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DEMOCRACY IN EUROPE:

A HISTORY.

BY

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AUTHOR OF 'THE CONSTITUTIONAL HISTORY OF ENGLAND SINCE THE ACCESSION OF GEORGE III., 1760-1871.'

IN TWO VOLUMES.

VOL. I.

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PREFACE.

No political question of the present time excites more profound interest, than the progress of Democracy, or popular power, in European States. It gravely affects the interests of society, and the welfare of nations. By some it is regarded with satisfaction and hopefulness; by others with repugnance and dread. But all must desire to learn the causes to which it may be ascribed: how far it has contributed to the good government of States; and what have been its dangers and its mischiefs. A careful study of history, by establishing some political truths, and removing many prejudices, may conduce to the better understanding of this important subject; and, with this view, I have endeavoured to trace the fortunes of Democracy, and political liberty, throughout the history of Europe.

I have not ventured to entitle these volumes a History of Democracy, as such a work would be no less than a history of Europe itself. But, taking Democracy,

in all its aspects, as my theme, I have illustrated it from the history of those States, in which its incidents have been the most remarkable. I have investigated the causes of the political development of nations: I have studied the inner life of many republics, in ancient and modern times; and I have followed the most memorable revolutions, and the greatest national struggles for civil and religious liberty, to be found in the annals of European monarchies. While passing lightly over the beaten track of English constitutional history, I have dwelt upon those periods, in which democracy has taken a prominent place. These events are necessarily described with studied brevity: but the form of historical narrative has generally been maintained.

Most of the examples of popular power which the history of Europe affords, are those of political liberties and franchises, rather than of Democracy. But I have thought it better to use a comprehensive term, which embraces every degree of popular power, or influence, —whether in a constitutional monarchy, or in a republic.

Montesquieu has pointed out the various senses in which the term 'liberty' has been understood; and 'democracy' has acquired at least as many. As a form of government, it signifies the sovereignty of the whole

body of the people. But there are as many degrees and conditions of democracy, as of liberty; and the term also comprehends the political power, or influence, of the people, under all forms of government. It denotes a principle or force, and not simply an institution; and it is in this sense, that the term is to be generally understood, in this history. But it is also used in some other senses, which if not so accurate, have been sanctioned by conventional use. For example, in default of a more extended vocabulary, it is often spoken of as a revolutionary force, opposed to existing institutions, if not to law and order; and in view of many popular movements abroad, such a term can scarcely be misapplied. Again, it sometimes refers to the humbler citizens of a State, as opposed to the aristocracy; and, lastly, it is taken to define a particular type of democracy, such as the Athenian, the Florentine, or the French democracy. In short, the sense in which the word is used, in any case, can only be judged aright from the context.

In attempting so extended a survey of European history, I have been painfully sensible of my own shortcomings. Neither in learning, nor in leisure, could I feel myself equal to such a work: but, led on by the deep interest of the subject, I persevered, for

many years, in a task which no abler hands had undertaken.

I have not thought it necessary to multiply authorities for the well-known events, or accepted conclusions, of history: but I have freely cited the opinions of other writers,—whether in agreement with my own, or otherwise,—without allowing myself to be diverted into inconvenient controversies.

If any profession of political faith is expected from the author, as a pledge of the spirit in which this history is written, it is this:—I hail the development of popular power, as an essential condition of the social advancement of nations: I am an ardent admirer of political liberty,—of rational and enlightened liberty, such as most Englishmen approve; and I condemn any violation of its principles, whether by a despotic king, or by an ill-ordered republic.

September 25, 1877.

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INTRODUCTION.

STUDY OF POLITICAL HISTORY—MORAL, SOCIAL, AND PHYSICAL CAUSES OF FREEDOM—SPECIAL CAUSES OF FREEDOM IN MODERN STATES—UNION OF OLD INSTITUTIONS WITH POPULAR FRANCHISES—CONSTITUTIONAL MONARCHIES—PUBLIC OPINION—FREEDOM A SAFEGUARD AGAINST DEMOCRACY—DEMOCRATIC EXCESSES—COMMUNISM—THE INTERNATIONAL ASSOCIATION—THE FUTURE.

INTROD.

Uses of the study of political history.

THERE can be no worthier study than the history of enlightened nations, in all ages, as an illustration of the principles of government. For by such a study we may learn the most fruitful philosophy and statesmanship; and may even hope to read the momentous signs of modern political life, by the light of past events.[1] Above all is it instructive to investigate the causes which have contributed to liberty, and human progress, and the conditions under which free States have risen, flourished, and decayed. This inquiry becomes invested with additional interest, when we are able to trace a close connection,—if not an identity,—between civilisation and freedom. We are not left to the barren scrutiny, and comparison of the institutions of various countries: but are able to discover the continuous operation of

[1] Comte refers what is termed the science of history, *i.e.* the study of the laws which govern political events, first to Hobbes, and then to Bossuet (*Philos. Pos.* vi. 317); but I should rather assign it to Aristotle. This author will be often cited in the course of this work; not because I am attracted by his peculiar philosophy, but because he displays a remarkable historical insight, wholly distinct from his strange theories of the religious and social destinies of mankind.

INTROD. principles, founded on human nature, and leading to similar results in different ages, and in many States. How these results have been modified by the conditions of society, and by other local and incidental causes, is another object of inquiry not less important.

Civilisation and freedom.

This study brings us into contact with the most intellectual and polished nations of the world; and introduces us to the most interesting periods of their history. The nations which have enjoyed the highest freedom, have bequeathed to us the rarest treasures of intellectual wealth, and to them we owe a large measure of our own civilisation. The history of their liberties will be found concurrent with the history of their greatest achievements in oratory, literature, and the arts. In short, the history of civilisation is the history of freedom.[1]

Moral, social, and physical causes of freedom.

It has been usual to conduct controversies regarding political institutions, and forms of government, as if they were simply founded upon abstract expediency; as if monarchies and republics had been established upon *à priori* theories, and were to be judged according to their approach to some ideal polity. It is not in this spirit, that history is to be studied. If any instruction is to be gained, it will be by the investigation of the moral, social, and physical causes which have contributed to the rise, growth, and overthrow of institutions,—of despotisms, of free monarchies, of aristocracies, and of republics.[2] It has not been by the theories

[1] Aristotle has laid it down that, 'the more society is improved and education perfected, the more equality will prevail and liberty be extended.'—*Polit.* v. 3.

[2] 'L'histoire n'a point encore cessé d'avoir un caractère essentiellement littéraire ou descriptif, et n'a nullement acquis une véritable nature scientifique, en établissant enfin une vraie filiation rationelle dans la suite des

of philosophers and lawgivers, that political institutions have been formed: but by the conflict of social forces in the several states. Freedom owes much to statesmen, who, in different ages, have laboured to enfranchise nations: it owes much to great thinkers, who have propounded broad principles of civil government, to Plato, Aristotle, Cicero, and Seneca,—to John of Salisbury,[1] St. Thomas Aquinas,[2] Marsilio of Padua,[3] Milton, Locke, Montesquieu, and Edmund Burke. They have given light and guidance to the leaders of popular movements: but no laws or principles will avail, until society is ripe for their acceptance. Rulers will not willingly sur-

événemens sociaux, de manière à permettre, comme pour tout autre ordre de phénomènes, et entre les limites générales imposées par une complication supérieure, une certaine prévision systématique de leur succession ultérieure.'—Comte, *Philos. Pos.* iv. 282. A fine aphorism of Leibnitz is also cited by Comte, 'Le présent est gros de l'avenir.'—*Ibid.* iv. 367.

[1] See *infra*, p. 240.

[2] Lord Acton, in his learned and eloquent address on 'The History of Freedom in Christianity,' thus summarises the doctrines of this writer. '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.'—*Address*, 5.

[3] This writer's views are also given by Lord Acton. 'Laws derive their authority from the nation, and are invalid without its assent. . . . In obeying laws to which all men have agreed, all men, in reality, govern themselves. . . . The monarch 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.'—*Ibid.*

INTROD. render their power: nor can a people wrest it from them, until they have grown strong enough to wield it. The political constitution of a State will be found generally to follow its social condition,—the religion, the cultivation, the industry, the wealth, the arts, and the self-respect of its people. Such causes were the origin of the earlier historical institutions; and they still shape the destinies of the more advanced societies of modern times.

Influence of superstition upon freedom.

Foremost among the moral causes which repress or favour liberty, is the national religion. A superstitious faith,—inspiring awe and mental prostration in the worshippers, assigning Divine attributes to kings and priests, and abasing the people,—has ever been the potent ally and instrument of despotism. Throughout Asia, in Egypt, in Turkey, in ancient Mexico and Peru, we find the grossest superstitions associated with despotic rule.[1] A superstitious faith cannot fail to rivet the political chains of a people. It adds Divine sanction to civil authority: it strengthens power and weakens resistance: it exalts tradition above reason: it depresses the free will of believers: it lowers intelligence and perpetuates ignorance. It tends to make men slaves instead of freemen.

Influence of a higher religion.

Such being the natural effects of superstition, a higher and nobler faith promotes the development of political liberty. Instead of repressing thought, it raises the human mind to the contemplation of Divine truth and justice. Instead of debasing, it ennobles

[1] In all these countries 'there was the same despotic power on the part of the upper classes, and the same contemptible subservience on the part of the lower.'—Buckle, *Hist. of Civilisation*, i. 101. He ascribes this condition, however, to physical causes—of which religion was one of the results—rather than to religion itself.

the condition and destinies of man: instead of inspiring an abject terror of rulers, it holds them responsible to God for the righteous government of His people: it exalts the sentiments, quickens the intelligence, and directs the moral aims of believers.[1] Such are its aids to liberty. INTROD.

We shall find, in the course of this history, ample illustrations of these opposite principles. On one side, we shall observe despotism allied to Pagan superstitions and corruptions of the Christian faith: on the other, we shall see liberty flourishing in union with the best and purest types of Christianity.[2] Illustrations.

Next to religion, we must reckon intellectual advancement as one of the causes of freedom. Superstition, indeed, is so closely allied with ignorance, and a pure faith with enlightenment, that it may sometimes be difficult to distinguish the relative effects of religious and intellectual progress. But it is mainly with the latter that we are, at present, concerned. The observation of human society, under every aspect, exhibits the influence of knowledge, and intelligent will, upon the affairs of men. The conditions of a community, or State, are not very different from those of a family.[3] When the people are helplessly ignorant, they render blind Popular enlightenment the foundation of freedom.

[1] 'The *fortifying* religions, that is to say, those which lay the plainest stress on the manly parts of morality,—upon valour, truth, and industry,—have had the most obvious effect in strengthening the races who believed them, and in making those races the winning races.'—Bagehot, *Physics and Politics*, 216.

[2] 'Les peuples du nord embrassèrent la protestantisme, et ceux du midi garderènt la catholique.' 'C'est que les peuples du nord ont et auront toujours un esprit d'indépendance et de liberté, que n'ont pas les peuples du midi.'—Montesquieu, *Esprit des Loix*, livr. xxiv. ch. 5.

[3] Sir Henry Maine says, 'The most recent researches into the primitive history of society point to the conclusion that the earliest tie which

INTROD. obedience, like children, to their stronger and wiser rulers; but as they acquire more knowledge and discernment, they murmur against wrongs, and are prepared to resist oppression. If they still submit themselves loyally to their government, it is no longer in the same unreasoning spirit. They are grown up; and will no longer be treated as children. Nor can rulers continue insensible to the changes which are occurring in their relations with their subjects. Mutual confidence, or conflict will ensue. In either case, the people will acquire increased influence. It may not be that the form of government is changed—that a monarchy becomes a republic, or that more popular institutions are created: but the sentiments of the people, which were formerly defied, now meet with consideration and deference.

Kings and aristocracies the first forms of government.

In the earliest stages of society, superstition and ignorance naturally prevailed; and the people were unfitted for the functions and privileges of freedom. Accordingly, we find them everywhere under the rule of kings, priests, and nobles. In the East, society has never advanced from its primitive simplicity. Superstition and ignorance still enthral the minds of the people, and despotism and priestcraft continue in the ascendant.[1] In Europe, the destinies of mankind have been widely dissimilar; and the faculties which God has given them, have been continually cultivated and improved. Deplorable superstitions have given place to

knitted men together in communities was consanguinity or kinship.'—*Early History of Institutions*, 64.

'From the moment when a tribal community settles down finally upon a definite space of land, the land begins to be the basis of society, in place of kinship.'—*Ibid.* 72.

[1] See Chap. I. *infra.*

higher forms of religion; and ignorance has yielded to education and rational experience. As European society advanced, heroic and heaven-born kings were generally succeeded by aristocracies[1]; who, in their turn, were constrained to share their power with the people, or to yield it to a democracy. Of this political development of society in Europe, the history of Greece and Rome,—the two most important nations of antiquity,—abounds in familiar and instructive examples.[2]

Social causes of freedom.

Intelligence alone will not ensure the liberty of a people. A nation of dreamers might still be slaves. But active enlightenment improves the social condition of a people, makes their industry fruitful, distributes wealth, raises up new classes of society, creates varied interests; and changes the entire character of the state.[3] The government of a State follows its general social condition,—material, as well as intellectual; and it is to the relative forces of different classes, that we must look for the determination of political supremacy. Increasing wealth and resources, arising from commerce, manufactures, and industry,—necessarily associated with enlarged intelligence,—have disturbed the

[1] 'With these differences, however, that in the East aristocracies became religious, in the West civil or political, the proposition that a historical era of aristocracies succeeded a historical era of heroic kings may be considered as true, if not of all mankind, at all events of all branches of the Indo-European family of nations.'—Maine, *Ancient Law*, ii.

