put them on paper; but they refused to give in writing what they had received by word of mouth. Mandelot, the Governor of Lyons, the most ignoble of the instruments in this foul deed, complained that the intimation of the royal wishes sent to him was obscure and insufficient.[66] He did not do his work thoroughly, and incurred the displeasure of the King. The orders were complicated as well as obscure. The public authorities were required to collect the Huguenots in some prison or other safe place, where they could be got at by hired bands of volunteer assassins. To screen the King it was desirable that his officers should not superintend the work themselves. Mandelot, having locked the

[59] En quelque sorte que ce soit ledict Seigneur est résollu faire vivre ses subjectz en sa religion, et ne permettre jamais ny tollérer, quelque chose qui puisse advenir, qu'il n'y ait aultre forme ny exercice de religion en son royaulme que de la catholique (Instruction for the Governors of Normandy, Nov. 3, 1572; La Mothe, vii. 390).

[60] Charles IX. to Mondoucet, Aug. 26, 1572; *Compte Rendu de la Commission Royale d' Histoire*, 2e Série, iv. 327.

[61] Li Ugonotti si ridussero alla porta del Louvre, per aspettare che Mons. di Guisa e Mons. d'Aumale uscissero per ammazzarli (Borso Trotti, Desp. Aug. 23; Modena Archives).

[62] L'on a commencé à descouvrir la conspiration que ceux de la religion prétendue réformée avoient faicte contre moy mesmes, ma mère et mes frères (Charles IX. to La Mothe, Aug. 25; La Mothe, vii. 325).

[63] Desp. Sept. 19, 1572.

[64] Il ne fault pas attendre d'en avoir d'autre commandement du Roy ne de Monseigneur, car ils ne vous en feront point (Puygaillard to Montsoreau, Aug. 26, 1572; Mourin, *La Réforme en Anjou*, p. 106).

[65] Vous croirez le présent porteur de ce que je luy ay donné charge de vous dire (Charles IX. to Mandelot, Aug. 24, 1572; *Corr. de Charles IX. avec Mandelot*, p. 42).

[66] Je n'en ay aucune coulpe, n'ayant sceu quelle estoit la volunté que par umbre, encores bien tard et à demy (Mandelot to Charles IX., Sept. 17, p. 73).

gates of Lyons, and shut up the Huguenots together, took himself out of the way while they were being butchered. Carouge, at Rouen, received a commission to visit the other towns in his province. The magistrates implored him to remain, as nobody, in his absence, could restrain the people. When the King had twice repeated his commands, Carouge obeyed; and five hundred Huguenots perished.[67]

It was thought unsafe even for the King's brother to give distinct orders under his own hand. He wrote to his lieutenant in Anjou that he had commissioned Puygaillard to communicate with him on a matter which concerned the King's service and his own, and desired that his orders should be received as if they came directly from himself. They were, that every Huguenot in Angers, Saumur, and the adjoining country should be put to death without delay and without exception.[68] The Duke of Montpensier himself sent the same order to Brittany; but it was indignantly rejected by the municipality of Nantes.

When reports came in of the manner in which the event had been received in foreign countries, the Government began to waver, and the sanguinary orders were recalled. Schomberg wrote from Germany that the Protestant allies were lost unless they could be satisfied that the King had not decreed the extermination of their brethren.[69] He was instructed to explain the tumult in the provinces by the animosity bequeathed by the wars of religion.[70] The Bishop of Valence was intriguing in Poland on behalf of Anjou. He wrote that his success had been made very doubtful, and that, if further cruelties were perpetrated, ten millions of gold pieces would not bribe the venal Poles. He advised that a counterfeit edict, at least, should be published.[71] Charles perceived that he would be compelled to abandon his enterprise, and set about appeasing the resentment of the Protestant Powers. He promised that an inquiry should be instituted, and the proofs of the conspiracy communicated to foreign Governments. To give a judicial aspect to the proceedings, two prominent Huguenots were ceremoniously hanged. When the new ambassador from Spain praised the long concealment of the plan, Charles became indignant.[72] It was repeated everywhere that the thing had been arranged with Rome and Spain; and he was especially studious that there should be no symptoms of a private understanding with either power.[73] He was able to flatter himself that he had at least partially succeeded. If he had not exterminated his Protestant subjects, he had preserved his Protestant allies. William the Silent continued to solicit his aid; Elizabeth consented to stand godmother to the daughter who was born to him in October; he was allowed to raise mercenaries in Switzerland; and the Polish Protestants agreed to the election of his brother. The promised evidence of the Huguenot conspiracy was forgotten; and the King suppressed the materials which were to have served for an official history of the event.[74]

Zeal for religion was not the motive which inspired the chief authors of this extraordinary crime. They were trained to look on the safety of the monarchy as the sovereign law, and on the throne as an idol that justified sins committed in its worship. At all times there have been men, resolute and relentless in the pursuit of their aims, whose ardour was too strong to be restricted by moral barriers or the instinct of humanity. In the sixteenth century, beside the fanaticism of freedom, there was an abject idolatry of power; and laws both human and divine were made to yield to the

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[67] Floquet, *Histoire du Parlement de Normandie*, iii. 121.

[68] Anjou to Montsoreau, Aug. 26; Mourin, p. 107; Falloux, *Vie de Pie V.*, i. 358; Port, *Archives de la Mairie d'Angers*, pp. 41, 42.

[69] Schomberg to Brulart, Oct. 10, 1572; Capefigue, *La Réforme*, iii. 264.

[70] Instructions for Schomberg, Feb. 15, 1573; Noailles, iii. 305.

[71] Monluc to Brulart, Nov. 20, 1572; Jan. 20, 1573: to Charles IX., Jan. 22, 1573; Noailles, iii. 218, 223, 220.

[72] Charles IX. to St. Goard, Jan. 20, 1573; Groen, iv. App. 29.

[73] Letter from Paris in Strype's *Life of Parker*, iii. 110; "Tocsain contre les Massacreurs," *Archives Curieuses*, vii. 7.

