
The History of Freedom in Christianity

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When Constantine the Great carried the seat of empire from Rome to Constantinople, he set up in the new capital a porphyry pillar, which had come by raft and rail from Egypt, and of which a strange vault beneath he secretly buried the seven sacred emblems of the Roman State, which were guarded by the temple of Vesta, with the fire that might never be quenched. On the summit, he raised a statue of A representing himself, and enclosing a fragment of the Cross; and he crowned it with a diadem of rays of 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 which had pierced the body of Christ became a fit ornament for a heathen idol as soon as it was called a living emperor, indicates the position designed for Christianity in the imperial structure of Constantine's attempt to transform the Roman government into a despotism of the Eastern type had brought on the last 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 it with the support of a religion which had astonished the world by its power of resistance; and to obtain it absolutely and without a drawback he fixed the seat of his government in the East, with a patriarch of Constantinople as his creation.

Nobody warned him that by promoting the Christian religion he was tying one of his hands, and surrendering a prerogative of the Caesars. As the acknowledged author of the liberty and superiority of the Church, he was to act as the guardian of her unity. He admitted the obligation; he accepted the trust; and the divisions that arose among the Christians supplied his successors with many opportunities of extending that protectorate, and of 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 law formally transferred to the emperors the entire plenitude of its authority, and, therefore, the emperor's commands, expressed by edict or by letter, had force of law. Even in the fervent age of its conversion the empire inherited the refined civilization, the accumulated wisdom of ancient sages, the reasonableness and subtlety of Roman law, the entire inheritance of the Jewish, the pagan, and the Christian world, to make the Church serve as a gild of absolutism. Neither an enlightened philosophy, nor all the political wisdom of Rome, nor even the faith of the Christians availed against the incorrigible tradition of antiquity. Something was wanted, beyond all reflection and experience—a faculty of self government and self control, developed like its language in a nation, and growing with its growth. This vital element, which many centuries of warfare, of anarchy, and of despotism had extinguished in the countries that were still draped in the pomp of ancient civilization, was deposited in 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 for a monarch; and the ablest writer of the empire pointed to them with a vague and bitter feeling that, to the end of these barbarians, not yet crushed by despotism, the future of the world belonged. Their kings, when they did not preside [at] their councils; they were sometimes elective; they were sometimes deposed; and they were bound by oath to act in obedience to the general wish. They enjoyed real authority only in war. This primitive form of Republicanism, which admits monarchy as an occasional incident, but holds fast to the collective supremacy of the people, was the only political principle that survived the fall of the empire.

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 supported by a body of followers attached to him by personal or political ties. In these his immediate dependants or resistance to orders was no more tolerated than in a wife, a child, or a soldier; and a man was expected to obey his own father, if his chieftain required it. Thus these Teutonic communities admitted an independence that threatened to dissolve society; and a dependence on persons that was dangerous to freedom. It was favourable to corporations, but offering no security to individuals. The state was not likely to oppress individuals, but was not able to protect them.

The first effect of the great Teutonic migration into the regions civilized by Rome was to throw back Europe several centuries, to a condition scarcely more advanced than that from which the institutions of Solon had risen. Whilst the Greeks preserved the literature, the arts, and the science of antiquity, and all the sacred monuments of Christianity with a completeness of which the rered fragments that have come down to us give no correct idea, and even the peasants of Bulgaria knew the New Testament by heart, Western Europe lay under the masters the ablest of whom could not write their names. The faculty of exact reasoning, of accurate observation, became extinct for 500 years, and even the sciences most needful to society, medicine and geometry, fell into disuse until the teachers of the West went to school at the feet of Arabian masters. To bring order out of chaos, to create a new civilization and blend hostile and unequal races into a nation, the thing wanted was not liberty but authority. For several centuries all progress is attached to the action of men like Clovis, Charlemagne, and William the Norman, 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 despotism. The divines of the empire who could not fancy Christianity flourishing beyond its borders, held that the State is not in the Church, but the Church in the State. This doctrine had scarcely been uttered when the fall of the Western empire opened a wider horizon; and Salvianus, a priest at Marseilles, proclaimed that the truths which were decaying amid the civilized Romans, existed in greater purity and promise among the pagans. They were converted with ease and rapidity; and their conversion was generally brought about by their