[2] See Chapters II. III. IV. and V. of this history. 'Political liberty was, in ancient times, almost restricted to cities like Athens and Rome, where public life, and art, and all the intellectual influences that were concentrated in a great metropolis, could raise the people to an exceptional elevation.'—Lecky, *Hist. of Rationalism*, ii. 229.

[3] 'Deux qualités paroissent requises, avant toutes les autres, pour rendre les hommes capables de conquérir la liberté: la force individuelle, et la force sociale.'—Sismondi, *Hist. des Rep. It.*, i. 402.

INTROD. balance of power in States, originally governed by a king or aristocracy, and largely increased the political influence of the middle and industrial classes.[1] The great varieties of constitutions in many States, and in different periods of their history, may be traced to the proportionate social influence of the classes of which they were composed. A powerful aristocracy, when it has lost its exclusive power, may still maintain a very large, if not a preponderating, influence in public affairs. Its intrinsic power may be unimpaired: its wealth, its territorial possessions, its moral and intellectual elevation, may be greater than at any former period; and these characteristics will ensure, in any State, and under any form of government, an enduring political power. In the earlier stages of such a State, when other sources of influence were undeveloped, such attributes were naturally all-powerful; and under new conditions of society, they must continue to be an essential power. Whether they still give ascendency, or only a considerable share of the general political sovereignty of the whole community, will depend upon the relative progress of the several classes of society. Hence the variety of institutions which have formed themselves, throughout the history of Europe. Ostensibly the conceptions of statesmen and lawgivers, their first cause was the social condition of the people. The operation of these principles may be studied, with peculiar interest, in the history of Greece;[2] of ancient

[1] 'Depuis que les travaux de l'intelligence furent devenus des sources de force et de richesses, on dût considérer chaque développement de la science, chaque connaissance nouvelle, chaque idée neuve, comme un germe de puissance, mis à la portée du peuple.'—De Tocqueville, *Démoc. en Amérique*. Intr. 4.

[2] See Chaps. II. and III.

Rome;[1] of the Italian republics;[2] of the Netherlands;[3] and of England.[4]

Development of popular power a natural law.

This constant development of popular influence, as the result of the intellectual and material progress of nations, must therefore be accepted as a natural law. Such a law, like other laws which shape the destinies of man, is to be reverently studied, and accepted without prejudice, as a beneficent influence designed for the general benefit of society. Let us not be too prone to condemn, or to dread it, as a social danger. Rather let us learn to interpret it rightly, and to apply it, with careful discernment, to the government of free States. If it be a law that the progressive civilisation of a nation increases the power of the people, let that power be welcomed, and gradually associated with the State.[5] The same cause which creates the power, also qualifies the people to exercise it. In a country half civilised, popular power is wielded by a mob; in a civilised community, it is exercised by the legitimate agencies of freedom,—by the press, by public discussion, by association, and by electoral contests. If ignored, distrusted,

[1] See Chaps. IV. and V.
[2] See Chap. VII.
[3] See Chaps. X. and XI.
[4] See Chaps. XVIII. — XXII.

[5] 'Vouloir arrêter la démocratie paraîtrait alors lutter contre Dieu même, et il ne resterait aux nations qu'à s'accommoder à l'état social que leur impose la Providence.'—De Tocqueville, *Démocr. en Amérique.* Intr. 6.

And again, he says, 'Les législateurs conçurent le projet imprudent de la détruire, au lieu de chercher à l'instruire et à la corriger, et sans vouloir lui apprendre à gouverner, ils ne songèrent qu'à la repousser du gouvernement.'—*Ibid.* 8.

'There is no use mincing the matter: unless the world goes back, democracy must go forward. The will of the people must more and more prevail. We cannot prevent numbers ruling; we can only persuade them to rule well.'—Mr. W. E. Forster's Address, as Lord Rector of the University of Aberdeen, November 24, 1876.

INTROD. defied, or resisted by rulers, it provokes popular discontents, disorders, and revolution: if welcomed and propitiated, it is a source of strength and national union. To discern rightly the progress of society, and to meet its legitimate claims to political influence, has become one of the highest functions of modern statesmanship.

Illustrations from English history.

Of both these political axioms, the history of England presents instructive illustrations. The Stuarts failed to recognise the advancing force of the commonalty in social power, and religious earnestness; and clung obstinately to the principles of absolutism in the state, and in religion. They were blind to the conspicuous signs of their own remarkable times; and one of that misguided race forfeited his life, and another his crown, to this political blindness. At a later period a more discerning policy has been signalised by the most striking results. Modern English statesmen have recognised the advancing intelligence and social power of the people; and have taken them into active partnership with the State. Nor has this confidence been ill requited. The crown and aristocracy, the wealthy, the cultivated, and the middle classes have maintained their legitimate ascendency in the State; and they rule with the moral force of a united people.

From French history.

The same moral may be drawn from the blood-stained history of France. The Bourbons were as blind as the Stuarts, to the social forces which an advancing civilisation was developing in their noble country. They continued to govern, in the eighteenth century, as they had governed in the sixteenth. Everything was changing around them: a new society was growing: new opinions were being formed: new political exi-

gencies demanded the most watchful care. But they saw none of these things, until it was too late. They maintained the greatness of the monarchy, the splendour of the court, and the invidious privileges of the nobles: but they ignored the advancing power, and accumulating needs of a neglected people. At length, Louis XVI. perceived, but too plainly, the urgent claims of his subjects, and the alarming necessities of the State. The people were suddenly called into council, in the States-General, without experience, without preparation, without foresight, without any of the resources of statesmanship; and, in reforming the manifold abuses of an absolute monarchy, they precipitated a democratic revolution.[1]

Physical laws affecting freedom.

Such being the moral and social conditions affecting political progress, we may now consider the influence of certain physical laws in arresting or advancing that development of society, which is conducive to freedom.

Montesquieu has traced, with luminous precision, the influence of climate, soil, and geographical position, upon the laws and government of nations.[2] Buckle has examined, with extraordinary learning, and fulness of illustration, the physical laws affecting civilisation.[3] His generalisations are bold and masterly; and while some of his conclusions are open to controversy, many of them will scarcely be disputed. He may sometimes attribute too much effect to the operation of physical laws, to the exclusion of moral causes; but any philosophy would be imperfect, which failed to assign to such laws a considerable influence, in forming and

[1] See *infra*, Chaps. XII. and XIII.

[2] *Esprit des Loix*, livr. xiv., xvii., xviii.

[3] *Hist. of Civilisation*: General Introduction.

INTROD. modifying the social conditions of different races of mankind. The operation of such laws is no new theory: but has been accepted by writers of all ages, from Homer and Aristotle to Taine[1] and Buckle.

Effects of climate.

Thinkers who are most inclined to narrow the effect of physical laws upon morals, will not deny the influence of climate in modifying the character of men;[2] and we propose, very briefly, to point out the manner in which the political institutions of different countries have been affected by their climate, soil, and other geographical incidents.

Tropical climates conducive to despotism.

History and observation alike attest that tropical regions have been the everlasting abodes of despotism: where kings, chiefs, and priests have governed, from time immemorial, without control; and where the people have been unresisting subjects and slaves.[3] Temperate climes alone have been the homes of freedom. This fact is the more remarkable, as the earliest civilisations arose in the hottest climates. Here we should naturally have looked for a concurrent progress, in the social and political condition of the people. In other lands, civilisation and liberty have advanced together: but throughout the East, and in

[1] 'Trois sources différentes contribuent à produire cet état moral élémentaire,—la race, le milieu, et le moment.'—*Hist. de la Litt. Ang.* Intr. 22–33.

[2] 'Climate and physical surroundings, in the largest sense, have unquestionably much influence: they are one factor in the cause, but they are not the only factor; for we find most dissimilar races of men living in the same climate, and affected by the same surroundings; and we have every reason to believe that those unlike races have so lived as neighbours for ages.'—Bagehot, *Physics and Politics*, 183.

[3] See Chap. I. Montesquieu, *Esprit des Loix*, livr. xiv. ch. 4; xvii. ch. 3, 6. 'La servitude politique ne dépend pas moins de la nature du climat, que la civile et domestique, comme on va faire voir.'—Montesquieu, *Esprit des Loix*, livr. xvii. ch. 1.

other hot climates,—however much learning, poetry, philosophy, and the arts may have flourished,—there has been no social and political advancement for mankind. Why is this? It cannot be due to accident: nor will the superstitions of these countries, however detrimental to human progress, suffice to explain the permanent stagnation of Eastern society. A people, advancing in intelligence and influence, would have outgrown them. But the physical conditions of tropical life are opposed to social development. A hot climate and a fertile soil multiply the means of subsistence, and foster the rapid growth of population. The wants of the multitude are few and easily gratified. A loose cotton garment, a meal of rice, or Indian corn, and a draught of water, a dwelling of the simplest fashion, designed for the free admission of the air, rather than for protection against the climate, are all their needs. There is no check to the increase of their numbers. Hence follow cheap labour, and a low and unimproving condition of society.[1] Nor can it be doubted that great heat is enervating alike to the minds and bodies of men,—disinclining them to vigorous thought and action, and disposing them to a languid acquiescence in their accustomed lot.

Temperate climates conducive to freedom.

In colder climates all these conditions are changed. The bounties of nature are less prodigal:[2] men labour hard to win them: their wants are multiplied, and more difficult to satisfy: their food, clothing, and dwellings are more costly. Hence the growth of population is

[1] Buckle, *Hist.*: General Introduction, 36–98.

[2] 'Ainsi, le gouvernement d'un seul se trouve plus souvent dans les pays fertiles, et le gouvernement de plusieurs dans les pays qui ne sont pas.'—Montesquieu, *Esprit des Loix*, livr. xviii., ch. 2.

INTROD. checked: the value of labour is sustained: the people share in the distribution of the wealth of the country; and the general condition of society is improved, and progressive. Industry and invention are encouraged by due rewards; and rich and powerful classes arise, who claim their share in the government of the State. The organisation of such men also differs from that of dwellers in the tropics. Their strength and spirit are braced by a temperate climate, by constant labour and enterprise, and by the hope of social advancement. And these are the qualities which arouse resistance to oppression, and fit men for the enjoyment of freedom.[1]

Influence of the grandeur and terrors of nature upon freedom.

Connected with climate and the geographical features of a country, one other influence must not be omitted. Where nature assumes its grandest and most awful forms, men have generally been most prone to superstition. Impressed with a deep sense of their own weakness and insignificance, they bow down, with terror, before their gods, whose majestic powers are ever present, and whose vengeance they have been taught to dread. Amidst overhanging precipices, the threatening avalanche, the swollen torrent, and thunder and lightning, a mountain peasant may well be prepared for his doom. Earthquakes, hurricanes and pestilence appeal, no less terribly, to the fears and imagination of helpless men. It is the lot of many, ever to gaze upon rugged mountains, crowned with eternal snow, and reaching upwards to the heavens;

[1] 'Cette force plus grande (dans les climats froids) doit produire bien des effets: par exemple, plus de confiance en soi-même, c'est-à-dire, plus de courage; plus de connoissance de sa supériorité, c'est-a-dire, moins de désir de la vengeance; plus d'opinion de sa sûreté, c'est-à-dire, plus de franchise, moins de soupçons, de politique et de ruses.'—Montesquieu, *Esprit des Loix*, livr. xiv., ch. 2.

or volcanoes vomiting forth flames and burning ashes; or wide impetuous rivers; or a rock-bound coast, the sport of storms and clouds; or a boundless desert, or tangled forest; and how can they fail to humble themselves before the awful and mysterious powers of nature and of God.[1] With a reasonable faith, and an intelligent comprehension of physical laws, such phenomena as these exalt the imagination, and arouse the soul to the highest religious emotions. But with superstition and ignorance, they encourage an awe-stricken worship, or helpless fatalism. Instead of raising men above themselves, by the contemplation of the wonderful works of their Creator, they inspire abject fears and moral abasement. Without self-respect, or assurance of the high destinies of man, there can be no striving for social and political progress.

Terrors of nature dispelled by religion.

Europe being comparatively free from the more fearful of these natural phenomena, and the forces of nature being more easily subdued to the control and use of man, the influence of these causes has been generally less felt, than in the seats of earlier civilisations.[2] And in this circumstance we may discern one, among many concurrent causes, of the higher development of European religion, civilisation, and liberties. Some writers may have attached undue importance to this consideration: but no investigation of the

Physical conditions of Europe favourable to freedom.

[1] Buckle, *Hist.* i. 107–119. 'In early ages, men were frightened of "the world;" the spectacle of nature filled them with awe and dread. They fancied there were powers behind it, which must be pleased, soothed, flattered, and this often in a number of hideous ways.'—Bagehot, *Physics and Politics*, 55.

[2] 'The tendency of the surrounding phenomena was, in India, to inspire fear; in Greece, to give confidence. In India, man was intimidated: in Greece, he was encouraged . . . In Greece, nature was less dangerous, less intrusive, and less mysterious than in India.'—Buckle, *Hist.* i. 127.

INTROD. causes of social and political progress, could pretend to completeness, which failed to weigh seriously the influence of the terrible and mysterious aspects of nature, upon the destinies of mankind.

Society in pastoral States.

Analogous to the influence of climate, is that of the character of the soil and its cultivation. Where a country consists mainly of vast pastures, a feudal society of chiefs and dependants has generally been found. Large tracts of land being in the hands of a few proprietors, and a scanty population being engaged in tending the flocks and herds, the elements of a free and progressive society are wanting. To which we must add another cause pointed out by Aristotle,[1] that in such countries war has generally been carried on by cavalry, which is the arm of the rich and not of the poor. Those who defend their country and maintain its independence are supreme in its government; and thus an aristocracy is the natural constitution of a pastoral State.