[74] Afin que ce que vous avez dressé des choses passées à la Saint-Barthélemy ne puisse être publié parmi le peuple, et mêmement entre les étrangers, comme il y en a plusieurs qui se mêlent d'écrire et qui pourraient prendre occasion d'y répondre, je vous prie qu'il n'en soit rien imprimé ni en français ni en Latin, mais si vous en avez retenu quelque chose, le garder vers vous (Charles IX. to the President de Cély, March 24, 1573; *Revue Rétrospective*, 2 Série. iii. 195).

intoxication of authority and the reign of will. It was laid down that kings have the right of disposing of the lives of their subjects, and may dispense with the forms of justice. The Church herself, whose supreme pontiff was now an absolute monarch, was infected with this superstition. Catholic writers found an opportune argument for their religion in the assertion that it makes the prince master of the consciences as well as the bodies of the people, and enjoins submission even to the vilest tyranny.[75] Men whose lives were precious to the Catholic cause could be murdered by royal command, without protest from Rome. When the Duke of Guise, with the Cardinal his brother, was slain by Henry III., he was the most powerful and devoted upholder of Catholicism in France. Sixtus V. thundered against the sacrilegious tyrant who was stained with the blood of a prince of the Church; but he let it be known very distinctly that the death of the Duke caused him little concern.[76]

Catherine was the daughter of that Medici to whom Machiavelli had dedicated his *Prince*. So little did religion actuate her conduct that she challenged Elizabeth to do to the Catholics of England what she herself had done to the Protestants of France, promising that if they were destroyed there would be no loss of her good will.[77] The levity of her religious feelings appears from her reply when asked by Gomicourt what message he should take to the Duke of Alva: "I must give you the answer of Christ to the disciples of St. John, 'Ite et nuntiate quae vidistis et audivistis; caeci vident, claudi ambulant, leprosi mundantur.'" And she added, "Beatus qui non fuerit in me scandalizatus."[78]

If mere fanaticism had been their motive, the men who were most active in the massacre would not have spared so many lives. While Guise was galloping after Ferrières and Montgomery, who had taken horse betimes, and made for the coast, his house at Paris was crowded with families belonging to the proscribed faith, and strangers to him. A young girl who was amongst them has described his return, when he sent for the children, spoke to them kindly, and gave orders that they should be well treated as long as his roof sheltered them.[79] Protestants even spoke of him as a humane and chivalrous enemy.[80] Nevers was considered to have disgraced himself by the number of those whom he enabled to escape.[81] The Nuncio was shocked at their ill-timed generosity. He reported to Rome that the only one who had acted in the spirit of a Christian, and had refrained from mercy, was the King; while the other princes, who pretended to be good Catholics, and to deserve the favour of the Pope, had striven, one and all, to save as many Huguenots as they could.[82]

The worst criminals were not the men who did the deed. The crime of mobs and courtiers, infuriated by the lust of vengeance and of power, is not so strange a portent as the exultation of peaceful men, influenced by no present injury or momentary rage, but by the permanent and incurable perversion of moral sense wrought by a distorted piety.

Philip II., who had long suspected the court of France, was at once relieved from the dread which had oppressed him, and betrayed an excess of joy foreign to his phlegmatic nature.[83] He

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[75] Botero, *Della Ragion di Stato*, 92. A contemporary says that the Protestants were cut to pieces out of economy, "pour afin d'éviter le coust des exécutions qu'il eust convenu payer pour les faire pendre"; and that this was done "par permission divine" (*Relation des troubles de Rouen par un témoin oculaire*, ed. Pottier, 36, 46).

[76] Del resto poco importerebbe a Roma (Card. Montalto to Card. Morosini; Tempesti, *Vita di Sisto V.*, ii. 116).

[77] Quand ce seroit contre touts les Catholiques, que nous ne nous en empescherions, ny altérerions aucunement l'amitié d'entre elle et nous (Catherine to La Mothe, Sept. 13, 1572; La Mothe, vii. 349).

[78] Alva's Report; *Bulletins de l'Académie de Bruxelles*, ix. 564.

[79] Jean Diodati, *door Schotel*, 88.

[80] *Œuvres de Brantôme*, ed. Lalanne, iv. 38.

[81] Otros que salvò el Duque de Nevers con harto vituperio suyo (Cabrera de Cordova, *Felipe Segundo*, p. 722).

[82] Il Rè Christianissimo in tutti questi accidenti, in luogo di giudicio e di valore ha mostrato animo christiano, con tutto habbia salvato alcuno. Ma li altri principi che fanno gran professione di Cattolici et di meritar favori e gratie del papa hanno poi con estrema diligenza cercato a salvare quelli più di Ugonotti che hanno potuto, e se non gli nomino particolarmente, non si maravigli, per che indiferentemente tutti hanno fatto a un modo (Salviati, Desp. Sept. 2, 1572).

[83] Estque dictu mirum, quantopere Regem exhilaravit nova Gallica (Hopperus to Viglius, Madrid, Sept. 7, 1572; *Hopperi Epp.* 360).

immediately sent six thousand crowns to the murderer of Coligny.[84] He persuaded himself that the breach between France and her allies was irreparable, that Charles would now be driven to seek his friendship, and that the Netherlands were out of danger.[85] He listened readily to the French ambassador, who assured him that his court had never swerved from the line of Catholic policy, but had intended all along to effect this great change.[86] Ayamonte carried his congratulations to Paris, and pretended that his master had been in the secret. It suited Philip that this should be believed by Protestant princes, in order to estrange them still more from France; but he wrote on the margin of Ayamonte's instructions, that it was uncertain how long previously the purpose had subsisted.[87] Juan and Diego de Zuñiga, his ambassadors at Rome and at Paris, were convinced that the long display of enmity to Spain was genuine, that the death of Coligny had been decided at the last moment, and that the rest was not the effect of design.[88] This opinion found friends at first in Spain. The General of the Franciscans undertook to explode it. He assured Philip that he had seen the King and the Queen-mother two years before, and had found them already so intent on the massacre that he wondered how anybody could have the courage to detract from their merit by denying it.[89] This view generally prevailed in Spain. Mendoça knows not which to admire more, the loyal and Catholic inhabitants of Paris, or Charles, who justified his title of the most Christian King by helping with his own hands to slaughter his subjects.[90] Mariana witnessed the carnage, and imagined that it must gladden every Catholic heart. Other Spaniards were gratified to think that it had been contrived with Alva at Bayonne.

Alva himself did not judge the event by the same light as Philip. He also had distrusted the French Government; but he had not feared it during the ascendency of the Huguenots. Their fall appeared to him to strengthen France. In public he rejoiced with the rest. He complimented Charles on his valour and his religion, and claimed his own share of merit. But he warned Philip that things had not changed favourably for Spain, and that the King of France was now a formidable neighbour.[91] For himself, he said, he never would have committed so base a deed.

The seven Catholic Cantons had their own reason for congratulation. Their countrymen had been busy actors on the scene; and three soldiers of the Swiss guard of Anjou were named as the slayers of the Admiral.[92] On the 2nd of October they agreed to raise 6000 men for the King's service. At the following Diet they demanded the expulsion of the fugitive Huguenots who had taken refuge in the Protestant parts of the Confederation. They made overtures to the Pope for a secret alliance against their Confederates.[93]

In Italy, where the life of a heretic was cheap, their wholesale destruction was confessed a highly politic and ingenious act. Even the sage Venetians were constrained to celebrate it with a procession. The Grand Duke Cosmo had pointed out two years before that an insidious peace would afford excellent opportunities of extinguishing Protestantism; and he derived inexpressible consolation from

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[84] Ha avuto, con questa occasione, dal Rè di Spagna, sei mila scudi a conto della dote di sua moglie e a richiesta di casa di Guise (Petrucci, Desp. Sept. 16, 1572; Desjardins, iii. 838). On the 27th of December 1574, the Cardinal of Guise asks Philip for more money for the same man (Bouillé, *Histoire des Ducs de Guise*, ii. 505).