conversion to Christianity, which in earlier times had addressed itself to the masses, and relied on the principle of liberty. It made its appeal to the rulers, and threw its mighty influence into the scale of authority. The barbarians, who had no books, no secular knowledge, no education, except in the schools of the clergy, and who had scarcely any 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 appeared something infinitely vaster, stronger, holier, than their newly founded states. The clergy supplied the nobles in conducting the new governments, and were made exempt from taxation, from the jurisdiction of the civil law, and of the political administrator. They taught that power ought to be conferred by election; and the Council of Toledo furnished the framework of the parliamentary system of Spain, which is, by a long interval, the most liberal 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 king and the prelates surrounded the throne with the semblance of free institutions, passed away; and the people prospered and overshadowed the rest were the Franks, who had no native nobility, whose law of succession was elective. The Crown became for 1,000 years the fixed object of an unchanging superstition, and under whom the feudal system developed to excess.

Feudalism made land the measure and the master of all things. Having no other source of wealth than the soil, men depended on the landlord for the means of escaping starvation; and thus his power became absolute 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.

monarchs, when a force was brought upon the scene which proved for a time superior alike to the vassals and to the

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 a new element of popular government afterwards supplied by the rise of towns and the formation of a middle class, yet active. The only influence capable of resisting the feudal hierarchy was the ecclesiastical hierarchy, which brought it into collision when the progress of feudalism threatened the independence of the Church, by subjecting it 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 be the throne of the Kings whom it anointed, or if the struggle had terminated speedily in an undivided victory, it 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 they succeeded, 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 the Church prevented the rise of Divine Right. A disposition existed to regard the crown as an estate descending in the family that possessed it. But the authority of religion, and especially of the papacy, was 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; and there should be princes of the royal blood of St. Lewis. But in other countries the oath of fidelity itself was conditional, and should be kept only during good behaviour; and it was in conformity with the principle which all monarchs were held subject, that King John was declared a rebel against the barons; and that Edward III raised Edward III to the throne from which they had deposed his father, invoked the maxim *Vox populi*

And this doctrine of the Divine Right of the people to raise up and pull down princes, after obtaining the sanction of religion, was made to stand on broader grounds, and was strong enough to resist both Church and King. It was between the house of Bruce and the house of Plantagenet for the possession of Scotland and Ireland, that it 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. When Robert Bruce, they say: "Divine Providence, the laws and customs of the country, which we will defer to the choice of the people, have made him our King. If he should ever betray his principles, and consent to be subjects of the English king, then we shall treat him as an enemy, as the subverter of our rights and liberties, and shall elect another in his place. We care not for glory or for wealth, but for that liberty which no true monarch can give us but with his life." This estimate of royalty was natural among men accustomed to see those whom they were in constant strife with their rulers. Gregory VII had begun the disparagement of civil authorities, by saying that they were 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 force among the Guelphs, the Church party, and among the Ghibellines, or Imperialists. Here are the sentiments of the most celebrated Guelphic writers:—"A King who is unfaithful to his duty forfeits his claim to obedience. It is not rebellion against him, for he is himself a rebel whom the nation has a right to put down. But it is better to abridge his power than may be unable to abuse it. For this purpose, the whole nation ought to have a share in governing itself; and ought to combine a limited and elective monarchy, with an aristocracy of merit, and such an admixture of the two as shall admit all classes to office, by popular election. No government has a right to levy taxes beyond what is 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

Thomas Aquinas, of whom Lord Bacon says that he had the largest heart of the school divines. And it to observe that he wrote at the very moment when Simon de Montfort summoned the Commons; and that 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 people, 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. In obeying laws to which all men have agreed, all men, in reality, govern themselves. The Monarch, who is the executive of the legislature, to execute its will, ought to be armed with a force sufficient to coerce individuals, but not to control the majority of the people. He is responsible to the nation, and subject to the law; and the nation, through its representatives, controls him, and assigns him his duties, has to see that he obeys the constitution, and has to dismiss him if he violates the rights of citizens are independent of the faith they profess; and no man may be punished for his religious opinions. Marsilius, who saw in some respects farther than Locke or Montesquieu, who, in regard to the sovereignty of the representative government, the superiority of the legislature over the executive, and the liberty of conscience, firm a grasp of the principles that were to sway the modern world, lived in the reign of Edward II, 1312-1327, 550

It is significant that these two writers should agree on so many of the fundamental points which have been the topic of controversy; for they belonged to hostile schools, and one of them would have thought the death of the other a just punishment. 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 as to the great debate went on, many things gradually made themselves clear, and grew into settled convictions. These were not only the thoughts of prophetic minds that surpassed the level of contemporaries: there was so much in them 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 its 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 a share in the state.