In agricultural countries.

The same causes operate, in a less degree, in countries mainly agricultural. But there we find conditions favourable to the growth of classes independent of the proprietors of the soil, and capable of acquiring political rights. In the tilling of the soil, a larger population is engaged than in pasture: the land is generally divided among a greater number of proprietors; and a considerable class of farmers are spread over the country, forming an intermediate order between the landowners and the peasantry. And, to supply the needs of a large agricultural community, towns spring up, in which merchants, tradesmen, and artificers, add to the independent and progressive elements of society. Thus, although

[1] *Polit.*, vi. 3.

an agricultural society is generally conservative, true to its old traditions of loyalty, and bound up with the interests and sentiments of the proprietors of the soil, history presents many examples of agricultural democracies. Of these, the most conspicuous are the ancient republics of Greece and Rome in their earlier stages, the more modern republic of Switzerland, and the great agricultural democracy of the United States of America.

Different classes of cultivators

The political character of an agricultural State will generally be found to vary according to the classes of persons by whom the land is owned, and its cultivation conducted. Large estates let to tenant-farmers, and tilled by hired labourers, are naturally favourable to the predominant influence of the landowners. Again, this influence is greater where the custom of tenancies at will, or from year to year, prevails, than where long leases are granted to tenants. The Métayer system, so common in France and Italy,[1] under which the peasants pay a certain portion of the produce of their holdings to the owner, in return for the use of the land, and the whole or part of the stock, identifies the cultivators still more closely with their landlords, and secures the paramount influence of the lords of the soil. Other systems of cultivation, which have favoured the occupation of small portions of land, by peasant tenants, like the Irish cottiers, and Indian ryots, have necessarily ensured the helpless dependence of the cultivators of the soil. But where the land is subdivided among numbers of small proprietors, a class is created, independent of the great landowners, and whose interests may be different, and even antagonistic. If

[1] In Italy the Métayer tenancy is known as *Mezzadria*.

INTROD. Peasant proprietors.

their estates are large enough to require the hiring of labourers, they will probably side with the greater proprietors: but if they can be cultivated by the owner and his family, with occasional help from others, a class of peasant proprietors arises, whose social position and interests would range them with the people rather than with the nobles. Such were the old yeomen, and forty-shilling freeholders of England,—now approaching extinction,—and the 'statesmen' of Westmoreland and Cumberland.[1] Of this class also are the proprietors of the greater part of Switzerland, of considerable portions of Norway, the Netherlands, Germany, France, and Italy, and of nearly the whole of the Northern States of the American Union.

Small holdings.

The political characteristics of peasant proprietors are generally determined by the extent of their holdings. Where these are sufficiently large to ensure a good livelihood, with some means of saving, there is no society more sturdy and independent, or more inclined to assert their political rights; and of this class are the proprietors of Norway, Switzerland, and the United States. But where the lands are unduly subdivided, and the proprietors, becoming impoverished, are driven to other employments to eke out a subsistence, their condition is little better than that of hired labourers. They are ignorant, dependent, and prone to superstition; and are generally found to follow the nobles and priests, rather than to associate themselves with the people. Such are a numerous class of peasant proprietors in France, and some other parts of the Continent.[2]

[1] See Wordsworth's *Scenery of the Lakes*, for a description of this interesting race.

[2] A sketch of the peasant proprietors of different parts of Europe,

It must further be observed that where numbers of small proprietors associate themselves, in a common cause, to resist oppression, or to advance their own interests, they enjoy facilities of intercourse and union, not very different from those of the inhabitants of towns.

Association of small proprietors.

But whatever the distribution of the soil among owners, and whatever its system of cultivation, there will generally be found more inertness of mind, more aversion to change, and more incapacity for social and political progress, in agricultural than in town populations.

General character of agricultural communities.

Such being the general influence of climate, soil, and cultivation, upon the social development and political destinies of nations, other geographical and natural conditions must be taken into account. Of these the most important are mountains and the sea.

Other physical influences.

The influence of mountains upon the character of the people is everywhere recognised.[1] In hot climates, the elevation of a mountain range exempts the inhabitants from those conditions which surround the population of the plains. The climate itself is more temperate; the soil less fertile; the difficulties of subsistence are greater; the obstacles to an undue increase of numbers are multiplied; and the hardships and endurance of mountain life endow men with strength, courage, and independence. Accordingly, mountain tribes, even in tropical regions, are qualified for freedom. But other causes are adverse to the growth of free States. Agriculture is difficult, and extended commerce impossible, upon the mountains. No new classes can, therefore,

Influence of mountains upon society and freedom.

with extracts from many interesting authorities, will be found in Mill's *Principles of Political Economy*, book II., ch. vi. vii.

[1] La liberté 'règne donc plus dans les pays montagneux et difficiles, que dans ceux que la nature semblait avoir plus favorisés.'—Montesquieu, *Esprit des Loix*, livr. xviii., ch. 2.

INTROD. arise among these ancient tribes: but the old relations of chiefs and warlike followers are perpetuated. Their energies are devoted to constant wars, feuds, and predatory raids upon their neighbours. Such men cannot be submissive slaves, like their brethren of the plains: but we may search among them, in vain, for examples of the regulated freedom of more civilized States.

Characteristics of mountain races.

In temperate climates, the characteristics of mountain life are well known. The men are brave, hardy, industrious, and frugal. Their straitened industry can rarely raise them above the condition of peasants. They are removed from the civilising influences of the outer world: they have little culture: they are, perhaps, narrow and bigoted in their faith: there is nothing progressive in their contracted society: but their manly independence forbids oppression, and nourishes an indomitable love of freedom. The influence of such physical and moral qualities, in perpetuating the political freedom of a mountain race, has received the most conspicuous illustration in the memorable history of the Swiss cantons[1],—a history scarcely less fruitful of instruction, than that of the renowned republics of ancient Greece.

Influence of the sea upon freedom.

The sea has ever exercised an extraordinary influence upon the general and political development of nations.[2] It has been associated with maritime adventure, commercial enterprise, the progress of civilisation and the arts, and a spirit of political freedom. The sea promotes the growth of different classes of society,—

[1] See Chaps. VIII. and IX.

[2] 'Les peuples des isles sont plus portés à la liberté que les peuples du continent.'—Montesquieu, *Esprit des Lois*, livr., ch. 5. But he attributes this fact to other causes than the influence of the sea.

merchants, traders, shipowners, seamen, and artificers. Their several callings quicken their intelligence and increase their wealth: their intercourse with foreign lands enlarges their knowledge and range of thought. Their interests require protection, and their growing power asserts itself in the councils of the State. As in a country mainly agricultural or pastoral, the influence of landowners is supreme, so in a maritime State must the influence of the commercial classes prevail.

Illustrations.

The operation of these causes has been illustrated by all history. Even Asiatic races settling upon sea coasts, removed from the influences of a tropical climate and Eastern customs, have exhibited social progress and freedom, unknown in the plains of Asia. The Phœnicians and Carthaginians broke from the traditions of their aboriginal stock, and founded free commonwealths, renowned in history. The shores of the Mediterranean were the birthplace of European liberty; and, from an early period of Western civilisation, were crowded with Greek and Italian republics. The Netherlands and England are examples of the union of maritime activity and political freedom, in modern times.

Navigable rivers and lakes.

In a less degree, the like results are brought about by navigable rivers and inland lakes. Commerce is there on a more contracted scale, and intercourse with foreign lands is comparatively rare. But trade and industry are encouraged, towns spring up, large populations are brought together, wealth is accumulated, new classes of society are formed; and the elements of social and political power are multiplied. The lakes and inland navigations of the Netherlands largely contributed to their commercial and industrial prosperity, and to the growth of those remarkable cities, which

INTROD. were the seats of municipal sovereignty, in the middle ages.[1]

Minerals. Similar results follow the discovery of minerals, and particularly of coal and iron. Manufactures are established, population and wealth are increased, considerable towns are multiplied; and a new society arises, prepared to contend with nobles and landowners, for its share of social consideration and political influence. Nowhere has the growth of mineral wealth and industry had so remarkable a bearing upon political development, as in our own country.[2]

Democratic tendencies of town populations. Wherever cities and large towns have grown up, the inhabitants have inclined more to democracy than their fellow-countrymen in the provinces. They have been less under the influence of social and physical causes adverse to the development of freedom. They have had their own interests to protect, their own municipal affairs to administer. Their intelligence has been quickened by their varied occupations, and by a more extended intercourse with other men, than falls to the lot of tillers of the soil. They have been able to combine more readily for the attainment of common benefits; and association and discussion have trained them for the political duties of citizens. Hence, throughout the wide range of history,—in Greece, in Italy, in France, in Spain, in Germany, in the Netherlands, and in England,—we find, in cities, the earliest and the most memorable examples of freedom and self-government.[3]

[1] See Chap. X. [2] See Chap. XXII.

[3] For further points of difference between country and town populations, see Buckle, *Hist. of Civilisation*, i. 344-347; Lecky, *Rationalism in Europe*, ii. 369 *et seq.* *Infra* i. 247-249, 251.

The last physical cause of social and political development, which need here be noticed, is that of race. The history, and social and political characteristics, of the different races of mankind have lately become an important and popular study[1]; and in the politics of Europe, wars and revolutions have sprung from the sympathies of race and nationality. Some eminent writers attribute to the influence of race, most of the distinctive peculiarities of nations, in religion, in government, in literature, and in art:[2] while others, no less eminent, and particularly John Stuart Mill[3] and Buckle,[4] contemptuously ignore it altogether. A controversy upon this broad question, would be beside the purposes of this history. It will be sufficient to explain to what extent the influence of race is recognised, in the course of these historical inquiries.

Influence of race.

We find many varieties or races of mankind:[5] we trace their history: we observe their characteristics; and it were blindness to overlook those peculiarities of mind and body, which affect their social and political development. These races have migrated, from distant lands, to their present homes: bringing with them not only physical qualities, due to the climate, soil and geographical situation of their birth-place, but their religion, their traditions, their language, their customs, and their institutions.[6] Those who attach least importance to

Varieties of mankind.

[1] Max Müller, Pictet, &c.

[2] *e.g.*, Gervinus, Curtius, Freeman, Motley, and Taine.

[3] *Principles of Political Economy*, i. 390.

[4] *Hist. of Civilisation*; General Introduction, i. 37.

[5] 'Il y a naturellement des variétés d'hommes, comme des variétés de taureaux et de chevaux, les unes braves et intelligentes, les autres timides et bornées.'—Taine, *Hist. de la Litt. Angl.* Intr. 23.

[6] 'Une race, comme l'ancien peuple Aryen, éparse depuis le Gange jusqu'aux Hébrides, établie sous tous les climats, échelonnée à tous les

INTROD. physical diversities of race will, at least, admit the influence of traditional and hereditary sentiments. And this history will present striking illustrations of the aptitude of some races for religious enlightenment and political freedom; and the disposition of other races to cling to ancient superstitions and forms of government. So many other causes may have contributed to these results, that we must guard ourselves against any hasty conclusions concerning the influence of race: yet some remarkable coincidences, at least, demand attention.

The Germans or Teutons.

The inert and unprogressive character of Asiatic races has been already noticed. And in Europe, some races have been distinguished by those qualities which win and assure freedom: while other races, not less brave in war, nor less ingenious in the arts of peace, have yet been wanting in that self-assertion which commands liberty. Conspicuous were the differences between the Germans and the Gauls, as described by Cæsar. The former were the freest people of antiquity; their polity the most democratic. Every public act was that of the assembled people. They elected their chiefs and magistrates: they had a voice in the administration of justice: they declared peace or war, by acclamation. Even their religion was distinguished by its freedom. They worshipped the unseen God without temples, and without priests. Their faith was popular and spontaneous: no creeds were enforced by law; priestcraft was unknown amongst them.

degrés de la civilisation, transformée par trente siècles de révolutions, manifeste pourtant dans ses langues, dans ses religions, dans ses littératures, et dans ses philosophies, la communauté de sang et d'esprit, qui relie encore aujourd'hui tous ses rejetons.'—Taine, *Hist. de la Litt. Ang.* Intr. 23.

How strikingly different was the condition of the contemporary Gauls! Nobles and priests were the rulers; and the people slaves. The lords of the soil led their vassals to battle, electing one of their own body as leader. The people tilled the soil, and fought their masters' battles: but formed no part of the State. In religion, their lot was even more unfortunate. Governed by the ferocious priesthood of the Druids, they were offered up, by thousands, as sacrifices, to bloodthirsty deities, and pursued by awful punishments, for neglect of any of the barbarous rites of their mysterious faith.

The Gauls or Celts.

The distinctive characters of these early races may be traced in their descendants, for many centuries, through the history of Europe. Holland was peopled by Frisians, Batavians, and other German races; and its glorious struggles for civil and religious liberty are among the most memorable events in the history of European nations.[1] Belgium, which was chiefly inhabited by Celtic races, submitted more readily to foreign conquests, and to religious subjection.[2]

Holland and Belgium.

England, peopled by Saxons, and other Teutonic tribes, has been the historic home of freedom.[3] France, peopled by Celts, has been oppressed by despotism, or given up to frenzied democracy. Denmark, Norway, and Sweden, whose populations are German and Scandinavian, have been renowned for their free, and even

England, France, and other Teutonic and Celtic countries.

[1] See Chap. XI.

[2] According to Motley 'the Batavian republic took its place among the leading powers of the earth; the Belgic provinces remained Roman, Spanish, Austrian property.'—*Hist. of Dutch Republic*, i. 18.