[85] Siendo cosa clara que, de hoy mas, ni los protestantes de Alemania, ni la reyna de Inglaterra se fiaran dél (Philip to Alva, Sept. 18, 1572; *Bulletins de Bruxelles*, xvi. 255).

[86] St. Goard to Charles IX., Sept. 12, 1572; Groen, iv. App. 12; Raumer, *Briefe aus Paris*, i. 191.

[87] *Archives de l'Empire*, K. 1530, B. 34, 299.

[88] Zuñiga to Alva, Aug. 31, 1572: No fue caso pensado sino repentino (*Archives de l'Empire*, K. 1530, B. 34, 66).

[89] St. Goard to Catherine, Jan. 6, 1573; Groen, iv. App. 28.

[90] *Comment. de B. de Mendoça*, i. 344.

[91] Alva to Philip, Oct. 13, 1572; *Corr. de Philippe II.*, ii. 287. On the 23rd of August Zuñiga wrote to Philip that he hoped that Coligny would recover from his wound, because, if he should die, Charles would be able to obtain obedience from all men (*Archives de l'Empire*, K. 1530, B. 34, 65).

[92] *Bulletins de la Société pour l'Histoire du Protestantisme Français*, viii. 292.

[93] *Eidgenössische Abschiede*, iv. 2, 501, 503, 506, 510.

the heroic enterprise.[94] The Viceroy of Naples, Cardinal Granvelle, received the tidings coldly. He was surprised that the event had been so long postponed, and he reproved the Cardinal of Lorraine for the unstatesmanlike delay.[95] The Italians generally were excited to warmer feelings. They saw nothing to regret but the death of certain Catholics who had been sacrificed to private revenge. Profane men approved the skill with which the trap was laid; and pious men acknowledged the presence of a genuine religious spirit in the French court.[96] The nobles and the Parisian populace were admired for their valour in obeying the sanctified commands of the good King. One fervent enthusiast praises God for the heavenly news, and also St. Bartholomew for having lent his extremely penetrating knife for the salutary sacrifice.[97] A month after the event the renowned preacher Panigarola delivered from the pulpit a panegyric on the monarch who had achieved what none had ever heard or read before, by banishing heresy in a single day, and by a single word, from the Christian land of France.[98]

The French churches had often resounded with furious declamations; and they afterwards rang with canticles of unholy joy. But the French clergy does not figure prominently in the inception or the execution of the sanguinary decree. Conti, a contemporary indeed, but too distant for accurate knowledge, relates that the parish priest went round, marking with a white cross the dwellings of the people who were doomed.[99] He is contradicted by the municipal Registers of Paris.[100] Morvilliers, Bishop of Orleans, though he had resigned the seals which he received from L'Hôpital, still occupied the first place at the royal council. He was consulted at the last moment, and it is said that he nearly fainted with horror. He recovered, and gave his opinion with the rest. He is the only French prelate, except the cardinals, whose complicity appears to be ascertained. But at Orleans, where the bloodshed was more dreadful in proportion than at Paris, the signal is said to have been given, not by the bishop, but by the King's preacher, Sorbin.

Sorbin is the only priest of the capital who is distinctly associated with the act of the Government. It was his opinion that God has ordained that no mercy shall be shown to heretics, that Charles was bound in conscience to do what he did, and that leniency would have been as censurable in his case as precipitation was in that of Theodosius. What the Calvinists called perfidy and cruelty seemed to him nothing but generosity and kindness.[101] These were the sentiments of the man from whose hands Charles IX. received the last consolations of his religion. It has been related that he was tortured in his last moments with remorse for the blood he had shed. His spiritual adviser was fitted to dispel such scruples. He tells us that he heard the last confession of the dying King, and that his most grievous sorrow was that he left the work unfinished.[102] In all that bloodstained history there is nothing more tragic than the scene in which the last words preparing the soul for judgment were spoken by such a confessor as Sorbin to such a penitent as Charles.

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[94] Cosmo to Camaiani, Oct. 6, 1570 (Cantù, *Gli Eretici d'Italia*, iii. 15); Cosmo to Charles IX., Sept. 4, 1572 (Gachard, *Rapport sur les Archives de Lille*, 199).

[95] Grappin, *Mémoire Historique sur le Card. de Granvelle*, 73.

[96] Bardi, *Età del Mondo*, 1581, iv. 2011; Campana, *Historie del Mondo*, 1599, i. 145; B.D. da Fano, *Aggiunte all' Historie di Mambrino Roseo*, 1583, v. 252; Pellini, *Storia di Perugia*, vol. iii. MS.

[97] Si è degnato di prestare alli suoi divoti il suo taglientissimo coltello in cosi salutifero sacrificio (Letter of Aug. 26; Alberi, *Vita di Caterina de' Medici*, 401).

[98] Labitte, *Démocratie chez les Prédicateurs de la Ligue*, 10.

[99] Natalis Comes, *Historiae sui temporis*, 512.

[100] Capefigue, iii. 150.

[101] Pourront-ils arguer de trahison le feu roy, qu'ils blasphèment luy donnant le nom de tyran, veu qu'il n'a rien entrepris et exécuté que ce qu'il pouvoit faire par l'expresse parole de Dieu … Dieu commande qu'on ne pardonne en façon que ce soit aux inventeurs ou sectateurs de nouvelles opinions ou hérésies… Ce que vous estimez cruauté estre plutôt vraye magnanimité et doulceur (Sorbin, *Le Vray resveille-matin des Calvinistes*, 1576, pp. 72, 74, 78).

[102] Il commanda à chacun de se retirer au cabinet et à moy de m'asseoir au chevet de son lict, tant pour ouyr sa confession, et luy donner ministérialement absolution de ses péchez, que aussi pour le consoler durant et après la messe (Sorbin, *Vie de Charles IX.; Archives Curieuses*, viii. 287). Est très certain que le plus grand regret qu'il avoit à l'heure de sa mort estoit de ce qu'il voyoit l'idole Calvinesque n'estre encores du tout chassée (*Vray resveille-matin*, 88).

Edmond Auger, one of the most able and eloquent of the Jesuits, was at that time attracting multitudes by his sermons at Bordeaux. He denounced with so much violence the heretics and the people in authority who protected them, that the magistrates, fearing a cry for blood, proposed to silence or to moderate the preacher. Montpezat, Lieutenant of Guienne, arrived in time to prevent it. On the 30th of September he wrote to the King that he had done this, and that there were a score of the inhabitants who might be despatched with advantage. Three days later, when he was gone, more than two hundred Huguenots were murdered.[103]

Apart from these two instances it is not known that the clergy interfered in any part of France to encourage the assassins.