The fourteenth century was filled with the tumult of this struggle between democracy and chivalry. The foremost in intelligence and civilization, led the way with democratic constitutions of an ideal and generally impracticable type. The Swiss cast off the yoke of Austria. Two long chains of free cities arose, along the Rhine, and across the heart of Germany. The citizens of Paris got possession of the King, reformed the government, 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 times, the most stubborn in its fidelity to the principle of self government. So vast were the resources concentrated in the towns, so wide spread was the movement of democracy, that it was long doubtful whether the new institutions would prevail, and whether the ascendancy of the military aristocracy would not pass over to the wealth and industry of the men that lived by trade. But Rienzi, Marcel, Artevelde, and the other champions of the unripe democracy, lived and died in vain. The upheaval of the middle class had disclosed the need, the passions, the sufferings of the poor below; ferocious insurrections in France and England caused a reaction that retarded the readjustment of power, and the red spectre of social revolution arose in the track of democracy. The townspeople of Ghent were crushed by the French chivalry; and monarchy alone reaped the fruit of the change that had altered the position of classes, and stirred the minds of men.

Looking back over the space of 1,000 years, which we call the Middle Ages to get an estimate of the work done, if not towards perfection in their institutions, at least towards attaining the knowledge of political

what we find:—Representative government, which was unknown to the ancients, was almost universal of election were crude; but the principle that no tax was lawful that was not granted by the class that paid that taxation was inseparable from representation, was recognized, 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 cruel than slavery. The right of insurrection was not only admitted but defined, as a duty sanctified by religion. The principles of the Habeas Corpus Act, and the method of the Income Tax, were already known. The issue of the politics was an absolute state planted on slavery. The political produce of the middle ages was a system in which authority was restricted by the representation of powerful classes, by privileged associations, an acknowledgment of duties superior to those which are imposed by man.

As regards the realization in practice of what was seen to be good, there was almost everything to do. The problems of principle had been solved; and we come to the question: How did the sixteenth century human beings realize the treasure which the Middle Ages had stored up? The most visible sign of the times was the decline of the influence that had reigned so long. Sixty years passed after the invention of printing, and 30,000 books had come from European presses, before anybody undertook to print the Greek Testament. In the days when even the unity of faith its first care, it came to be thought that the rights of men, and the duties of neighbours towards them varied according to their religion; and society did not acknowledge the same obligations towards a Jew, a pagan or a heretic, or a devil worshipper, as to an orthodox Christian. As the ascendancy of religion grew weaker, this privilege of treating its enemies on exceptional principles was claimed by the state for its own use, and the idea that the ends of government justify the means employed, was worked into system by Machiavelli, an acute politician, sincerely anxious that the obstacles to the intelligent government of Italy should be removed. It appeared to him that the most vexatious obstacle to intellect is conscience, and that the vigorous use of the means 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 otherwise was good. They saw that in critical times good men have seldom strength for their goodness, and yield to those who are wicked. They saw 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 a crime. And they could not define the difference, or draw the limits of exception; or tell what other station was more honorable than the station of 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 would have at least the profession of good faith. But it gave an immense impulse to absolutism by silencing the consciences of very religious kings, and made the good and the bad very much alike. Charles V offered 5,000 crowns to any man who would betray an enemy. Ferdinand I and Ferdinand II, Henry III and Lewis XIII, each caused his most powerful subjects to be treacherously despatched. Elizabeth and Mary Stuart tried to do the same to each other. The way was prepared 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 never before existed. 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 slavery, were associated now with the interest of royalty. Attempts had been made to reform the Church on a Constitutional model, they had failed; but they had united the hierarchy and the crown against the system of the papal power as against a common enemy. Strong kings were able to bring the spirituality under subjection in 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 re-