[3] Scotland and Ireland, however, are mainly Celtic. The former has been animated by as strong a spirit of freedom, and has displayed the same powers of self-government, as England. The latter has been too much disturbed by factions to enjoy the full benefits of liberty; but its destinies may yet be more fully developed.

INTROD. democratic, institutions. Spain and Portugal, whose people have a large infusion of the blood of the Gauls, while enjoying some ancient franchises, have fallen short in the race of freedom.

Germany. On the other hand, Germany, the European birthplace of the Teutonic races, has not herself been conspicuous for political freedom. The free cities of the middle ages, indeed, presented striking examples of municipal liberty:[1] but nowhere have emperors and kings been more powerful, or feudalism more firmly established. It was in this Teutonic land, however, that the revolt against the Church of Rome commenced, which proved one of the most active causes of the advance of European liberties. And of late years, the general movement of European society, having extended to the several German States, has introduced constitutional freedom and popular institutions.[2]

Special causes of later development of freedom. These several causes, moral and physical, have constantly contributed to the arrest, or development, of civil liberty, in the different States of Europe. But, in modern times, other special causes have also promoted a general increase of popular influence. The revival of learning, the invention of printing, and other useful arts, geographical discoveries, and above all, the Protestant Reformation, awakened the minds of men, throughout Europe, to freedom of thought in politics and religion;[3] and an impulse was given to democratic forces, which has continued, with ever-increasing power, to our own age. In the sixteenth and seventeenth centuries, religion became the great moving force in

[1] *Infra*, vol. i. 250–232.
[2] *Infra*, vol. ii. 245, 276.
[3] *Infra*, vol. i. 253–272.

European politics, and in the advancement of civil liberty. The leading events which followed this general uprising of European society, were the revolt of the Netherlands from the despotic rule of Catholic Spain: the Puritan revolution, which brought an English king to the scaffold: the milder revolution of 1688, which assured the liberties of England:[1] the foundation of a vast federal republic in America, by English colonists; and lastly, the momentous French Revolution.

Increasing power of democracy.

All these events proved the increasing power of modern democracy; and the latter, in its terrible and protracted convulsions, may be said to have revolutionised Europe. The revolutionary wars of the first republic,[2] and the empire[3] shook the thrones of emperors and kings, and disquieted their people with democratic sentiments. The three days of July 1830 aroused revolutionary movements, and political excitement, throughout the entire community of European nations.[4] The revolution of 1848, acting upon a more advanced and sensitive society, passed like a tempest over Italy, Austria, Hungary, and Germany.[5] England,—not unmoved by revolutionary movements abroad,—was able to direct the popular forces of this stirring period, to the regeneration of a free State.[6] She reformed her own ancient institutions, upon popular

[1] At this period was also published Locke's treatise on civil government, which, according to Hallam, has been 'fertile of great revolutions, and perhaps pregnant with more.' . . And again, 'silently spreading its root over Europe and America, it prepared the way for theories of political society, hardly bolder in their announcement, but expressed with more passionate ardour, from which the great revolutions of the last and present age have sprung.'—*Hist. of Literature*, iii. 435–438.

[2] *Infra*, vol. ii. 174, 179, 203, &c. [3] *Ibid.* 216, 217.

[4] *Ibid.* 245. [5] *Ibid.* 272–278. [6] *Ibid.*

INTROD. principles; and she reconstituted her distant colonies as democratic republics. Even Spain, with her stagnant and unenlightened population, has since had her revolutions; and has tried the futile experiment of a democratic republic.

Russia. Russia alone, among the great States of Europe,—being far less advanced in civilisation,—has hitherto escaped the shock of political revolution; but she is passing through critical social changes. The emancipation of the serfs,—for which the Emperor Alexander is entitled to immortal fame: the new character which her village communities have since begun to assume: the extension of local self-government: the want of a stable middle class between the nobles and the peasantry: the deeply-rooted corruption of the administration: the spread of European thought in her society: the growth of nihilism, communism, and secret societies: the passionate Pansclavonic sentiments of the people,—first stirred by the friends of democracy, and since encouraged by the ambition of her rulers; and the rapid impoverishment of the country by exhausting wars,—all portend considerable changes in the autocratic polity of the empire.[1]

Free intercourse of nations. The free intercourse of nations, in the present age, facilities of travel and postal communication, the publicity of State affairs, and the universal expansion of the press, have brought the different States into so close

[1] The remarkable work of Mr. Mackenzie Wallace abounds with illustrations of these social changes. See also Hertzen, *Le Monde Russe et la Révolution*; and *Du Développement des Idées révolutionnaires en Russie*; Count Münster, *Political Sketches of the State of Europe from* 1814 *to* 1867; Schédo-Ferrotti, *Études sur l'avenir de la Russie*, and *Le Nihilisme en Russie*. *Fortnightly Review*, August, 1868 (Nihilism in Russia); Grant Duff, *Studies in European Politics*; and *Political Survey*, 32.

a contact, that the common sympathies and interests of mankind pulsate through the whole of European society. Hence the rapidity with which revolutionary movements have spread from one country to another. But such movements have assumed different forms, according to the natural and geographical incidents of each country, the character of the people, the condition of society, and the laws, customs and traditions of the state. France stands alone, as an example of wild democracy, sweeping away laws and institutions, with blind rage; and wading through torrents of blood, in pursuit of visionary schemes of a democratic or communistic republic. In other countries, the people have revolted against their rulers: there have been popular violence and bloodshed, and even civil war: but they have resulted in constitutional freedom, not in democracy. Kings have lost their crowns; dynasties have been changed: but monarchies have survived; and aristocracies have retained much of their former influence. Mediæval institutions have been popularised, and brought into harmony with the spirit of modern freedom. Many of these popular conquests have been won at great cost. Where blood has not been shed, there have been bitter strifes: classes have been exasperated against one another; and society has been convulsed by factions. Yet has the gain been notable. Wars have been among the greatest scourges of mankind: but they have advanced civilisation; and revolutions, which have disturbed the peace of many lands, have secured liberty and popular contentment.[1] Democracy,

Revolutionary movements.

Constitutional freedom acquired.

[1] 'It is war that makes nations. Nation-changing comes afterwards, and is mostly effected by peaceful revolution, though even then war, too, plays its part.'—Bagehot, *Physics and Politics*, 77. 'The conflict of nations is, at first, a main force in the improvement of nations.'—*Ibid.* 83

INTROD. associated with the State, has been at once satisfied and controlled.[1] Confidence has been established between rulers and their people; and nations have set forth upon a more hopeful career of prosperity and usefulness.[2]

Influence of freedom upon enlightenment.

Throughout the greater part of Europe, society has attained that degree of advancement, that a large measure of political freedom is essential to its well-being. It is the breath of social life. It gives vitality and strength to the citizens of free States: it stimulates the education and enlightenment of a people. Who can doubt the uses of political life in the cultivation of every class of society? They have been conspicuous in every period of history,[3] and are patent at the present time. Compare the nobles of Italy,—illiterate,

[1] 'Pour contenir et régler la démocratie, il faut qu'elle soit beaucoup dans l'état, et qu'elle n'y soit pas tout; qu'elle puisse toujours monter elle-même, et jamais faire descendre ce qui n'est pas elle; qu'elle trouve partout des issues, et rencontre partout des barrières.'—Guizot, *Démocratie en France*, 59.

[2] De Tocqueville, naturally appalled by the peculiar forms of French democracy, took a more gloomy view of the future of Europe. He wrote: 'Le livre entier qu'on va lire a été écrit sous l'impression d'une sorte de terreur religieuse produite dans l'âme de l'auteur, par la vue de cette révolution irrésistible, qui marche depuis tant de siècles, à travers tous les obstacles, et qu'on voit encore aujourd'hui s'avancer, au milieu des ruines qu'elle a faites.'—*Démoc. en Amérique*, Intr. 6.

[3] 'Contrast the free States of the world, while their freedom lasted, with the contemporary subjects of monarchical or oligarchical despotism: the Greek cities with the Persian satrapies; the Italian republics and the free towns of Flanders and Germany with the feudal monarchies of Europe; Switzerland, Holland, and England, with Austria, or ante-revolutionary France.'—Mill, *Repr. Govt.* 57.

[4] 'All the great movements of thought in ancient and modern times have been nearly connected, in time, with government by discussion. Athens, Rome, the Italian republics of the middle ages, the commons and states-general of feudal Europe, have all had a special and peculiar influence, which they owed to their freedom, and which States, without that freedom, have never communicated.'—Bagehot, *Physics and Politics*, 166.

indolent, and purposeless,—with the enlightened and active peers of England, who take the lead in every good and useful work. Compare the middle and working classes of Italy and Spain with the same classes in England and America. Everywhere it will be found that politics form the main education of a people. And what do they teach? The whole people are now invited to assist in the councils of their statesmen. They are free to discuss whatever concerns the government of the State,—religion, political science, history, the laws, the social condition of the people, and the diplomacy of foreign powers. How wide a range do these questions embrace, in the whole field of human knowlege! Who can fail to be enlightened by the study of them? And political studies surpass all others in the interest they excite, and the earnestness with which they are pursued. They form part of the daily life and conversation of the citizens of a free State. Books may be laid aside or read with languid inattention: but the stirring interest of public affairs arrests the thoughts, and stimulates the faculties of the most inert. Freedom is the best of national schoolmasters.

How far it affects science.

It has often been maintained, indeed, that while freedom calls forth the active and practical qualities of men, it is unfavourable to science and to reflective and philosophical thought. It has been said that the period of political decline in Greece was distinguished by its most eminent thinkers, Plato and Aristotle; that the Augustan age of Rome succeeded the fall of the republic; that the Elizabethan age followed the era of the Reformation; and that the stagnant reign of Queen

INTROD. Anne was the birth-time of modern English literature. But each of these periods of intellectual fertility had been preceded by great political struggles, in which oratory and free discussion had stirred all the faculties of men. Demosthenes, in Greece; Cicero, in Rome; the Protestant reformers of the sixteenth century, and Pim, Eliot, Hampden, Milton, and the Puritan preachers of the seventeenth, in England, had prepared the way for the literature of more tranquil times. And what period of European history is to be compared with the last half century, for scientific discoveries and inventions, for bold speculations in philosophy, for historical research, and original thought? There is room in the world for contemplative thinkers, as well as for politicians; while the awakening of the general intelligence has enlarged the sphere of their teaching, and encouraged their pursuit of abstract truth. An inert society is no fit school for genius or fruitful learning. It is not among fellows of colleges, or dwellers in cathedral towns, that we find the leaders of modern thought.

Union of old institutions with popular franchises.

Wherever the safeguards of old institutions, and a settled society, have been respected, the general aspects of popular freedom have been hopeful. The government of a State should be the representative of all the elements of its society; and political changes are most effective, when they are but the development of past experience. And in this spirit have the institutions of most European States been re-cast. Monarchies have stood their ground against democracy: but they have become constitutional. Aristocracies have retained a power inseparable from their wealth and social influence: but have been stripped of many invidious privi-

leges. And in most States they are still foremost among the statesmen and leaders of the people. The theories of philosophers who have extolled the excellence of mixed institutions,[1] have thus been exemplified in the recent political history of Europe. INTROD.

[1] Aristotle dwells with satisfaction upon the union, in the same commonwealth, of the freedom of a democracy, the wealth of an oligarchy, and the high birth and breeding of aristocracy. 'Η γὰρ εὐγένεια ἐστὶν ἀρχαῖος, πλοῦτος καὶ ἀρετή.—*Polit.* iv., c. 6. Elsewhere he says, 'The safety of every free government requires that the greater part of the citizens should enjoy a certain weight in the administration; otherwise the majority must be dissatisfied; and where the majority are dissatisfied, the government will soon be overthrown.'—*Polit.* iii., ch. 7; and again, see *Polit.* v., ch. 9. See also Polybius, *Hist.*, Pref. to Books vi. and vii.

According to Cicero, 'this alone can with propriety be called a commonwealth, where the interests of the whole people are connected, and the government is conducted with the sole view of promoting the common good.'—*De Republicâ*, i. ch. 31.

Again Cicero says, 'There remains that last species of government which is the best of all, viz. that which is moderated in its action and steadied in its course by the due admixture of all the three simple forms of monarchy, aristocracy, and popular power.' And again, 'I greatly prefer a form of government that is composed, as it were, by the fusion and combination of all the three.'—*De Republicâ*, i. ch. 29, 35.

But Tacitus, while approving of such a form of government, says, 'Laudari facilius, quam evenire, vel, si evenit, haud diuturna esse potest.'—*Annales*, iv. 33. In reference to this view of Tacitus, Lord Acton says, '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 constitution having lasted a century. If it has succeeded anywhere, it is in our favoured country, and in our time, and we know not yet how long the wisdom of the nation will preserve its equipoise.'—*Address* on 'The History of Freedom in Antiquity.'

Sir James Mackintosh says, 'The best security which human wisdom can devise, seems to be the distribution of political authority among different individuals and bodies, with separate interests and separate characters, corresponding to the variety of classes of which civil society is composed, each interested to guard their own order from oppression by the rest: each also interested to prevent any of the others from seizing an exclusive, and therefore despotic power; and all having a common interest to co-operate in carrying on the ordinary and necessary adminis-

INTROD.

Constitutional monarchies.

Monarchies continue to give unity to great States. They command the traditional reverence of society:[1] they are centres of authority, and political organisation: they unite different classes in the administration of affairs; and they give security and permanence to the institutions of the country. But the personal rule of monarchs has generally given place to the responsible councils of their most powerful and able subjects,—whether nobles, or men of the people.

Aptitudes of an aristocracy for government.