The belief was common at the time, and is not yet extinct, that the massacre had been promoted and sanctioned by the Court of Rome. No evidence of this complicity, prior to the event, has ever been produced; but it seemed consistent with what was supposed to have occurred in the affair of the dispensation. The marriage of Margaret of Valois with the King of Navarre was invalid and illicit in the eyes of the Church; and it was known that Pius V. had sworn that he would never permit it. When it had been celebrated by a Cardinal, in the presence of a splendid court, and no more was heard of resistance on the part of Rome, the world concluded that the dispensation had been obtained. De Thou says, in a manuscript note, that it had been sent, and was afterwards suppressed by Salviati; and the French bishop, Spondanus, assigns the reasons which induced Gregory XIII. to give way.[104] Others affirmed that he had yielded when he learned that the marriage was a snare, so that the massacre was the price of the dispensation.[105] The Cardinal of Lorraine gave currency to the story. As he caused it to be understood that he had been in the secret, it seemed probable that he had told the Pope; for they had been old friends.[106] In the commemorative inscription which he put up in the Church of St. Lewis he spoke of the King's gratitude to the Holy See for its assistance and for its advice in the matter – "consiliorum ad eam rem datorum." It is probable that he inspired the narrative which has contributed most to sustain the imputation.

Among the Italians of the French faction who made it their duty to glorify the act of Charles IX., the Capilupi family was conspicuous. They came from Mantua, and appear to have been connected with the French interest through Lewis Gonzaga, who had become by marriage Duke of Nevers, and one of the foremost personages in France. Hippolyto Capilupi, Bishop of Fano, and formerly Nuncio at Venice, resided at Rome, busy with French politics and Latin poetry. When Charles refused to join the League, the Bishop of Fano vindicated his neutrality in a letter to the Duke of Urbino.[107] When he slew the Huguenots, the Bishop addressed him in verse, —

> Fortunate puer, paret cui Gallica tellus,
> Quique vafros ludis pervigil arte viros,

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[103] The charge against the clergy of Bordeaux is brought by D'Aubigné (*Histoire Universelle*, ii. 27) and by De Thou. De Thou was very hostile to the Jesuits, and his language is not positive. D'Aubigné was a furious bigot. The truth of the charge would not be proved, without the letters of the President L'Agebaston and of the Lieutenant Montpezat: "Quelques prescheurs se sont par leurs sermons (ainsi que dernièrement j'ai escript plus amplement à votre majesté) estudié de tout leur pouvoir de troubler ciel et terre, et conciter le peuple à sédition, et en ce faisant à passer par le fil de l'espée tous ceulx de la prétendue religion réformée… Après avoir des le premier et deuxième de ceste mois fait courrir un bruit sourd que vous, Sire, aviez envoyé nom par nom un rolle signé de votre propre main au Sieur de Montferaud, pour par voie de fait et sans aultre forme de justice, mettre à mort quarante des principaulx de cette ville…" (L'Agebaston to Charles IX., Oct. 7, 1572; Mackintosh, iii. 352). "J'ai trouvé que messieurs de la cour de parlement avoyent arresté que Monsieur Edmond, prescheur, seroit appellé en ladicte court pour luy faire des remonstrances sur quelque langaige qu'il tenoit en ses sermons, tendant à sédition, à ce qu'ils disoyent. Ce que j'ay bien voullu empescher, craignant que s'il y eust esté appellé cella eust animé plusieurs des habitants et estre cause de quelque émotion, ce que j'eusse voluntiers souffert quant j'eusse pansé qu'il n'y en eust qu'une vingtaine de despéchés" (Montpezat to Charles IX., Sept. 30., 1572; *Archives de la Gironde*, viii. 337).

[104] *Annal. Baronii Contin.* ii. 734; Bossuet says: "La dispense vint telle qu'on la pouvoit désirer" (*Histoire de France*, p. 820).

[105] Ormegregny, *Réflexions sur la Politique de France*, p. 121.

[106] De Thou, iv. 537.

[107] Charrière, iii. 154.

Ille tibi debet, toti qui praesidet Orbi,

Cui nihil est cordi religione prius…
Qui tibi saepe dolos struxit, qui vincla paravit,

Tu puer in laqueos induis arte senem…
Nunc florent, tolluntque caput tua lilia, et astris
Clarius hostili tincta cruore micant.[108]

Camillo Capilupi, a nephew of the Mantuan bard, held office about the person of the Pope, and was employed on missions of consequence.[109] As soon as the news from Paris reached Rome he drew up the account which became so famous under the title of *Lo Stratagemma di Carlo IX*. The dedication is dated the 18th of September 1572.[110] This tract was suppressed, and was soon so rare that its existence was unknown in 1574 to the French translator of the second edition. Capilupi republished his book with alterations, and a preface dated the 22nd of October. The substance and purpose of the two editions is the same. Capilupi is not the official organ of the Roman court: he was not allowed to see the letters of the Nuncio. He wrote to proclaim the praises of the King of France and the Duke of Nevers. At that moment the French party in Rome was divided by the quarrel between the ambassador Ferralz and the Cardinal of Lorraine, who had contrived to get the management of French affairs into his own hands.[111] Capilupi was on the side of the Cardinal, and received information from those who were about him. The chief anxiety of these men was that the official version which attributed the massacre to a Huguenot conspiracy should obtain no credence at Rome. If the Cardinal's enemies were overthrown without his participation, it would confirm the report that he had become a cipher in the State. He desired to vindicate for himself and his family the authorship of the catastrophe. Catherine could not tolerate their claim to a merit which she had made her own; and there was competition between them for the first and largest share in the gratitude of the Holy See. Lorraine prevailed with the Pope, who not only loaded him with honours, but rewarded him with benefices worth 4000 crowns a year for his nephew, and a gift of 20,000 crowns for his son. But he found that he had fallen into disgrace at Paris, and feared for his position at Rome.[112] In these circumstances Capilupi's book appeared, and enumerated a series of facts proving that the Cardinal was cognisant

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[108] *Carmina Ill. Poetarum Italorum*, iii. 212, 216.

[109] Tiepolo, Desp. Aug. 6, 1575; Mutinelli, *Storia Arcana*, i. 111.

[110] Parendomi, che sia cosa, la quale possa apportar piacere, e utile al mondo, si per la qualità del soggetto istesso, come anco per l'eleganza, e bello ordine con che viene cosi leggiadramente descritto questo nobile, e glorioso fatto … a fine che una cosi egregia attione non resti defraudata dell' honor, che merita (The editor, Gianfrancesco Ferrari, to the reader).