appropriating to their own use the tribunal of the Inquisition, which had been growing obsolete, but not 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 through 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 Rome. He had, indeed, more to fear from temporal than from spiritual foes. The leading German bishops demanded that the Protestant demands should be conceded; and the Pope himself vainly urged on the Emperor a similar policy. But Charles V had outlawed Luther, and attempted to waylay him; and the dukes of Bavaria were beheading and burning his disciples; whilst the democracy of the towns generally took his side. But the revolution was the deepest of his political sentiments; and the gloss by which the Guelphic divines had justified the passive obedience of the apostolic age, was characteristic of that mediaeval method of interpretation which he rejected. He swerved for a moment in his later years; but the substance of his political teaching was essentially conservative; the Lutheran states became the stronghold of rigid immobility; and Lutheran writers condemned the democratic literature that arose in the second age of the Reformation. For the Swiss Republics bolder than the Germans in mixing up their cause with politics. Zurich and Geneva were republics, and their governments influenced both Zwingli and Calvin.

Zwingli indeed did not shrink from the mediaeval doctrine that evil magistrates must be cashiered; but too early to act either deeply or permanently on the political character of Protestantism. Calvin, although he judged that the people are unfit to govern themselves, and declared the popular assembly an abuse that should be abolished. He desired an aristocracy of the elect, armed with the means of punishing not only crime but also heresy. For he thought that the severity of the mediaeval laws was insufficient for the need of the times; and his most irresistible weapon which the inquisitorial procedure put into the hand of the government, the rigorous imprisonment of prisoners to intolerable torture, not because they were guilty, but because their guilt could not be proved, though not calculated to promote popular institutions, was so adverse to the authority of the surrounding monarch 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 too weak to control it. Some, by intense exertion, shut out the pouring flood. Others, with consummate skill, directed 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 for want of government support. But in almost every other case, both the princes that spread their canvas to the gale and the monarchs that faced it, employed the zeal, the alarm, the passions it aroused as instruments for the increase of power. They eagerly invested their rulers with every prerogative needed to preserve their faith, and all the care to keep the State asunder, and to prevent the confusion of their powers, which had been the work of ages, was renewed with the intensity of the crisis. Atrocious deeds were done, in which religious passion was often the instrument, and the motive.

Fanaticism displays itself in the masses; but the masses were rarely fanaticised; and the crimes ascribed to them were commonly due to the calculations of dispassionate politicians. When the King of France undertook to suppress the Protestants, he was obliged to do it by his own agents. It was nowhere the spontaneous act of the people. In many towns, and in entire provinces, the magistrates refused to obey. The motive of the court was so far from fanaticism that the Queen immediately challenged Elizabeth to do the like to the English Catholics. France and England. Henry II sent nearly a hundred Huguenots to the stake; but they were cordial and assiduous promoters of the Reformation in Germany. Sir Nicholas Bacon was one of the ministers who suppressed the mass in England.

Huguenot refugees came over he liked them so little that he reminded Parliament of the summary way V at Agincourt dealt with the Frenchmen who fell into his hands. John Knox thought that every Catholic ought to be put to death; and no man ever had disciples of a sterner or more relentless temper. But his followers followed.

All through the religious conflict, policy kept the upper hand. When the last of the Reformers died, religion, which had become an excuse for the criminal art of despots. Calvin preached, and Luther lectured; but Machiavelli reigned. Before the close of the century three events occurred which mark the most momentous change. The massacre of St. Bartholomew convinced the bulk of Calvinists of the lawfulness of violence against tyrants, and they became advocates of that doctrine in which the Bishop of Winchester had led which Knox and Buchanan had received, through their master at Paris, straight from the mediaeval school. The revolt of the Netherlands, which was soon put in practice against the King of Spain. The revolt of the Dutch, by a solemn act, deposed Philip II, and made themselves independent under the Prince of Orange, who continued to be styled, his Lieutenant. Their example was important, not only because subjects of one monarch of another, for that had been seen in Scotland, but because moreover it put a republic in the 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 brother Navarre, who, as a Protestant, repelled the majority of the nation, fought for the same principles with success.

Many shelves might be filled with the books which came out in their defence during half a century; and among them the most comprehensive treatises on laws ever written. Nearly all are vitiated by the defect which disfigures the literature in the Middle Ages. That literature, as I have tried to show, is extremely remarkable, and its aids to 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 Catholic or Protestant. Knox thundered against what he called the "Monstrous Regiment of Women," because the Queen went to Rome. Mariana praised the assassin of Henry III because the king was in league with Huguenots. For the belief that it was lawful to murder tyrants, first taught among Christians, I believe, by John of Salisbury, the most distinguished philosopher of the twelfth century, and confirmed by Roger Bacon, the most celebrated Englishman of the thirteenth century, about this time a fatal significance. Nobody sincerely thought of politics as a law for the just and the unjust. Nobody 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 man, as the earliest and one of the finest prose classics in our language. But though few of the others have been able to contribute to hand down masculine notions of limited authority and conditional obedience from the Middle Ages to generations of free men. Even the coarse violence of Buchanan and Boucher was a link in the tradition that connects the Hildebrandine controversy with the Long Parliament, and St. Thomas with Luther.