It is well that nobles have still held their place in the service of States. They have some qualities peculiar to their order. In early life their natural courage is strengthened by games, by manly sports and horsemanship. The traditions and habits of their order teach them how to govern men; and political power falls naturally into their hands. Their councils are prompt, bold and spirited. Their proud fortunes raise them above the hesitation and dread of responsibility, which are apt to oppress men of humbler lot. Such are the qualities which have made capable and vigorous statesmen, in all ages. Great in war and diplomacy, bold and resolute in council,—often leaders of the people,—nobles have ever taken an eminent place among their countrymen.

tration of government. . . . I feel my own conviction greatly strengthened by calling to mind, that in this opinion I agree with all the wise men who have more deeply considered the principles of politics,—with Aristotle and Polybius, with Cicero and Tacitus, with Bacon and Machiavel, with Montesquieu and Hume.'—*Discourse on the Law of Nature and Nations*, 40 *et seq.*

See also Tremenheere, *Political Experience of the Ancients*, 1852: *Political Experience from the Wisdom of the Ancients*, 1853; and *infra*, vol. i. 55 *et seq.*

[1] The touching motto of the King of Denmark is, 'The love of the people is my strength.'—Prince George of Denmark's speech on accepting the crown of Greece, June 1863.

INTROD.

Their conflicts with the people.

But these very characteristics, which have fitted them for command, have in many States shaken the duration of their power. Proud and defiant in their temper, they have been too ready to disregard the feelings of the people, and slow to perceive the growth of popular influence. Hence a people increasing in power have often been brought into conflict with the nobles. Sometimes they have overthrown them, as in the Greek states of antiquity: sometimes the struggle has continued for ages, with varying success. Sometimes, as in ancient Rome, and in England, the people have been gradually admitted to a considerable share of political power, and have divided with the nobles the government of the country.[1] And the like result has been attained, more suddenly, in several Continental States. This latter combination has secured the most fortunate results for the State. The lofty spirit of the nobles has given force and daring to the statesmanship of their country: while the power of the middle classes has restrained their imperious temper, modified their policy by a more prudent and conciliatory spirit,[2] and protected the interests of the community from any excesses of aristocratic rule. And the union of these classes, in the administration of affairs, has given the utmost force and concentration to the national will.[3]

[1] According to Comte, 'The English aristocracy is the ablest patriciate the world has seen since the Roman Senate.'—*System of Positive Polity*, iv. 428 (Congreve's translation).

[2] Gervinus says 'The middle class has seldom proved itself capable of political rule. As a separate body, it is neither ambitious, nor has it the leisure for the occupation, nor the inclinations or habits to assert its political position with the hand of power. To which it may be added that they are far more dependent upon the fourth class, and separated by a much narrower channel from it, than they themselves were formerly from the nobles.'—Intr. to *Hist. of 19th Century*, 128.

[1] The same author says, 'In the present day, as in the sixteenth century,

INTROD. Public opinion.

There is yet another political force, in every State, which dominates over the councils of kings and senates. This is the mysterious and inexplicable force of public opinion. It was recognised in the States of antiquity: it stirred the inert society of the middle ages: it received a signal impulse from the invention of printing and the Reformation; and, in modern times, it has acquired extraordinary power from the rapid circulation of intelligence, the constant intercourse of society, the freedom of public discussion, and multiplied facilities for the communication of thought. From its very nature, intangible and irresponsible, yet is it able to determine the policy of States, in opposition to statesmen and parliaments. It is potent everywhere; but its force is naturally greatest in free States, where its expression is without restraints; and where governments are most sensitive to its promptings. As it controls the will even of despotic rulers, it is one of the greatest forces of democracy: but it speaks with the voice of the nation,—not of the multitude.[1] It is generally directed by the intellectual classes: by statesmen and orators, by political parties, by the ablest writers in the press, and by influential leaders of opinion, in the capital and in the provinces. There is often a conflict between the views of different classes: sometimes the capital, and

the people move in masses.' 'It is this peculiarity which makes the greatness of our times.' 'The reputation of this century does not depend as much on the quality and high cultivation of the individual, as on the quantity, the extent, the spread of cultivation among the many.'—*Ibid.* 124.

[1] Perhaps I may be excused for citing my own words, in regard to public opinion in England. 'Public opinion is expressed, not by the clamorous chorus of the multitude, but by the measured voices of all classes, parties, and interests. It is declared by the press, the exchange, the market, the club, and society at large. It is subject to as many checks and balances as the constitution itself: and represents the national intelligence, rather than the popular will.'—*Const. Hist. of England*, ii. 420.

the cultivated portion of society, are at variance with provincial and popular impulses. And it is not until a general unanimity, or a clear preponderance, of opinion has been pronounced, that the national judgment is accepted. Sometimes it may represent the force of numbers: but more often it embodies the prevailing sentiment of all classes of society. Public opinion, thus formed, modified and corrected, instead of being dreaded like the threatening shouts of the populace, may be deferred to as the matured judgment of the general council of the nation. It may overrule a government: but it may also protect it against wanton and mischievous popular movements.[1] Democratic in its origin and character, it may associate itself with the State, and afford it the most powerful encouragement and support.

Its uses in the government of a State.

Public opinion is, at once, the guide, and the monitor of statesmen. The essential conditions of a good government are:—that it shall be in accord with the traditions and general sentiments of the people: that the rulers shall be unable to act, for any length of time, in opposition to the wishes of the majority of the people; and that every class shall have the means of exercising as much influence over their rulers, as will ensure a due regard to their several interests, and a reasonable confidence that such interests are not neglected. These conditions are best secured by public opinion; and if they be fulfilled, the will of the government is also the will of the people, which is, at once, the strongest and the safest polity for a State.

Freedom a safeguard against democracy.

The advance of popular freedom is also to be con-

[1] See *infra*, vol. II., chapter xxii.; and the author's *Constitutional History*, chapters ix. and x.

INTROD. sidered from another point of view. It has resulted from the general progress of society, and from resistance to misgovernment. But if the growing wealth and intelligence of society are adverse to absolute or irresponsible rule, are they not equally opposed to the extreme development of democracy? Rich and educated members of society, if powerful in resisting the domination of a monarch or of a nobility, are no less powerful in withstanding the political ascendency of other classes. Hence the first tendency of national progress is to overcome narrow forms of government, and to favour liberty; while its later tendency is to associate itself with the State, and to become the firmest of all barriers against democracy. Of this principle England offers a striking example. The wealthy manufacturers, and the middle classes, were the most strenuous supporters of Parliamentary reform in 1832, and of all the liberal measures which followed that popular triumph. But since the accumulated abuses of former times have been corrected, they have displayed conservative instincts, scarcely less marked than those of the proprietors of the soil.[1]

Large standing armies.

While democratic movements have been rife throughout Europe, the rivalry and ambition of the great Continental States have led to the raising of enormous standing armies, and a costly military organisation. This policy has, undoubtedly, arrested the development of democracy. The military spirit has been encouraged; and armies mainly designed for foreign wars, of defence or aggression, are bulwarks against internal disaffection. Standing armies are naturally

[1] See *infra*, vol. ii., ch. xxii.

viewed with jealousy, in free States; and the great military monarchies of Europe have thus opposed themselves to the progressive spirit of the present age. But it may be open to question whether this reactionary policy may not ultimately precipitate revolutions and democracy. The prodigious cost of vast armies, the intolerable burthens of conscription, the injury they inflict upon industry, and their unpopular demonstration of force, combine to cause national sufferings and discontent, to alienate the people from the government, and to provoke revolutionary sentiments. Where the people have acquired political power, will they submit to be led, like sheep, to the slaughter? will they not rather cry aloud for peace to their homes and honest industry?[1] In States mainly pastoral and agricultural, the warlike spirit of rulers will encounter little resistance; but as commerce and manufactures are extended, industrial interests may be expected to prevail over military ambition.

Ecclesiastical revival.

Another check to democracy during the revolutionary period, since 1830, has been caused by an ecclesiastical revival, in many parts of Europe. The Church of Rome has received some crushing blows in Italy and Germany; and the free spirit of modern thought has shaken her hold over the more cultivated minds of her own communion. But she has recovered much of her former power in France, in Spain, in Belgium, and in Southern Germany. She has been active in making

[1] 'Tous les divers moyens généraux d'exploration rationelle applicables aux recherches politiques, ont déjà spontanément concouru à constater, d'une manière également décisive, l'inévitable tendance primitive de l'humanité à une vie principalement militaire, et sa destination finale, non moins irrésistible, à une existence essentiellement industrielle.'—Comte, *Philos. Pos.*, iv. 713.

INTROD. converts, and extending her influence, in Protestant lands. But this revival has been signalised by dogmas, miracles, and pilgrimages, fitter for the dark ages than for the present era; and by denunciations of modern science and thought, which mark her narrow and unchangeable creed. A Church which teaches in the spirit of the eleventh century, and spurns the highest intelligence of an advancing society, cannot exercise an enduring influence over the political development of Europe, while it repels many earnest friends of liberty.[1]

Church of England.

A similar revival has occurred in the Church of England. There is no Church in Christendom so zealous in the religious and secular instruction of the people, and in all good works: but the zeal of some of her clergy has lately been taking a direction not free from danger. If she would keep her hold upon the affections of the people, the present revival must not be that of Laud, and the High Church bishops of Charles I. There must be no more leaning towards Rome. Neither the Church of Rome, nor a Romanised Church of England, can create a general reaction of religious thought, in a progressive age. It is vain to seek the revival of bygone forms of faith.

Religious moderation.

The world has changed, and the general spirit of religious thought has changed with it. The more enlightened Catholics deplore the reactionary policy of the Holy See. The great body of English Churchmen, true to the Protestant spirit of the Reformed Church, revolt against the revival of Romish doctrines and ceremonies. Other sects are not less opposed to a return to

[1] 'Les hommes religieux combattent la liberté, et les amis de la liberté attaquent les religions.'—De Tocqueville, *Démoc. en Amérique*, Intr. 15.

their ancient ways. Puritanism has lost much of its austerity and fanaticism. No such Puritans are to be found, in any sect of nonconformists, as the sour zealots of the age of Cromwell. Nonconformists are still alienated from the Church, and religious dissensions are as bitter as ever: but the majority of enlightened Christians have emancipated themselves from the superstitions and religious extravagance of former times. Religious reaction is alien to the prevailing sentiments of the present age. Meanwhile, every creed in harmony with the rational judgment of society maintains its accustomed influence; and an enlightened faith has never proved itself unfriendly to freedom.

Religious toleration.

It is to the union of religious moderation with civil freedom, that we owe the rapid advance of toleration, freedom of worship, and religious equality in modern times. In England, this just and generous policy has been accelerated by the numbers and influence of Catholics and dissenters, who have been strong enough to crown with success the efforts of liberal statesmen, in reversing the penal laws of former ages, in which toleration was unknown, alike to Catholics, to Churchmen, and to nonconformists.

Infidelity

In presence of a general religious revival, the growth of infidelity cannot be overlooked. Throughout the history of the world, mankind have been more prone to superstition than to unbelief. Paganism lost its hold upon the more enlightened minds of antiquity: but its place was taken by a purer faith, which was soon corrupted by new superstitions. Again, when the Christian faith was assailed by the Revolution in France, the wild infidelity of the revolutionary party was speedily followed by a religious reaction, and by the revival of

INTROD. the spiritual power of the Church of Rome. And lastly, in England, while the clergy have been denouncing the increasing scepticism of our age, there has been a remarkable revival of religious zeal and earnestness. But it cannot be denied that, during the last century, while superstition has been continually declining, various forms of unbelief have been gaining ground,—more particularly in France and Germany. A few words may suffice to explain how far this change of religious thought is likely to affect the progress of democracy.

Its relations with democracy.

France is the only State in which infidelity has been associated with democracy and revolution. In England, the public liberties were maintained, in the seventeenth century, by the Puritans,—the most devout of all classes of Englishmen. The scoffing infidels were to be found among the courtiers of Charles II., who derided the preaching and praying of the Roundheads. And again, during the political progress of the last fifty years, which in any other State would have amounted to revolution, the earnest nonconformists,—the religious descendants of the Puritans,—have been among the firmest supporters of the popular cause. Never has that cause been tainted by unbelief. Throughout the history of Europe, since the Reformation,—in France, in the Netherlands, in Germany, in Hungary,—political liberties have owed much to the Calvinists,—the severest school of Protestant reformers. And, lastly, to the old Puritan spirit, was mainly due the revolt of the American colonies, and the foundation of the great federal republic of the United States. In France, infidelity was allied with revolution, not with liberty: in every other State we find an earnest faith associated with freedom.

By whom favoured.

Many of the turbulent leaders of democracy and

communism avow their hostility to churches, and to religion: they preach revolution in the state, in the church, and in society. These agitators have found numerous supporters among working men in the populous cities: but they are repudiated by all friends of liberty and order. Notwithstanding a more general freedom of religious thought, scepticism is to be chiefly found among German professors, French wits and men of letters, and English cynics and dilettanti. Such men are generally ranged on the side of power: they have no leaning towards popular movements: they are dreamers, speculative thinkers, abstruse writers, clever talkers, but not men of action. They are more prone to discourage freedom, than to foment revolutions. Meanwhile, all ranks of society, and especially the middle classes, are true to the faith of their forefathers; and it is to religion, not to unbelief, that we must look for the support of rational and well-ordered liberty.

Democratic excesses.