[111] Huc accedit, Oratorem Sermi Regis Galliae, et impulsu inimicorum saepedicti Domini Cardinalis, et quia summopere illi displicuit, quod superioribus mensibus Illma Sua Dominatio operam dedisset, hoc sibi mandari, ut omnia Regis negotia secum communicaret, nullam praetermisisse occasionem ubi ei potuit adversari (Cardinal Delfino to the Emperor, Rome, Nov. 29, 1572; Vienna Archives).

[112] Fà ogni favor et gratia gli addimanda il Cardinale di Lorena, il consiglio del quale usa in tutte le più importanti negotiationi l' occorre di haver a trattar (Cusano to the Emperor, Rome, Sept. 27, 1572). – Conscia igitur Sua Dominatio Illma quorundam arcanorum Regni Galliae, creato Pontifice sibi in Concilio Tridentino cognito et amico, statuit huc se recipere, ut privatis suis rebus consuleret, et quia tunc foederati contra Thurcam, propter suspicionem Regi Catholico injectam de Orangio, et Gallis, non admodum videbantur concordes, et non multo post advenit nuncius mortis Domini de Colligni, et illius asseclarum; Pontifex justa de causa existimavit dictum Illmum Cardinalem favore et gratia sua merito esse complectendum. Evenit postmodum, ut ad Serenissimam Reginam Galliarum deferretur, bonum hunc Dominum jactasse se, quod particeps fuerit consiliorum contra dictum Colligni; id quod illa Serenissima Domina iniquo animo tulit, quae neminem gloriae socium vult habere; sibi enim totam vendicat, quod sola talis facinoris auctor, et Dux extiterit. Idcirco commorationem ipsius Lotharingiae in hac aula improbare, ac reprehendere aggressa est. Haec cum ille Illustrissimus Cardinalis perceperit, oblata sibi occasione utens, exoravit a Sua Sanctitate gratuitam expeditionem quatuor millia scutorum reditus pro suo Nepote, et 20 millia pro filio praeter sollicitationem, quam prae se fert, ut dictus Nepos in Cardinalium numerum cooptetur… Cum itaque his de causis authoritas hujus Domini in Gallia imminuta videatur, ipseque praevideat, quanto in Gallia minoris aestimabitur, tanto minori etiam loco hic se habitum id, statuit optimo judicio, ac pro eo quod suae existimacioni magis conducit, in Galliam reverti (Delfino, *ut supra*, both in the Vienna Archives).

of the royal design. It adds little to the evidence of premeditation. Capilupi relates that Santa Croce, returning from France, had assured Pius V., in the name of Catherine, that she intended one day to entrap Coligny, and to make a signal butchery of him and his adherents, and that letters in which the Queen renewed this promise to the Pope had been read by credible witnesses. Santa Croce was living, and did not contradict the statement. The *Stratagemma* had originally stated that Lorraine had informed Sermoneta of the project soon after he arrived at Rome. In the reprint this passage was omitted. The book had, therefore, undergone a censorial revision, which enhances the authenticity of the final narrative.

Two other pieces are extant, which were printed at the Stamperia Camerale, and show what was believed at Rome. One is in the shape of a letter written at Lyons in the midst of scenes of death, and describing what the author had witnessed on the spot, and what he heard from Paris.[113] He reports that the King had positively commanded that not one Huguenot should escape, and was overjoyed at the accomplishment of his orders. He believes the thing to have been premeditated, and inspired by Divine justice. The other tract is remarkable because it strives to reconcile the pretended conspiracy with the hypothesis of premeditation.[114] There were two plots which went parallel for months. The King knew that Coligny was compassing his death, and deceived him by feigning to enter into his plan for the invasion of the Low Countries; and Coligny, allowing himself to be overreached, summoned his friends to Paris, for the purpose of killing Charles, on the 23rd of August. The writer expects that there will soon be no Huguenots in France. Capilupi at first borrowed several of his facts, which he afterwards corrected.

The real particulars relative to the marriage are set forth minutely in the correspondence of Ferralz; and they absolutely contradict the supposition of the complicity of Rome.[115] It was celebrated in flagrant defiance of the Pope, who persisted in refusing the dispensation, and therefore acted in a way which could only serve to mar the plot. The accusation has been kept alive by his conduct after the event. The Jesuit who wrote his life by desire of his son, says that Gregory thanked God in private, but that in public he gave signs of a tempered joy.[116] But the illuminations and processions, the singing of Te Deum and the firing of the castle guns, the jubilee, the medal, and the paintings whose faded colours still vividly preserve to our age the passions of that day, nearly exhaust the modes by which a Pope could manifest delight.

Charles IX. and Salviati both wrote to Rome on St. Bartholomew's Day; and the ambassador's nephew, Beauville, set off with the tidings. They were known before he arrived. On the 27th, Mandelot's secretary despatched a secret messenger from Lyons with orders to inform the Pope that the Huguenot leaders were slain, and that their adherents were to be secured all over France. The messenger reached Rome on the 2nd of September, and was immediately carried to the Pope by the Cardinal of Lorraine. Gregory rewarded him for the welcome intelligence with a present of a hundred crowns, and desired that Rome should be at once illuminated. This was prevented by Ferralz, who tried the patience of the Romans by declining their congratulations as long as he was not officially informed.[117] Beauville and the courier of the Nuncio arrived on the 5th. The King's letter, like all that

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[113] *Intiera Relatione della Morte dell' Ammiraglio.*

[114] *Ragguaglio degli ordini et modi tenuti dalla Majesta Christianissima nella distruttione della setta degli Ugonotti Con la morte dell' Ammiraglio*, etc.

[115] Bib. Imp. F. Fr. 16, 139.

[116] Maffei, *Annali di Gregorio XIII.*, i. 34.

[117] La nouvelle qui arriva le deuxième jour du présent par ung courrier qui estoit depesché secrétememt de Lyon par ung nommé Danes, secrétaire de M. de Mandelot … à ung commandeur de Sainct Anthoine, nommé Mr. de Gou, il luy manda qu'il allast advertir le Pape, pour en avoir quelque présant ou bienfaict, de la mort de tous les chefs de ceulx de la religion prétendue refformée, et de tous les Huguenotz de France, et que V.M. avoit mandé et commandé à tous les gouverneurs de se saisir de tous iceulx huguenotz en leurs gouvernemens; ceste nouvelle, Sire, apporta si grand contentement a S.S., que sans ce que je luy remonstray lors me trouvant sur le lieu, en presence de Monseigneur le C1 de Lorraine, qu'elle devoit attendre ce que V.M. m'en manderoit et ce que son nonce luy en escriroit, elle en vouloit incontinent faire des feux de joye… Et pour ce que je ne voulois faire ledict feu de joye la première nuict que

he wrote on the first day, ascribed the outbreak to the old hatred between the rival Houses, and to the late attempt on the Admiral's life. He expressed a hope that the dispensation would not now be withheld, but left all particulars to Beauville, whose own eyes had beheld the scene.[118] Beauville told his story, and repeated the King's request; but Gregory, though much gratified with what he heard, remained inflexible.[119]