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

The French philosopher Charron was one of the men least demoralised by party spirit, and least blinded by the cause. In a passage almost literally taken from St. Thomas, he describes our subordination under the law which all legislation must conform; and he ascertains it not by the light of revealed religion, but by the universal reason, through which God enlightens the consciences of men. Upon this foundation Grotius

of real political science. In gathering the materials of International law, he had to go beyond national and denominational interests, for a principle embracing all mankind. The principles of law must stand, he supposed that there is no God. By these inaccurate terms he meant that they must be found independent of that time it became possible to make politics a matter of principle and of conscience, so that men differing in all other things could live in peace together, under the sanctions of a common law. Grotius gave his discovery to little purpose, as he deprived it of immediate effect by admitting that the right to reign was a freehold, subject to no conditions.

When Cumberland and Pufendorf unfolded the true significance of his doctrine, every settled authority and triumphant interest recoiled aghast. None were willing to surrender advantages won by force or skill, but might be in contradiction, not with the Ten Commandments, but with an unknown code, which Grotius had not attempted to draw up, and touching which no two philosophers agreed. It was manifest that all people who 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 men who could not be governed by the plea of good intentions which softens down the asperities of religious strife. The greatest men of the seventeenth century repudiated the innovation. In the eighteenth, the two ideas which there are certain political truths by which every state and every interest must stand or fall, and that society is formed together by a series of real and hypothetical contracts, became, in other hands, the lever that displaced the throne. When, by what seemed the operation of an irresistible and constant law, royalty had prevailed over all competitors, it became a religion. Its ancient rivals, the baron and the prelate, figured as supporters by and by, and after year, the assemblies that represented the self government of provinces and of privileged classes, and the Estates of the Continent, met for the last time and passed away, to the satisfaction of the people, who had learned to regard the monarch as the constructor of their unity, the promoter of prosperity and power, the defender of orthodox religion, and the employer of talent.

The Bourbons, who had snatched the crown from a rebellious democracy, the Stuarts, who had come in and set up the doctrine that states are formed by the valour, the policy and the appropriate marriages of the monarch, that the king is consequently anterior to the people, that he is its maker rather than its handiwork, and that he is independent of consent. Theology followed up divine right with passive obedience. In the golden age of political science, Archbishop Ussher, the most learned of Anglican prelates, and Bossuet, the ablest of the French theologians, maintained that resistance to kings is a crime, and that they may lawfully employ compulsion against the faith of their subjects. Philosophers heartily supported the divines. Bacon fixed his hopes of all human progress on the strong arm of the monarch. Descartes advised them to crush all those who might be able to resist their power. Hobbes taught that the monarch is always in the right. Pascal considered it absurd to reform laws, or to set up an ideal justice against actual laws. 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. At the learning the execution of Charles I, men died of the shock; and the same thing occurred at the death of Louis XVI, and the Duke of Enghien. The classic land of absolute monarchy was France. Richelieu held that it would be better 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 necessary that innocent men should perish. The Minister of Finance called it sedition to demand that the crown should be independent of the people. One who lived on intimate terms with Louis XIV says that even the slightest disobedience to the royal authority was to be punished with death. Louis employed these precepts to their fullest extent. He candidly avows that he is more bound by the terms of a treaty than by the words of a compliment; and that there is nothing in the demands of their subjects which they may not lawfully take from them. In obedience to this principle, when Marsham was appalled by the misery of the people, proposed that all existing imposts should be repealed, for a single year, to be less onerous, the King took his advice, but retained all the old taxes, whilst he imposed the new. With

present population, he maintained an army of 450,000 men; nearly twice as large as that which the late Napoleon assembled to attack Germany. Meanwhile the people starved on grass. France, said Fénelon, enormous hospital. French historians believe that in a single generation six millions of people died of v be easy to find tyrants more violent, more malignant, more odious than Lewis XIV; but there was not c used his power to inflict greater suffering or greater wrong; and the admiration with which he inspired illustrious men of his time denotes the lowest depth to which the turpitude of absolutism has ever degr conscience of Europe.