While rational liberty has been gaining ground in many European States, its principles have been discredited by the violence and dangerous designs of democratic and socialist factions. One of the most repellant characteristics of the extreme democratic party, throughout Europe, is its irreverent spirit. Without veneration for the religion, the history, or the traditions of their own country, without respect for its great men, they are possessed by an overweening confidence in themselves. Without toleration for the opinions, or regard for the interests of others, they pursue their own objects with obstinate resolution. They seem to hate their own governments more than a foreign enemy. Their patriotism displays itself in the abuse of their rulers. In every international dispute, their own country is in the wrong. All who are not with them

INTROD. are against them, and are reviled as corrupt and wicked. Such a spirit naturally repels many noble minds, otherwise earnest in the popular cause, and confident in the people. As the frantic democracy of the French revolutionists of 1793 outraged the sober friends of liberty, throughout Christendom, so the disciples of that school in France and other countries,—red republicans and communists,—have since alarmed the higher and middle classes, who are now associated with the government of their country; and have become the strongest defenders of property and order, against the excesses of democracy.

Communism. By far the most mischievous and dangerous fanatics of European democracy, are the socialists and communists. But as their wild schemes for the reconstruction of society, are repugnant to all the principles of liberty, and to the eternal instincts of mankind, they must not be confounded with the recognised principles of political democracy. The highest ideal of a democracy is that which secures to every citizen equality before the law, freedom of person, freedom in the family, freedom of conscience, freedom of opinion, freedom of speech, freedom of trade, freedom of labour, freedom of property, freedom of action when not injurious to the State or to society, a share in the election of his rulers, and in the making of the laws by which he is governed, and in the voting of taxes which he is called upon to contribute: which provides that the enlightened will of the majority shall be the rule of all, while none shall be restrained, but for the general good; which, combining the strength of a whole people, has for its first object, security for the rights and liberties of every member of the State.[1]

[1] 'Non in ullâ civitate, nisi in quâ summa potestas populi est, ullum domicilium libertas habet.'—Cicero, *De Republicâ*; Mill, *On Liberty*.

But such an ideal of freedom is decried by communists as 'individualism.'[1] Their scheme utterly ignores liberty. The individual man is no more than a mechanical part of the whole community: he has no free will, no independence of thought or action. Every act of his life is prescribed for him. Individual liberty is surrendered to the State. Everything that men prize most in life is to be taken out of their hands. Their religion, their education, the management of their families, their property, their industry, their earnings, are dictated by the ruling powers. Such a scheme of government, if practicable, would create a despotism, exceeding any known in the history of the world. It was one of the evils of the religious creed of the dark ages, that the dignity of human nature was abased, until the nobler aspirations of men were humbled to the dust. In civil life, communism aims at the same abasement of the human character. But in the one case, men at least humbled themselves before God: in the other, they are required to prostrate themselves before their equals among men, for the sake of an arbitrary scheme of government, in which all are called upon to sacrifice their liberty, for the remote and speculative good of the community. 'For the sake of equality,' said Mably, one of the earlier masters of this school, 'the State ought to be intolerant.'[2] And in this scheme of affected equality, the higher natures are subjected to the lower. According to Louis Blanc, 'De chacun suivant ses facultés: à chacun suivant ses besoins.'[3] In other words, no man is to profit by his own strength, abilities,

Tyranny of communism.

Its depression of higher natures.

[1] Louis Blanc, *Hist. de dix Ans*, ii. 277–282.
[2] *De la Législation*, 1776: livr. iv. ch. 4.
[3] *Hist. de dix Ans*, iii. 109, 110.

INTROD. or industry; but is to minister to the wants of the weak, the stupid, and the idle. To want much and to do little, would be the aim of the communist economy. The experience of our own poor laws would furnish a fitting comment upon such principles.

Higher aims of society proscribed.

The natural effect of such theories would be to repress the energies of mankind: and it is their avowed object to proscribe all the more elevated aims and faculties of individuals, and all the arts and accomplishments of life. Babœuf even denounced intercourse with foreigners, as dangerous to principles of equality.[1] While critics of communism have shown that equality could not fail to deprive nations and society of their highest distinctions,—of genius, of learning, of the arts, of invention, of cultivated taste and manners,[2]— its professors have not shrunk from confessing their jealousy and hatred of those aspirations, which have ever been the pride and glory of mankind.

How such theories have been reduced to practice.

Doctrines so repugnant to any existing scheme of society, and to human nature, might be regarded as the visions of some eccentric Utopia. But the dreams of philosophers, in ancient and modern times,[3] were to be reduced to a terrible reality in France. It was too late to construct an ideal community, with the general consent of its individual members. Society was already established upon the basis of property, and public and

[1] Pièces saisies à l'arrestation de Babœuf, publiées en 1848.

[2] Heine, writing from Paris, in 1840, thus spoke of the communists, 'Truly only with fear and trembling can I think of the time when those dark iconoclasts shall attain empire: with their horny hands they will break up those marble statues so dear to my heart: they will shatter all those fanciful playthings and gewgaws of art, which poets loved so much: they will cut down my laurels and plant potatoes there,' &c.—*Spectator*, June 10, 1871.

[3] See *infra*, vol. ii. 323.

private rights; and the communists were resolved to subvert it. Whether by social contracts, or progressive taxation, or prohibitory laws against accumulation, or a legislative division of property, or by force, the aim of all alike was the redistribution of property, for the common enjoyment of the community.

Communism in the revolutions of France.

In the first revolution, the political principles of communism were so widely spread through the mass of the working classes, and received so much recognition, that their dangerous power continued to threaten every successive government;[1] and is still the dread of France and of Europe. Its dangers, becoming more formidable in every revolution, culminated in the brief reign of the Commune, in Paris, in 1871,[2] which revealed the power of the communist party, and the disastrous operation of their subversive principles.

Communism and workmen.

Meanwhile, the social theories of communism assumed a new revolutionary character. It had been the aim of the early revolutionists to overthrow thrones and aristocracies, in order to ensure liberty and equality. It was the further aim of the communists to crush capitalists and the middle classes.[3] Communism was accepted by working men as a revolt against capital. It was in this spirit, that they took part in the revolutions of 1830,[4] of February, 1848,[5] and in the terrible insurrection of June, in the same year.[6] For a time, they were utterly routed and cast down. The strong rule of the second empire left them no hope of a successful

[1] *Infra*, vol. ii. 283–291. [2] *Ibid.* 321.

[3] 'Pense-t-on qu'après avoir détruit la féodalité, et vaincu les rois, la démocratie reculera devant les bourgeois et les riches? S'arrêtera-t-elle maintenant qu'elle est devenue si forte, et ses adversaires si foibles?'—De Tocqueville, *Démocr. en Amérique*, Intr. 6.

[4] *Infra*, vol. ii. 248. [5] *Infra*, vol. ii. 283–285. [6] *Ibid.* 290.

INTROD. resistance in France; and at length they resolved to advance their ends, by a general combination among the workmen of Europe.

The International Society.

An 'International Association of Workmen' was accordingly established in 1864, for mutual defence against employers of labour, in all countries. But it was not enough to combat the power of capital, by combinations of working men. Capital itself was their natural enemy, and must be overcome. It had made workmen slaves; and it was now their turn to subject it to their own uses. Socialism and communism were uppermost in their councils. All rights of property were to be confiscated, in the interests of the many. They declared that the emancipation of labour, in all countries, was the end to which every political movement should be subordinate, and that it was their duty to recognise the rights of man and of citizen.[1] War was thus declared against capital; and societies of workmen were affiliated in all parts of Europe. Newspapers supported the movement, and proclaimed its objects, with even less reserve than its leaders. *L'Egalité* warned the *bourgeoisie* that they were about to be swallowed up, and that the triumph of the workmen, upon the ruins of capital, was at hand.[2] *L'Internationale* contended for the collective proprietorship of the soil, co-operative workshops, and the exclusive taxation of the rich.[3] The same journal affirmed that the working classes had overthrown the nobility, merely to put the *bourgeoisie* in their place, and that the domination of the *bourgeoisie* was the slavery of the *prolétariat*.[4] This journal, at another time, stigmatised the aristocracy and

[1] Oscar Testut, *L'Internationale*, 4.
[2] *L'Egalité*, Jan. 23, 1869.
[3] *L'Internationale*, March 27, 1869.
[4] Sept. 5, 1869.

the *bourgeoisie* as wild beasts, and declared a social revolution as the aim of the Association.

International congresses

Congresses were held at Geneva, Brussels, Basle, and elsewhere, in which the principles of the Association were boldly avowed. At the congress at Brussels, in 1868, the President, Eugène Dupont, declared—'The clergy say we wish neither government, nor army, nor religion. They say truly; we wish no more governments, for they crush us with taxes; we wish no more taxes; we wish no more armies, for they massacre us; we wish no more religions, for religions stifle intelligence.'[1] The congress at Basle, in 1869, declared that society had a right to abolish individual property in the soil, and restore it to the community; and that it was necessary to exercise that right.[2]

Local sections of the International.

Local sections of the Association also, from time to time, published their sentiments to the world. The Marseilles section, in April, 1870, wrote: 'Let the state, the church, and the *bourgeoisie* combine for a work of imposture and ignominy,—the avenging people will confound them in a common ruin.'[3] In the same month, the workmen of Lyons, addressing their countrymen, bid defiance to capital and to employers of labour, and promised to the working classes possession of the soil, the mines, and the workshops. 'Henceforth no employers; none but workers.'[4]

[1] Oscar Testut, 14. [2] *Ibid.* 10. [3] *Ibid.* 81.

[4] *Ibid.* 93. 'In the trial of communists by the Correctional Tribunal of Lyons, in April 1874, evidence was produced in proof of the dangerous doctrines of the prisoners. One of them had said, "God and property can only make tyrants and slaves, and that is why I declare against both." In a pamphlet entitled *Social Liquidation*, it was written, 'Massacres ought to be the sole thought and occupation of the working man, whose interest it is to rid himself completely of those who live by his labour;' and other evidence to the same effect was given.—*Times*, May 30, 1874.

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Their mischievous activity.

The leaders of this mischievous Association were the chief promoters of the movement of the Commune of Paris in 1871; and their dangerous activity has continued to disquiet many European States. They have found little favour among the working men of England;[1] and elsewhere they have been rigorously repressed, as dangerous conspirators against the peace of society, and the rights of property. Proudhon, one of the apostles of communism, in a memorable phrase, denounced property as theft;[2] and every government, every proprietary class, and all friends of liberty and order, have combined to put down his disciples as robbers. Whatever disorders may spring from this wide-spread conspiracy, society will be strong enough to repress and to punish them.

The future.

It is not the province of history to forecast the future; but some instruction may be gathered from the lessons of the past. All the causes of progressive popular influence, in the government of States, are in full and ever-increasing activity. All the causes which retard and control that influence, are being constantly impaired or modified. The intercourse of nations accelerates the action, and multiplies the forces of popular movements. Hence it may be inferred, that States not yet reached by democracy, will soon feel its power; and

[1] In a report of the Amalgamated Society of Engineers, in 1873, 'the council could not shut their eyes to the fact that the International Working Men's Association has departed from its original design, by having degenerated into a political society, who, through its leaders, have been permitted to be used as the mouthpiece of the disaffected from all parts of Europe, and therefore from this fact decide against any representative from our society attending the congress' (at Geneva). Other associations of English working men evinced the same alienation from the International society.—*Times*, Sept. 6, 1873. See also *infra*, vol. II. 470.

[2] 'Propriété, c'est le vol.'

that States already under its partial influence, must be prepared for its increasing force and activity.[1] But as the progress of democracy is the result of general social development, an advanced society, while commanding a greater share of political power, will, at the same time, protect the State from democratic excesses. If the latter should anywhere prevail, for a time, they will be promptly repressed: but their brief triumph will endanger public liberty and encourage political reaction. The natural advancement of society will be checked; and even a revival of absolutism may be endured, for the sake of peace and order. It should be the aim of enlightened statesmen to prepare society for its increasing responsibilities, to educate the people, to train them in the ways of freedom, to entrust them with larger franchises, to reform the laws, and to bring the government of the State into harmony with the judgment of its wisest citizens.[2]

[1] He must indeed be an enthusiastic republican, who can agree with President Grant: 'It is my firm conviction, said he, that the civilised world is tending towards republicanism. The government and, through their representatives, the people of our great republic, are destined to be the guiding star of all other countries.' (Inaugural Message to Congress, March 4, 1873.)

This sanguine forecast was followed by another, even more improbable. He added 'As commerce, education and the rapid transition of thought and matter, by telegraph and steam, have changed everything, I rather believe that the great Maker is preparing the world to become one nation, speaking one language, a consummation which will render armies and navies no longer necessary.'

[2] Instruire la démocratie, ranimer, s'il se peut, ses croyances, purifier ses mœurs, régler ses mouvements, substituer, peu à peu, la science des affaires à son inexpérience, la connaissance de ses vrais intérêts à ses aveugles instincts; adapter son gouvernement aux temps et aux lieux; le modifier suivant les circonstances et les hommes: tel est le premier des devoirs imposés de nos jours à ceux qui dirigent la société. Il faut une science politique nouvelle à un monde tout nouveau.'—De Tocqueville, *Démoc. en Amérique*, Intr. 7.

CHAPTER I.

THE EAST.

CONTRASTS BETWEEN EASTERN AND WESTERN CIVILISATION—FREEDOM ALIEN TO THE EASTERN POLITY—INDIA—PERSIA—CHINA—JAPAN—EGYPT—TURKEY—THE PHŒNICIANS—CARTHAGE—THE JEWS—THE ARYANS.

CHAP. I.

Contrasts between Eastern and Western civilisation.

IN tracing the growth of institutions, the history of the East cannot be severed from that of the West. The parent races of man are naturally associated with their descendants; and the political history of the East explains many of the causes of democratic development in Europe. Accordingly, a brief sketch of Eastern society and institutions will fitly introduce the history of European liberties. The contrasts between Eastern and European civilisation are among the most striking illustrations of the laws which govern the political destinies of mankind.