Salviati had written on the afternoon of the 24th. He desired to fling himself at the Pope's feet to wish him joy. His fondest hopes had been surpassed. Although he had known what was in store for Coligny, he had not expected that there would be energy and prudence to seize the occasion for the destruction of the rest. A new era had commenced; a new compass was required for French affairs. It was a fair sight to see the Catholics in the streets wearing white crosses, and cutting down heretics; and it was thought that, as fast as the news spread, the same thing would be done in all the towns of France.[120] This letter was read before the assembled Cardinals at the Venetian palace, and they thereupon attended the Pope to a Te Deum in the nearest church.[121] The guns of St. Angelo were fired in the evening, and the city was illuminated for three nights. To disregard the Pope's will in this respect would have savoured of heresy. Gregory XIII. exclaimed that the massacre was more agreeable to him than fifty victories of Lepanto. For some weeks the news from the French provinces sustained the rapture and excitement of the Court.[122] It was hoped that other countries would follow the example of France; the Emperor was informed that something of the same kind was expected of him.[123] On the 8th of September the Pope went in procession to the French Church of St. Lewis,

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ledit courrier envoyé par ledict Danes feust arrivé, ny en recevoir les congratulations que l'on m'en envoyoit faire, que premièrement je n'eusse eu nouvelles de V.M. pour sçavoir et sa voulanté et comme je m'avoys a conduire, aucuns commençoient desjà de m'en regarder de maulvais œills (Ferralz to Charles IX., Rome, Sept. 11, 1572; Bib. Imp. F. Fr. 16,040). Al corriero che porto tal nuova Nostro Signore diede 100 Scudi oltre li 200 che hebbe dall' Illustrissimo Lorena, che con grandissima allegrezza se n'ando subito a dar tal nuova per allegrarsene con Sua Santita (Letter from Rome to the Emperor, Sept. 6, 1572; Vienna Archives).

[118] Charles IX. to Ferralz, Aug. 24, 1572; Mackintosh, iii. 348.

[119] Elle fust merveilheusement ayse d'entendre le discours que mondit neueu de Beauville luy en feist. Lequel, après luy avoir conté le susdit affayre, supplia sadicte Saincteté, suyvant la charge expresse qu'il avoit de V.M. de vouloir concéder, pour le fruict de ceste allegresse, la dispense du mariage du roy et royne de Navarre, datée de quelques jours avant que les nopces en feussent faictes, ensemble l'absolution pour Messeigneurs les Cardinaux de Bourbon et de Ramboilhet, et pour tous les aultres evesques et prélatz qui y avoient assisté… Il nous feit pour fin response qu'il y adviseroit (Ferralz, *ut supra*).

[120] Pensasi che per tutte le citta di Francia debba seguire il simile, subitoche arrivi la nuova dell' esecutione di Parigi… A N.S. mi faccia gratia di basciar i piedi in nome mio, col quale mi rallegro con le viscere del cuore che sia piaciuto alla Dio. Mtà. d' incaminar nel principio del suo pontificato si felicemente e honoratamente le cose di questo regno, havendo talmente havuto in protettione il Rè e Regina Madre che hanno saputo e potuto sbarrare queste pestifere radici con tanta prudenza, in tempo tanto opportuno, che tutti lor ribelli erano sotto chiave in gabbia (Salviati, Desp. Aug. 24; Theiner, i. 329; Mackintosh, iii. 355).

[121] Sexta Septembris, mane, in Senatu Pontificis et Cardinalium lectae sunt literae a legato Pontificio e Gallia scriptae, admiralium et Huguenotos, destinata Regis voluntate atque consensu, trucidatos esse. Ea re in eodem Senatu decretum esse, ut inde recta Pontifex cum Cardinalibus in aedem D. Marci concederet, Deoque Opt. Max. pro tanto beneficio Sedi Romanae orbique Christiano collato gratias solemni more ageret (*Scriptum Roma missum* in Capilupi, 1574, p. 84). Quia Die 2a praedicti mensis Septembris Smus D.N. certior factus fuerat Colignium Franciae Ammiralium a populo Parisien occisum fuisse et cum eo multos ex Ducibus et primoribus Ugonotarum haereticorum eius sequacibus Rege ipso Franciae approbante, ex quo spes erat tranquillitatem in dicto Regno redituram expulsis haereticis, idcirco Stas Sua expleto concistorio descendit ad ecclesiam Sancti Marci, praecedente cruce et sequentibus Cardinalibus et genuflexus ante altare maius, ubi positum fuerat sanctissimum Sacramentum, oravit gratias Deo agens, et inchoavit cantando hymnum Te Deum (*Fr. Mucantii Diaria*, B.M. Add. MSS. 26,811).

[122] Après quelques autres discours qu'il me feist sur le contentement que luy et le collége des Cardinaux avoient receu de ladicte execution faicte et des nouvelles qui journellement arrivoient en ceste court de semblables exécutions que l'on a faicte et font encore en plusieurs villes de vostre royaume, qui, à dire la vérité, sont les nouvelles les plus agréables que je pense qu'on eust sceu apporter en ceste ville, sadicte Saincteté pour fin me commanda de vous escrire que cest évènement luy a esté cent fois plus agréable que cinquante victoires semblables à celle que ceulx de la ligue obtindrent l'année passée contre le Turcq, ne voulant oublier vous dire, Sire, les commandemens estroictz qu'il nous feist à tous, mesmement aux françois d'en faire feu de joye, et qui ne l'eust faict eust mal senty de la foy (Ferralz, *ut supra*).

[123] Tutta Roma stà in allegria di tal fatto et frà i più grandi si dice, che 'l Rè di Francia ha insegnato alli Principi christiani ch' hanno de simili vassalli nè stati loro a liberarsene, et dicono che vostra Maestà Cesara dovrebbe castigare il conte Palatino tanto nemico della Serenissima casa d' Austria, et della Religione cattolica, come l'anni passati fece contra il Duca di Sassonia tiene tuttavia prigione, che a un tempo vendicarebbe le tante ingiurie ha fatto detto Palatino alla Chiesa di Dio, et poveri Christiani, et alla Maestà Vostra et sua Casa Serenissima sprezzando li suoi editti et commandamenti, et privarlo dell' elettione dell'Imperio et darlo al Duca di Baviera

where three-and-thirty Cardinals attended at a mass of thanksgiving. On the 11th he proclaimed a jubilee. In the Bull he said that forasmuch as God had armed the King of France to inflict vengeance on the heretics for the injuries done to religion, and to punish the leaders of the rebellion which had devastated his kingdom, Catholics should pray that he might have grace to pursue his auspicious enterprise to the end, and so complete what he had begun so well.[124] Before a month had passed Vasari was summoned from Florence to decorate the hall of kings with paintings of the massacre.[125] The work was pronounced his masterpiece; and the shameful scene may still be traced upon the wall, where, for three centuries, it has insulted every pontiff that entered the Sixtine Chapel.