The Republics of that day were, for the most part, so governed as to reconcile men with the less oppro Monarchy. Poland was a state made up of centrifugal forces. What the nobles called liberty was the rig them to veto the acts of the Diet, and to persecute the peasants on his estates—rights which they refuse up to the time of the partition, and thus verified the warning of a preacher spoken long ago: “You will invasion or war, but by your infernal liberties.” Venice suffered from the opposite evil of excessive co was the most sagacious of governments, and would rarely have made mistakes if it had not imputed to as wise as its own, and had taken account of passions and follies of which it had little cognizance. But power of the nobility had passed to a committee, from the committee to a Council of Ten, from the Te Inquisitors of State; and in this intensely centralized form it became, about the year 1600, a frightful d shown you how Machiavelli supplied the immoral theory needful for the consummation of royal absol absolute oligarchy of Venice required the same assurance against the revolt of conscience. It was prov as able as Machiavelli, who analyzed the wants and resources of aristocracy, and made known that its poison. As late as a century ago, Venetian senators of honourable and even religious lives employed a 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 Frenc but they had had no part in the earlier movement to inaugurate the reign of law. That honour belongs to Netherlands alone among the Commonwealths. They earned it, not by their form of government which and precarious, for the Orange party perpetually plotted against it, and slew the two most eminent of th statesmen, and William III himself intrigued for English aid to set the crown upon his head; but by the press, which made Holland the vantage ground from which, in the darkest hour of oppression, the victi oppressors obtained the ear of Europe.

The ordinance of Lewis XIV that every French Protestant should immediately renounce his religion w year in which James II became king. The Protestant refugees did what their ancestors had done a centu asserted the deposing power of subjects over rulers who had broken the original contract between then powers, excepting France, countenanced their argument, and sent forth William of Orange on that exp 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 Eng deliverance. The efforts made by the Scots, by the Irish, and at last by the Long Parliament to get rid o the Stuarts had been foiled, not by the resistance of Monarchy, but by the helplessness of the Republic Church were swept away; new institutions were raised up under the ablest ruler that had ever sprung fr revolution; and England, seething with the toil of political thought, had produced at least two writers v directions saw as far and as clearly as we do now. But Cromwell’s constitution was rolled up like a scr and Lilburne were laughed at for a time and forgotten, the country confessed the failure of its striving, aims, and flung itself with enthusiasm, and without any effective stipulations, at the feet of a worthless

If the people of England had accomplished no more than this, to relieve mankind from the pervading p unlimited monarchy, they would have done more harm than good. By the fanatical treachery with whi

parliament and the law, they contrived the death of King Charles, by the ribaldry of the Latin pamphlet Milton justified the act before the world, by persuading Europe that the Republicans were hostile alike authority, and did not believe in themselves, they gave strength and reason to the current of Royalism. Restoration, overwhelmed their work. If there had been nothing to make up for this defect of certainty 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 our philosophy consists of a short catechism in two questions: "What is mind? No matter.—What is mind?" The only accepted appeal was to tradition. Patriots were in the habit of saying that they took the ancient ways, and would not have the laws of England changed. To enforce their argument they insisted that the constitution had come from Troy, and that the Romans had allowed it to subsist untouched. Success not avail against Strafford; and the oracle of precedent sometimes gave responses adverse to the popular sovereign question of Religion this was decisive; for the practice of the sixteenth century, as well as of testified in favour of intolerance. By royal command, the nation had passed four times in one generation faith to another, with a facility that made a fatal impression on Laud. In a country that had proscribed a turn, and had submitted to such a variety of penal measures against Lollard and Arian, against Augsburg 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 rack, and to make the wisdom of their ancestors and the statutes of the land bow before an un Religious liberty had been the dream of great Christian writers in the age of Constantine and Valentinian never wholly realised in the empire, and rudely dispelled when the barbarians found that it exceeded their art to govern civilized populations of another religion, and unity of worship was imposed by laws by theories more cruel than the laws. But from St. Athanasius and St. Ambrose down to Erasmus and Luther heard the protest of earnest men in behalf of the liberty of conscience, and the peaceful days before the 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 consequently willingly renounced the wider application of the principle. Socinus was the first who, on the ground that State ought to be separated, required universal toleration. But Socinus disarmed his own theory, for he advocate of passive obedience.