No examples of Eastern freedom.

Europe owes much to the East in her religion, in her traditions, in the first lights of her civilisation, in the early development of her arts, and in the ancestry of intellectual races who have peopled her historic lands. But freedom is the growth of her own soil.

Inferiority of Eastern civilisation.

Whatever philosophy may be found in the religious systems of the East, and whatever civilisation in Asiatic arts and manners, the people generally have never attained the enlightenment of European races.

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Their ignorance has been opposed to freedom; and their enslavement has perpetuated their ignorance. The learning and the arts of the East are strangely unprogressive. They were far advanced when Europe was a wilderness; but they were stereotyped three thousand years ago.[1] Barbarous races have since risen to a high civilisation, while the ancient culture of the East is unchanged. Other nations have cast off their superstitions and ignorance; but the Eastern mind has shown no signs of development. Its religion and its polity may be accepted as the chief causes of this intellectual stagnation; but Eastern civilisation has further been arrested by constant invasions, conquests, and exterminating wars. Such scourges cast Europe back into darkness for many centuries; and they fell more terribly upon Eastern lands. Nor did Eastern culture ever approach the standard of European thought. We may respect its early development: we may admire the gorgeous imagery of Eastern poetry, and the mystic subtleties of Eastern religions and philosophy: but the best critics of the literature of the East have agreed in assigning to it a place very inferior to that of the West.[2] No less inferior were its pretensions to science and the arts.[3] So immutable are the conditions of Eastern society, that a study of the Hindus of the present day, while it throws light upon the ancient civilisation of that people, at the same time illustrates the social history of the Persians, the Chinese, and even

[1] 'Better fifty years in Europe than a cycle in Cathay.'
Tennyson, *Locksley Hall.*

[2] See Mill, *British India*, book ii. ch. ix., where various authorities are collected. See also Von Schlegel, *Philosophy of History*, lectures iv.-vii.; Macaulay, *Life and Letters*, i. 401.

[3] Mill, *British India*, book ii. ch. x.

the Egyptians.[1] The early culture of all these nations, especially the latter, has been the subject of much exaggeration. Many of their ideas have leavened European thought and traditions: but the Asiatic mind has failed to reach the mental elevation of the West. It has proved itself inferior in religion, in morals, in science and the arts, and, above all, in freedom and the art of government. Not only has liberty been practically unknown through thousands of years: it has even been ignored in theory. Never did the founders of Eastern religions, or lawgivers, or philosophers, dream of it. Not a word is to be found in the Vedas concerning freedom or national rights. The Institutes of Menu vest the government in an absolute monarch. The Buddhists, indeed, favoured the doctrine that all men are equal; but it was barren until quickened, a thousand years later, by Christian faith: and wherever Buddhism has flourished, first in India, and afterwards in China, Japan, and Eastern Asia, liberty has been beyond the conception of the races who have embraced that religion. Not even in Indian poetry or song, is utterance given to any sentiment of liberty.[2]

India.

Some examples of Eastern States will illustrate the incompatibility of popular freedom with Asiatic principles of government.[3] India first claims our attention.

The laws of Menu.

According to the ancient laws of Menu, a king was ordained from above. 'If the world had no king,' they

[1] Mill, *British India*, book ii. ch. x. See also Talboys Wheeler, *History of India*, vol. iii., for an elaborate view of Eastern literature, and Buckle, *Hist.* i. 120 *et seq.*

[2] Draper, *Intellectual Development of Europe*, i. 59–63.

[3] According to the Census of 1871–72, the population of India, under British administration, was 190,563,048; and, including feudatory States, 238,830,958.

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declare, 'it would quake on all sides through fear; hence the ruler of the universe created a king for the maintenance of this system.' To the king divine attributes are assigned—nay, he is described 'as a divinity in human shape.'[1] A divinity is naturally served by priests, and accordingly his chief councillor is always to be 'a learned Bráhman distinguished among the rest;' his council is to be composed of 'men of noble birth, descendants of the servants of kings, learned in the holy books, and versed in war.' Priests, nobles, and soldiers were his councillors. One-fourth of the people were set apart for the profession of arms, and became an hereditary standing army. The Bráhmans assisted and advised the king in the administration of justice, or represented him in the judgment-seat. The sacred books of Menu being revered as the code of a divine lawgiver, the legislation of the Hindus was restricted to the interpretation of the holy text; and that function was the exclusive privilege of the Bráhmans. To interpret the laws, at pleasure, was at once to make and to administer them; and thus the Bráhmans assumed the rights of legislation, and of the administration of justice. In the executive government, their power was scarcely less supreme, for the king was commanded to consult them, and abide by their decision. But he was left free to command his own armies: he was also permitted to administer the revenues of his State. He was thus able to wield a great power, and to maintain a barbaric splendour, congenial to the tastes of his Eastern subjects. The government was that of a warlike king, a dominant priesthood, and an enormous

The Hindu polity.

[1] *Inst. of Menu*, ch. vii.; Mill, *Hist. of British India*, book ii. ch. iii.

army. In such a scheme of despotism, priestcraft, and military force, what place was there for freedom among the people? CHAP. I.

Nor was it the form of government only that forbad freedom. The religion of the Hindus, while it embraces some lofty conceptions of their deities,[1] expressed in language worthy of the Hebrew Psalmist, abounds with silly and childish fables, and is defiled by base superstitions and obscene rites.[2] No refinements of allegory can purify this barbarous faith; and while Pagan superstitions have utterly perished throughout the Western world, the barbarous religions of the Hindus and other Eastern races have survived, and may be witnessed, in all their grossness, at the present day. Hindu superstitions.

The Hindu laws are otherwise opposed to freedom. It is the lot of man that there should be inferior grades of society; but these are ordinarily the result of natural causes. In India, however, they are ordained, as by a divine law, and society is divided into hereditary castes, unchangeable and compulsory.[3] No such chains were ever forged for binding down the natural liberty of man. A Bráhman regards himself as of a different race from the lower castes: he despises them; he has no pity on their sufferings; he cares not for their lives; and, as they were born, so must they die, Indian castes.

[1] Their three greatest deities are Bráhma the Creator, Vishnu the Preserver, and Siva the Destroyer.

[2] Mill, *Hist. of British India*, book iii. ch. vi. See also Bryant, *Analysis of Ancient Mythology*; Colebrooke, *Asiatic Researches*; Halhed, *Code of Gentoo Laws*; Thornton, *Hist. of India*; Wheeler, *Hist. of India*.

[3] 'The caste system in India is not based upon an exclusive descent as involving a difference of rank and culture, but upon an exclusive descent as involving purity of blood.'—Wheeler, *Hist. of India*, iii. 114.

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without hope or aspirations, and without progress. The ancient Hindu laws deliberately aimed at the repression of the great body of the people: labour was an object of contempt and reproach: the masses were condemned to social degradation: they were forbidden to grow rich: they were compelled by cruel and revolting penalties to abase themselves before their superiors: ignorance was forced upon them; even to read the sacred books was a crime. Nor did Mohammedan conquests improve the lot of the people, who became subject to a foreign rule. The followers of the Prophet were pitiless conquerors, and the new faith, like the old, was theocratic: absolute rulers were an essential part of its polity: its immutable laws were prescribed by the Koran; and the creed of Mohammedans, like that of Hindus, was incompatible with freedom.

Ignorance of the people.

The ignorance of the people has been another cause of their political slavery. The early culture of the Hindus has often been extolled—by some writers far too highly—but whatever its merits, it was confined to the Brâhmans. Their crude philosophy formed part of their religious faith. Judged by European standards, their history was extravagant fiction;[1] their poetry was a tissue of bombastic rhapsodies; their chief science was astrology. Had such knowledge descended to lower castes, it would have availed them little in the formation of character; but nothing reached them but low and debasing superstitions. They displayed, how-

[1] Mr. Talboys Wheeler says:—'Sanskrit literature, whether Vedic or Brahmanic, has no historical annals in the modern sense of the word. It is devoid of all real sequence and chronology. It is grievously marred by the introduction of monstrous and supernatural fables, which are revolting to European ideas.'—*Hist. of India*, iii. 6. See the same author's account of the Hindu drama, iii. ch. vi.

ever, a rare skill in many handicrafts—in spinning, weaving, dyeing and embroidery; in delicate workmanship in gold, silver, and precious stones, and in the carving of wood and ivory. Their excellence in special industries may have been promoted by the system of castes; but that system denied their labour its natural rewards. For them there was no rising in the social scale, no escape from the toils inherited from their humble parents, to which they were doomed by the bonds of an arbitrary law.[1] Incessant labour is the common lot of the multitude, in every part of the world; but the laws of nature are not aggravated by the laws of man.[2] In India this hard destiny of the human race has been impiously decreed by earthly lawgivers.

A tropical climate adverse to the elevation of the people.

Under different conditions of climate and soil, institutions so oppressive to the population at large could not have been maintained for thousands of years. In more temperate climes, the natural development of society would long since have overthrown them. But in a tropical climate, and with a luxuriant soil, the laws of nature favoured a rapid multiplication of the people. In food and drink, in clothing, and in their dwellings, their wants were few, and readily satisfied. There were no checks upon the increase of population, save war, famine, and pestilence; and accordingly the plains of India swarmed with ever-increasing millions of inhabitants. The natural consequence of so constant

[1] Von Schlegel considers Indian castes 'in many aspects more favourable to institutions of a republican nature, or at least a republican tendency, than the constitution of any other Asiatic State.'—*Philos. of Hist.* lecture iv. But I am at a loss to understand his views.

[2] At the same time, caste compels the observance of numerous holidays.

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an increase, and so facile a subsistence of the population, was a permanent depression of the value of labour. Wages were necessarily low, and the industrial classes were hopelessly reduced to an inferior and stationary condition. Cheap labour ministered to the wealth and luxury of the few, while it weighed down the labourers in poverty and dependence. These rigorous inequalities of Eastern society have forbidden any political progress; and institutions not unnatural to an early age, and a rude civilisation, have been perpetuated to our own time. In Europe, such oppression would have provoked revolts and revolutions; but in the East, the inhuman policy of a dark age has been continued by the immutable conditions of society. The narrow and selfish laws of man, which, in other climes, could not have endured for ages, have unhappily found confirmation in the irreversible laws of nature. Among races oppressed by law and custom, and subdued by the material conditions of their existence, there was no attempt to resist oppression. Political and social power was firmly upheld by rulers; submission and obedience were meekly rendered by a people disabled for resistance by poverty, ignorance, and traditional subjection. Kings and dynasties have been overthrown by wars, assassinations, and intrigues; but never by popular insurrections.

Influence of physical laws upon the Eastern temperament.

Other physical laws have contributed to the complete subjugation of Indian and other Eastern races. They have been tied to superstitions, from the earliest times; and their imaginative and superstitious temperament has been stimulated by the majestic features, and awful phenomena of nature in the East. Mountains towering above the clouds, vast plains extending

further than the eye can reach, mighty rivers flowing from unknown lands, and ever rushing onwards to the distant sea, dense forests and jungles, and arid deserts, constantly remind them of their own insignificance; while earthquakes, tempests, pestilences, wild beasts, and poisonous snakes,[1] fill their uninstructed minds with awe and a sense of helplessness. It is not in such regions as these that a spirit of self-respect and self-assertion finds encouragement.[2]

Character of the people.

Nor must the moral and physical character of the people be overlooked, as among the causes of Eastern despotism. The Hindus, as well as other races inhabiting the plains of India, enervated by the climate, and subdued by the habits of Eastern life—a spare vegetable diet, and pernicious indulgences—are not the order of men who command freedom for themselves. The hill tribes are strong, brave, and adventurous: but their energies have been spent in frontier wars, and predatory raids upon their neighbours. They have followed their chiefs to battle, not without a rude spirit of independence; and among the brave there will always be a spirit of freedom: but they resemble the old Highland clans of Scotland, rather than a free civil society.

Village communities in India.

But notwithstanding the political and social debase-

[1] This is no imaginary danger. In 1871, 18,078 persons were reported as killed in British India by wild beasts and snakes; and Dr. Fayrer estimates that, if proper returns were kept, the deaths from snake-bites alone would be found to exceed 20,000. 'A single tigress caused the destruction of thirteen villages, and 256 square miles of country were thrown out of cultivation.' 'The natives regard a man-eating tiger as a kind of incarnate and spiteful divinity whom it is dangerous to offend.'—*Statement of Moral and Material Progress of India for* 1872–73, p. 130.

[2] The influence of physical laws upon the social and political condition of different races has been treated by Buckle, with his usual wealth of illustration, in the second chapter of his remarkable History.

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ment of the people of India, remarkable examples of local self-government have been found in their village communities.[1] These patriarchal societies, in the midst of despotic States, are interesting examples of local freedom existing for untold ages,[2] in association with political slavery. They have survived invasions, wars, dynasties, the domination of conquering races, revolutions of government, changes of religion; and they still flourish as living witnesses of antique and unchanging forms of society.[3] Their original design was the cultivation of the soil which is the common property of the community; and so far they assumed the character of agricultural companies, or co-partnerships, rather than of civil governments; but where many families were dwelling together, an organised society naturally grew up, customs amounting to laws for the management of the common lands were observed, justice was administered, taxes were assessed, public functions allotted to different members of the community, and the relations of several villages defined.

[1] Colonel Sykes, *Land Tenures of the Dekkan*, 209, 369. Colonel Sykes discovered evidence which led him to believe that Vaisáli, or Allahabad, was in ancient times a republic; *Notes on the Religious, Moral, and Political State of India before the Mahomedan Invasion*, 301.