The story that the Huguenots had perished because they were detected plotting the King's death was known at Rome on the 6th of September. While the sham edict and the imaginary trial served to confirm it in the eyes of Europe, Catherine and her son took care that it should not deceive the Pope. They assured him that they meant to disregard the edict. To excuse his sister's marriage, the King pleaded that it had been concluded for no object but vengeance; and he promised that there would soon be not a heretic in the country.[126] This was corroborated by Salviati. As to the proclaimed toleration, he knew that it was a device to disarm foreign enmity, and prevent a popular commotion. He testified that the Queen spoke truly when she said that she had confided to him, long before, the real purpose of her daughter's engagement.[127] He exposed the hollow pretence of the plot. He announced that its existence would be established by formalities of law, but added that it was so notoriously false that none but an idiot could believe in it.[128] Gregory gave no countenance to the official falsehood. At the reception of the French ambassador, Rambouillet, on the 23rd of December, Muretus made his famous speech. He said that there could not have been a happier beginning for a new pontificate, and alluded to the fabulous plot in the tone exacted of French officials. The Secretary, Boccapaduli, replying in behalf of the Pope, thanked the King for destroying the enemies of Christ; but strictly avoided the conventional fable.[129]

Cardinal Orsini went as Legate to France. He had been appointed in August, and he was to try to turn the King's course into that line of policy from which he had strayed under Protestant guidance. He had not left Rome when the events occurred which altered the whole situation. Orsini was now charged with felicitations, and was to urge Charles not to stop half-way.[130] An ancient and obsolete ceremonial was suddenly revived; and the Cardinals accompanied him to the Flaminian gate.[131] This

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(Cusano to the Emperor, Rome, Sept. 6, 1572; Vienna Archives).

[124] The Bull, as published in Paris, is printed by Strype (*Life of Parker*, iii. 197). La prima occasione che a ciò lo mosse fù per lo stratagemma fatto da Carlo Nono Christianissimo Rè di Francia contra Coligno Ammiraglio, capo d' Ugonotti, et suoi seguaci, tagliati a pezzi in Parigi (Ciappi, *Vita di Gregorio XIII.*, 1596, p. 63).

[125] Vasari to Borghini, Oct. 5, 1572; March 5, 1573; to Francesco Medici, Nov. 17, 1572; Gaye, *Carteggio d' Artisti*, iii. 328, 366, 341.

[126] Indubitatamente non si osservarà interamente, havendomi in questo modo, punto che torno dall' audienza promesso il Rè, imponendomi di darne conto in suo nome a Nostro Signore, di volere in breve tempo liberare il Regno dalli Ugonotti… Mi ha parlato della dispensa, escusandosi non haver fatto il Parentado per ultro, che per liberarsi da suoi inimici (Salviati, Desp. Sept. 3, Sept. 2, Oct. 11, 1572).

[127] Si vede che l' editto non essendo osservato ne da popoli, ne dal principe, non è per pigliar piede (Salviati, Desp. Sept. 4). Qual Regina in progresso di tempo intende pur non solo di revocare tal editto, ma per mezzo della giustitia di restituir la fede cattolica nell' antica osservanza, parendogli che nessuno ne debba dubitare adesso, che hanno fatto morire l' ammiraglio con tanti altri huomini di valore, conforme ai raggionamenti altre volte havuti con esso meco essendo a Bles, et trattando del parentado di Navarra, et dell' altre cose che correvano in quei tempi, il che essendo vero, ne posso rendere testimonianza, e a Nostro Signore e a tutto il mondo (Aug. 27; Theiner, i. 329, 330).

[128] Desp. Sept. 2, 1572.

[129] The reply of Boccapaduli is printed in French, with the translation of the oration of Muretus, Paris, 1573.

[130] Troverà le cose cosi ben disposte, che durarà poca fattica in ottener quel tanto si desidera per Sua Beatitudine, anzi haverà più presto da ringratiar quella Maestà Christianissima di cosi buona et sant' opera, ha fatto far, che da durare molta fatica in persuaderli l' unione con la Santa Chiesa Romana (Cusano to the Emperor, Rome, Sept. 6). Sereno (*Comment. della guerra di Cipro*, p. 329) understands the mission in the same light.

[131] Omnes mulas ascendentes cappis et galeris pontificalibus induti associarunt Rmum D. Cardinalem Ursinum Legatum usque ad portam Flaminiam et extra eam ubi factis multis reverentiis eum ibi reliquerunt, juxta ritum antiquum in ceremoniali libro descriptum

journey of Orsini, and the pomp with which it was surrounded, were exceedingly unwelcome at Paris. It was likely to be taken as proof of that secret understanding with Rome which threatened to rend the delicate web in which Charles was striving to hold the confidence of the Protestant world.[132] He requested that the Legate might be recalled; and the Pope was willing that there should be some delay. While Orsini tarried on his way, Gregory's reply to the announcement of the massacre arrived at Paris. It was a great consolation to himself, he said, and an extraordinary grace vouchsafed to Christendom. But he desired, for the glory of God and the good of France, that the Huguenots should be extirpated utterly; and with that view he demanded the revocation of the edict. When Catherine knew that the Pope was not yet satisfied, and sought to direct the actions of the King, she could hardly restrain her rage. Salviati had never seen her so furious. The words had hardly passed his lips when she exclaimed that she wondered at such designs, and was resolved to tolerate no interference in the government of the kingdom. She and her son were Catholics from conviction, and not through fear or influence. Let the Pope content himself with that.[133] The Nuncio had at once foreseen that the court, after crushing the Huguenots, would not become more amenable to the counsels of Rome. He wrote, on the very day of St. Bartholomew, that the King would be very jealous of his authority, and would exact obedience from both sides alike.

At this untoward juncture Orsini appeared at Court. To Charles, who had done so much, it seemed unreasonable that he should be asked for more. He represented to Orsini that it was impossible to eradicate all the remnants of a faction which had been so strong. He had put seventy thousand Huguenots to the sword; and, if he had shown compassion to the rest, it was in order that they might become good Catholics.[134]

The hidden thoughts which the Court of Rome betrayed by its conduct on this memorable occasion have brought upon the Pope himself an amount of hatred greater than he deserved. Gregory XIII. appears as a pale figure between the two strongest of the modern Popes, without the intense zeal of the one and the ruthless volition of the other. He was not prone to large conceptions or violent resolutions. He had been converted late in life to the spirit of the Tridentine Reformation; and when he showed rigour it was thought to be not in his character, but in the counsels of those who influenced him.[135] He did not instigate the crime, nor the atrocious sentiments that hailed it. In the religious struggle a frenzy had been kindled which made weakness violent, and turned good men into prodigies of ferocity; and at Rome, where every loss inflicted on Catholicism and every wound was felt, the belief that, in dealing with heretics, murder is better than toleration prevailed for half a century. The predecessor of Gregory had been Inquisitor-General. In his eyes Protestants were worse than Pagans, and Lutherans more dangerous than other Protestants.[136] The Capuchin preacher, Pistoja, bore witness that men were hanged and quartered almost daily at Rome;[137] and Pius declared

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qui longo tempore intermissus fuerat, ita Pontifice iubente in Concistorio hodierno (*Mucantii Diaria*). Ista associatio fuit determinata in Concistorio vocatis X. Cardinalibus et ex improviso exequuti fuimus (*C. Firmani Diaria*, B.M. Add. MSS. 8448).