The idea that religious liberty is the generating principle of civil, and that civil liberty is the necessary religious, was a discovery reserved for the seventeenth century. Many years before the names of Milton Baxter and Locke were made illustrious by their partial condemnation of intolerance, there were men and Independent congregations who grasped with vigour and sincerity the principle that it is only by abridging authority of states that the liberty of churches can be assured. That great political idea, sanctifying free consecrating it to God, teaching men to treasure the liberties of others as their own, and to defend them justice and charity, more than as a claim of right, has been the soul of what is great and good in the past two hundred years. The cause of religion, even under the unregenerate influence of worldly passion, has as any clear notions of policy in making this country the foremost of the free. It had been the deepest cause 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 legitimate ancestors of modern liberty. It is humiliating to trace a political lineage to Algernon Sidney the paid agent of the French king; to Lord Russell, who opposed religious toleration at least as much as a monarchy; to Shaftesbury, who dipped his hands in the innocent blood shed by the perjury of Titus Oates who insisted that the plot must be supported even if untrue; to Marlborough, who sent his comrades to

expedition which he had betrayed to the French; to Locke, whose notion of liberty involves nothing more than the security of property, and is consistent with slavery and persecution; or even to Addison, who held the right of voting taxes belonged to no country but his own. Defoe affirms that from the time of Charles II he never knew a politician who truly held the faith of either party; and the perversity of the system 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 with an army for the destruction of parliament, if Charles would overthrow the Anglican Church, it was necessary to make concession to the popular alarm. It was proposed that whenever James should succeed to 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, had passed, the Monarchical constitution would have advanced, in the seventeenth century, far beyond what it had 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 Caesar. The scheme failed. James succeeded to a power which, in more cautious hands, would have been practically invulnerable, 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 effected a peaceful Settlement, placed the crown in the gift of the people. But it neither introduced nor determined any principle, and, that both parties might be able to work together, it left untouched the fundamental question of Whig and Tory. For the divine right of kings it established, in the words of Defoe, the divine right of faction. For their domination extended for seventy years, under the authority of John Locke, the philosopher of government. 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 right to heaven, ruled the judgment of Chatham at a moment of solemn transition in the history of the world. The parliamentary system, managed by the great revolution families, was a contrivance by which electors and legislators were induced, to vote against their convictions; and the intimidation of the constituency by the corruption of their representatives. About the year 1770 things had been brought back, by indirect means, to the condition which the Revolution had been designed to remedy for ever. Europe seemed incapable of being 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, hidden away in Latin folios, burst forth like a conqueror upon the world they were destined to transform. The title of the Rights of Man. Whether the British legislature had a constitutional right to tax a subject colony, by the letter of the law. The general presumption was immense on the side of authority; and the weight of that that the will of the constituted ruler ought to be supreme, and not the will of the subject people. Very few went as far as to say that lawful power may be resisted in cases of extreme necessity. But the colonizer who had gone forth not in search of gain, but to escape from laws under which other Englishmen were were so sensitive even to appearances that the Blue Laws of Connecticut forbade men to walk to church on Sundays, 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 were not allowed to tax America. The dispute involved a principle, namely, the right of controlling government. Further, it involved the conclusion that the parliament brought together by a derisive election, had no just right over an unrepresented nation; and it called on the people of England to take back its power. Our best statesmen

whatever might be the law, the rights of the nation were at stake. Chatham, in speeches better remembered than those that have been delivered in parliament, exhorted America to be firm. Lord Camden, the late Chancellor of the Exchequer, said, "Taxation and representation are inseparably united. God hath joined them. No British parliament can

From the elements of that crisis Burke built up the noblest political philosophy in the world. "I do not know any other method," said he, "of drawing up an indictment against a whole people.—The natural rights of mankind are sacred things, and if any public measure is proved mischievously to affect them, the objection ought to be taken against the measure, even if no charter at all could be set up against it.—Only a sovereign reason, paramount to all legislation and administration, should dictate." In this way, just a hundred years ago, the opportune retreat from the political hesitancy of European statesmanship, was at last broken down; and the principle gained ground which can never abandon its fate to an authority it cannot control. The Americans placed it at the foundation of their government. They did more: for having subjected all civil authorities to the popular will, they surrounded that 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 from the perils of democracy. When Louis Philippe became King, he assured the old Republican, Lafayette, that the example seen in the United States had convinced him that no government can be so good as a Republic. There was the presidency of Monroe, about 55 years ago, which men still speak of as the era of good feeling, when many of the incongruities that had come down from the Stuarts had been reformed, and the motives of later divisions were 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 so successfully solved 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 that have spoken, the history of freedom was the history of the thing that was not. But since the Declaration of Independence to speak more justly, since the Spaniards, deprived of their king, made a new government for themselves, and since the known forms of Liberty, Republics and Constitutional Monarchy, have made their way over the world, it has 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; to see Lewis XVI, after confessing that despotism was useless, even to make men happy by compulsion, attempting to do what was beyond his skill, and thereby resigning his sceptre to the middle class, and the imitators in France, shuddering at the awful recollections of their own experience, struggled to shut out the past, to deliver their children from the prince of this world, and rescue the living from the clutch of the dead; and to see an opportunity ever given to the world was thrown away, because the passion for equality made vain the struggle for freedom.

And I should have wished to show you that the same deliberate rejection of the moral code which smoothed the way for absolute monarchy and of oligarchy, signalled the advent of the democratic claim to unlimited power. Its leading champions avowed the design of corrupting the moral sense of men, in order to destroy the foundations of religion, and a famous apostle of enlightenment and toleration, wished that the last king might be strangled in the entrails of the last priest. I would have tried to explain the connection between the doctrine of Adam Smith that God is the original source of all wealth and the conclusion that the producers of wealth virtually compose the nation; to show how Sieyès subverted historic France; and to show that Rousseau's definition of the social compact as an association of equal partners conducted Marat, by short and unavoidable stages, to declare that the people 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 the inflexible theory of equality, the chief legacy of the Revolution, together with the avowed inadequacy

science to grapple with the 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 the Fathers, Canonists, and Friars, of Erasmus the most celebrated precursor of the Reformation, of Sir Thomas More the illustrious victim, and of Fenelon, the most popular of bishops, but which, during the forty years of its prevalence, was associated with envy and hatred, and bloodshed, and is now the most dangerous enemy lurking in our midst.

Last, and most of all, having told so much of the unwisdom of our ancestors, having exposed the sterile 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 could only be a disguise of the same element of violence and wrong, I should have wished, in order that my address might break off without a meaning or a moral, to relate by whom, and in what connection the true law of the free states was recognised, and how that discovery, closely akin to those which, under the names of development, and continuity have given a new and deeper method to other sciences, solved the ancient problems of stability and change, and determined the authority of tradition on the progress of thought; how that the theory expressed by James Mackintosh that Constitutions are not made, but grow, the theory that the national qualities of the governed, and not the will of the government, are the makers of the law, and 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 union 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 and thinking, the enduring that has contributed to the deliverance of man from the power of man, has been done by 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 capabilities, against whole dynasties of born tyrants. And yet that proud prerogative stands out on the background of our history. At the end of the Conquest, the Normans were compelled to recognise, in some grudging measure, the rights 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 Continent, nor the monarchical bias peculiar to the French, characterized the writers of the English school of Law, transmitted from the degenerate Empire to be the common prop of absolute power, was excluded. The Canon Law was restrained; and this country never admitted the Inquisition, nor fully accepted the system which invested Continental royalty with so many terrors. At the end of the Middle Ages foreign writers pointed to our superiority, and pointed to these causes. After that, our gentry maintained the means of local self-government as no other country possessed. Divisions in religion forced toleration. The confusion of the common law was the people's 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 the effects of a constant cause which must lie in the same native qualities of perseverance, moderation, independence, and the manly sense of duty, which give to the English race its supremacy in the stern art of labour, which enable them to thrive as no other can on inhospitable shores, and which, although no great people has less of the blood for glory, and an army of 50,000 English soldiers has never been seen in battle, caused Napoleon to exult and to retreat 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 are not less than while other nations fear their neighbours, or covet their neighbours' goods. Anomalies and defects there are, but they are 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 s indulgence with which you have accompanied me over the dreary and heartbreaking course by which I have come to freedom; and because the light that has guided us is still unquenched, and the causes that have carried the van of free nations have not spent their power; because the story of the future is written in the past, hath been is the same thing that shall be.