[132] Mette in consideratione alla Santità Sua che havendo deputato un Legato apostolico sù la morte dell' ammiraglio, et altri capi Ugonotti, ha fatti ammazzare a Parigi, saria per metterla in molto sospetto et diffidenza delli Principi Protestanti, et della Regina d' Inghilterra, ch' ella fosse d' accordo con la sede Apostolica, et Principi Cattolici per farli guerra, i quali cerca d' acquettar con accertarli tutti, che non ha fatto ammazzar l' ammiraglio et suoi seguaci per conto della Religione (Cusano to the Emperor, Sept. 27).

[133] Salviati, Desp. Sept. 22, 1572.

[134] Charles IX. to S. Goard, Oct. 5, 1572; Charrière, iii. 330. Ne poteva esser bastante segno l' haver egli doppo la morte dell' Ammiraglio fatto un editto, che in tutti i luoghi del suo regno fossero posti a fil di spada quanti heretici vi si trovassero, onde in pochi giorni n' erano stati ammazzati settanta milla e d' avantaggio (Cicarelli, *Vita di Gregori XIII.*; Platina, *Vite de' Pontefici*, 1715, 592).

[135] Il tengono quasiche in filo et il necessitano a far cose contra la sua natura e la sua volontà perche S. Sta è sempre stato di natura piacevole e dolce (*Relatione di Gregorio XIII.*; Ranke, *Päpste*, App. 80). Faict Cardinal par le pape Pie IV., le 12e de Mars 1559, lequel en le créant, dit qu'il n'avoit créé un cardinal ains un pape (Ferralz to Charles IX., May 14, 1572).

[136] Smus Dominus Noster dixit nullam concordiam vel pacem debere nec posse esse inter nos et hereticos, et cum eis nullum foedus ineundum et habendum … verissimum est deteriores esse haereticos gentilibus, eo quod sunt adeo perversi et obstinati, ut propemodum infideles sint (*Acta Concistoralia*, June 18, 1571; Bib. Imp. F. Lat. 12, 561).

[137] Ogni giorno faceva impiccare e squartare ora uno, ora un altro (Cantù, ii. 410).

that he would release a culprit guilty of a hundred murders rather than one obstinate heretic.[138] He seriously contemplated razing the town of Faenza because it was infested with religious error, and he recommended a similar expedient to the King of France.[139] He adjured him to hold no intercourse with the Huguenots, to make no terms with them, and not to observe the terms he had made. He required that they should be pursued to the death, that not one should be spared under any pretence, that all prisoners should suffer death.[140] He threatened Charles with the punishment of Saul when he forebore to exterminate the Amalekites.[141] He told him that it was his mission to avenge the injuries of the Lord, and that nothing is more cruel than mercy to the impious.[142] When he sanctioned the murder of Elizabeth he proposed that it should be done in execution of his sentence against her.[143] It became usual with those who meditated assassination or regicide on the plea of religion to look upon the representatives of Rome as their natural advisers. On the 21st of January 1591, a young Capuchin came, by permission of his superiors, to Sega, Bishop of Piacenza, then Nuncio at Paris. He said that he was inflamed with the desire of a martyr's death; and having been assured by divines that it would be meritorious to kill that heretic and tyrant, Henry of Navarre, he asked to be dispensed from the rule of his Order while he prepared his measures and watched his opportunity. The Nuncio would not do this without authority from Rome; but the prudence, courage, and humility which he discerned in the friar made him believe that the design was really inspired from above. To make this certain, and to remove all scruples, he submitted the matter to the Pope, and asked his blessing upon it, promising that whatever he decided should be executed with all discretion.[144]

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[138] *Legazioni di Serristori*, 436, 443.

[139] Elle desire infiniment que vostre Majesté face quelque ressentement plus qu'elle n'a faict jusques à ceste heure contre ceux qui lui font la guerre, comme de raser quelques-unes de leurs principales maisons pour une perpétuelle mémoyre (Rambouillet to Charles IX., Rome, Jan. 17, 1569; Bib. Imp. F. Fr. 17,989).

[140] Pius V. to Catherine, April 13, 1569.

[141] Pius V. to Charles IX., March 28, 1569.

[142] Sa Saincteté m'a dict que j'escrive à vostre majesté que icelle se souvienne qu'elle combat pour la querelle de Dieu, et que ceste à elle de faire ses vengeances (Rambouillet to Charles IX., Rome, March 14, 1569; Bib. Imp. F. Fr. 16,039). Nihil est enim ea pietate misericordiaque crudelius, quae in impios et ultima supplicia meritos confertur (Pius V. to Charles IX., Oct. 20, 1569).

[143] *Correspondance de Philippe II.*, ii. 185.

[144] Inspirato più d' un anno fa di esporre la vita al martirio col procurare la liberatione della religione, et delle patria per mezzo della morte del tiranno, et assicurato da Theologi che il fatto saria stato meritorio, non ne haveva con tutto ciò mai potuto ottenere da superiori suoi la licenza o dispensa… Io quantunque mi sia parso di trovarlo pieno di tale humiltà, prudenza, spirito et core che arguiscono che questa sia inspiratione veramente piuttosto che temerità o legerezza, non cognoscendo tuttavia di potergliela concedere l' ho persuaso a tornarsene nel suo covento raccommandarsi a Dio et attendere all' obbedienza delli suoi superiori finchè io attendessi dallo assenso o ripulsa del Papa che haverei interpellato per la sua santa beneditione, se questo spirito sia veramente da Dio donde si potrà conjetturare che sia venendo approvato da Sua Stà, e perciò sarà più sicuro da essere eseguito… Resta hora che V.S. Illma mi favorisca di communicare a S.B. il caso, et scrivermene come la supplico quanto prima per duplicate et triplicate lettere la sua santa determinatione assicurandosi che per quanto sarà in me il negotio sarà trattato con la debita circumspetione (Sega, Desp. Paris, Jan. 23, 1591; deciphered in Rome, March 26).

Конец ознакомительного фрагмента.