[2] They are even referred to in the *Institutes of Menu*; Maine, *Village Communities*, 104; Talboys Wheeler, *Hist. of India*, iii. 59. For an account of the fabulous antiquity of Eastern traditions, see Mill, *Hist. of British India*, book ii. ch. i.

[3] In the words of Lord Metcalfe, 'the village communities are little republics, having nearly everything they can want within themselves, and almost independent of any foreign relations. They seem to last where nothing else lasts.'—*Rep. of Committee of House of Commons on India*, 1832. According to Sir H. Maine, 'a village commnnnity is an organised society, and besides providing for the management of the common fund, it seldom fails to provide, by a complete staff of functionaries, for internal government, for police, for the administration of justice, and for the apportionment of taxes and public duties.'—*Ancient Law*, 262.

Their constitution.

The constitution of these communities is not everywhere the same. In some there is a council of elders, who declare the customs of the village, and ensure their observance; in some there is an elective or hereditary headman, who takes the place of the council; in some, one family enjoys hereditary superiority over one or several villages, like that of the chief of a clan.[1] The head of each family is despotic in his own household.[2] The council does not assume to make new laws, but declares the ancient customs by which the community are bound; in short, it is judicial rather than legislative.[3] When there is a council, its character appears to be virtually representative, consisting generally of the oldest men of the village.[4] In addition to the cultivators of the soil, these villages also comprise the hereditary members of various trades and handicrafts—blacksmiths, saddlers, and shoemakers—a village police, and a village accountant.[5] These men work for the whole community, and are paid in kind, or by an allotment of land.[6]

Their principles not democratic.

These societies, however remarkable as examples of local self-government, have few of the elements of democracy. Even where the ascendency of particular families has not created an oligarchy, the iron rule of ancient customs, and of castes, has left little free will to the community. They live on, from one generation

[1] Maine, *Village Communities*, 68, 108, 122, 155, 176.
[2] Ibid. 107, 113.
[3] Ibid. 116.
[4] Ibid. 124.
[5] Ibid. 125, 175.
[6] Ibid. 126, 175. Further details relating to the village system in India will be found in the *Reports of Parliamentary Committees in* 1812 (fifth Report) *and* 1831–32 *on the Affairs of India*; in Martin, *Hist. of the Colonies*, lxx. 120, 121; Mill, *Hist. of British India*, book ii. ch. v.; Colonel Sykes, *Land Tenures of the Dekkan*, 209, 369; and Tytler, *Political State of India*, 111 *et seq.*

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to another, in the monotonous course of Eastern life; and if the form of their government sometimes resembles a republic, they cannot be said to enjoy liberty, as understood in Europe.

As the villages are types of a primitive society, little removed from the patriarchal, it is not unreasonable to conjecture that before the great invasions by which India was overrun, and before the sway of conquering rulers had been firmly established, there may have been more of freedom, in these simple associations of families, than in later times. They were formed by the Aryan and other races who occupied India in the earliest ages;[1] and they bear a strong resemblance to Teutonic institutions in Europe.[2] Under more favourable conditions, they might have developed the free spirit of those Aryan races who migrated to the West, where their descendants have furnished the most signal illustrations of political liberty, in the Greeks, the Romans, and the Teutons.[3] Indeed, the principles of self-government were so apparent, in this village life, that the Greeks, familiar with their own more advanced institutions, were impressed with the belief that there were republics in India.[4] But the absolute power of the Hindu kings and Bráhmans,[5] and the

[1] Wheeler, *Hist. of India*, iii. 59.

[2] 'The village community of India exhibits resemblances to the Teutonic township, which are much too strong and numerous to be accidental. . . . It has the same double aspect of a group of families united by the assumption of common kinship, and of a company of persons exercising joint ownership of land.'—Maine, *Village Communities*, 12.

[3] Further studies of these questions may be pursued in the works of Von Maurer and Professor Nasse, in Max Müller, *Science of Language*; Freeman, *Comp. Politics*; Maine, *Village Communities*; and Cox, *Hist. of Greece*, ch. ii.

[4] See Von Schlegel, *Phil. of Hist.*, lecture iv.

[5] *Inst. of Menu*, ch. vii.; Mill, *British India*, book ii. ch. iii.; Orme,

customs of Eastern life, forbad the growth of political freedom. There was no progress in society, as in Europe: but self-government in these little communities could not be divested of its free character, notwithstanding the dominion of kings and priests, and the cruel and merciless laws of the Hindu code.[1] It was reserved for more favoured realms, free from the pernicious influences of the East, to develope the primitive village communities of India into the town communities of ancient Greece and Italy, and the commune and parish of modern Europe.[2] Whatever measure of liberty these small societies enjoy, they form oases in the political desert of India. Elsewhere there has been no vestige of freedom: but kings, chiefs, and priests have held the minds of millions of human beings in pitiless subjection.

English rule favourable to freedom.

In later times, the enlightened rule of England has introduced into India the administration of an advanced European State. Western civilisation is spread throughout the land. Education has been encouraged; a free press has arisen; justice is impartially administered; the taxes are equitably levied; natives are associated with the government; the material interests of the country are developed; and an Eastern rule is tempered by the constitutional principles ot a free State. England has already given more liberty to India than she ever aspired to, under her former rulers; and, in future times, an Eastern people may possibly share the political privileges of their Teutonic conquerors.

[1] Mill, *British India*, book ii. ch. iv.; Colebrooke, *Digest of Hindu Law*; Sir W. Jones, *Works*, iii. 26-62; Halhed, *Gentoo Code*, passim.

[2] 'Municipal institutions in India were, in their present form, the creation of our government, and are quite distinct from the old village communities.'—*Moral and Material Progress of India*, 1874, p. 3.

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Persia.

Persia, an ancient and historic State, is another example of an Eastern polity. From early ages the kings of Persia were absolute; their persons were held in reverence, as sacred. Sometimes they consulted the military princes of the royal house, sometimes they were at war with these powerful chiefs. There was an established priesthood, who, as in other Eastern States, enjoyed the monopoly of learning;[1] and there was a numerous and well-organised army, maintained for the service of the king.[2] The people were divided into distinct classes or castes: but it does not appear that the bondage of caste was ever so great as in India.[3] There was a vigorous executive administration under Satraps, whose rule was as despotic as that of the king himself.[4] It were idle to seek any traces of liberty in a State like this,—the very type of Asiatic despotism. And down to the present day, the Shah of Persia may be seen ruling his dominions as one of the most absolute monarchs in the world.[5] He is the vice-

[1] We learn that 'the primeval faith of Persia was a firm belief in one Supreme God, who made the world by his power, and governed it by his providence: a pious fear, love and adoration of him; a reverence for parents and aged persons; a fraternal affection for the whole human species, and a compassionate tenderness even for the brute creation' —Malcolm, *Hist. of Persia*, i. 185. Had so noble a faith not been corrupted by the superstitious worship of the planets and of fire, how great might have been its influence upon the civilisation, and possibly even the liberty, of the Persians!

[2] Malcolm, *Hist. of Persia*, i. 125, 182, 264, 272; Herodotus, vii. 8, viii. 67; Arrian, v.

[3] These classes were, 1. The Priesthood; 2. the Writers (or civil service), to keep the State records and accounts; 3. soldiers; 4. artificers, husbandmen, and tradesmen; which were, indeed, the natural divisions of society; Malcolm, *Hist.* i. 17, 182, 205.

[4] Malcolm, *Hist.* i. 266; Heeren, *Hist. Researches* (Persians), i. 230 *et seq.*

[5] Malcolm, *Hist.* ii. 428.

gerent of the Prophet, and is absolute master of the lives and fortunes of his subjects.

The condition of the people is generally that of other Eastern lands. The cultivators of the soil are oppressed: there is no security for property or industry; there is no social progress. Their implements of agriculture are rude and primitive, after the fashion of remote ages; their national arts and manufactures continue without improvement. The only class enjoying any measure of freedom are the predatory and warlike nomads, who range over wild and rocky tracts, beyond the reach of tyranny. The Persian intellect is of the true Eastern type. The learned have acquired some science from the Arabians; but their knowledge has neither been extended nor applied. Their history is fabulous: their poetry, rich in the flowery metaphors and imagery of the East, is yet bombastic and extravagant.[1] A government and a society so characteristically Eastern afford no basis for the growth of freedom. The country has been convulsed by frequent insurrections: but no change of religion or dynasty has mitigated the despotism of its government.

China; its early civilisation.

Another Eastern State demands special attention, as presenting examples of a peculiar government and society. The Chinese Empire is of great antiquity, and at an early period had attained an advanced civilisation. It was forward in useful inventions, and anti-

[1] Omar Khayyám, the astronomer-poet of Persia, who flourished at the end of the eleventh and the beginning of the twelfth century, must be separated from the race of Oriental poets. He has been compared with Lucretius, and in speculative thought and poetic feeling, he certainly shows more affinity to the European, than to the Asiatic mind. His Rubáiyát, or stanzas, have been lately rendered into English verse, and remind us of Percy Bysshe Shelley (3rd edit., Quaritch, 1872).

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cipated Europe in the discovery of the mariner's compass, in the manufacture of paper, porcelain, and gunpowder, and even in the art of printing. Learning and letters were also cultivated, not only by priests and chosen rulers, but by considerable classes, under the encouragement of the State. Without any intercourse with Europeans, the civilisation of the country advanced, in parallel lines, as it were, with that of Europe; and more than a thousand years ago this isolated Eastern State had attained a knowledge of the arts and sciences, and a material welfare, not inferior to that of any contemporary State in Europe.[1]

Theoretical principles of the Chinese government.

Such enlightenment should give promise of freedom; and theoretically the institutions of China have been founded upon more liberal principles than those of any other Eastern State. From the earliest times, the emperor was regarded as a patriarch, deriving his power from heaven, and accountable to heaven alone for its just use. Two successful rebellions, the one 1766 B.C. and the other 1122 B.C., were expressly justified on the ground that the reigning sovereigns had not fulfilled the decrees of heaven, and had forfeited their rights to the throne.[2] And Confucius, the great moral teacher and lawgiver of China, illustrated the principles of its government by these instructive examples. Mencius, another Chinese sage, who was born about 400 years B.C., carried the principle of the responsi-

Confucius born 549 B.C.

[1] See Du Halde, *Description de la Chine*; Le Comte, *Mém. sur l'état présent de la Chine*, 1696-97; Gutzlaff, *Hist. of China*; Sir G. Staunton, *Embassy to China: Miscellaneous Notices Relating to China*; Sir John Davis, *The Chinese*; *China during the War and since the Peace*; Dr. Morrison, *Chinese Miscellany and Dictionary*; Murray, Crawfurd, Gordon, &c.; *Hist. and Descr. Account of China*; Williams, *Middle Kingdom*.

[2] Williams, *Middle Kingdom* (4th edit. 1861) i. 297.

bility of the emperor much further. He laid it down that 'He who gains the hearts of the people, secures the throne; and he who loses them, loses the throne.' And, further, 'When the prince is guilty of great errors, the minister should reprove him: if, after doing so again and again, he does not listen, he ought to dethrone him and put another in his place.'[1] Such doctrines as these were nearly two thousand years in advance of the principles asserted, in the Netherlands and in England, in the sixteenth and seventeenth centuries.

Restraints upon the power of the emperor.

Such are the theoretical relations of the emperor to heaven and to his people. But whatever the abstract theories of his rule, the emperor is the supreme head of the State, the vicegerent of heaven, appointed 'to govern all nations:' his power is absolute. Like the Pope, he claims to interpret the decrees of heaven itself. In state, in titles, and in reverence, this celestial sovereign surpasses all other monarchs.[2]

His power, though absolute, is controlled to an extent unusual in Eastern States. He is bound to govern, like a constitutional sovereign, according to the laws of the land. And these laws are not left to be declared by priests, or rulers: but are comprised in an ancient code, commencing twenty centuries ago, constantly improved and corrected by the legislation of successive generations, and republished every five years, in an authentic form.[3]

Chinese jurisprudence.

With many of the faults of a barbarous system of

[1] *Historical and Descriptive Account of China.* By Murray, Crawfurd, Gordon, &c. ii. 71; Williams, *Middle Kingdom*, i. 525.

[2] *Chinese Repository*, iv. 12.

[3] Williams, *Middle Kingdom*, i. 300.

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jurisprudence,—the use of torture and cruel punishments,—this code is superior, in enlightenment, in juridical science, and in all the best qualities of legislation, to the laws and institutes of any other Eastern people; and may be compared, not unfavourably, with the laws of many European States.[1] Such a body of laws, though badly administered, are yet a testimony to the enlightened spirit of the government, and afford securities to the people for the observance of their rights.

Chinese functionaries.

Nor is the celestial potentate, at Pekin, left to govern according to his own absolute will. He is assisted by a council, or cabinet of six ministers or chancellors, who deliberate concerning the affairs of the empire, and advise him, in the exercise of all his powers. There is, also, a general council, consisting of princes of the blood, the chancellors of the cabinet, and other high functionaries.[2]

Boards and other offices.

Further, there are six great boards, to which the administration of the several departments of the public service is entrusted.[3] The provinces are governed by viceroys, invested with extensive powers, and living in great splendour: but they are accountable to the boards for the proper administration of their governments.[4]

Vices of administration.

This extended administrative organisation resembles that of a European State: but it is administered with the corruption, the cunning, the injustice and oppression of Asiatics.[5] The multiplication of intelligent public officers, however, throughout the empire, cannot

[1] Sir George Staunton's translation of the Penal Code, 1810; *Edinburgh Review*, xvi. 476; Williams, *Middle Kingdom*, i. 306.

[2] Williams, *Middle Kingdom*, i. 326.

[3] Ibid. i. 329 *et seq.*

[4] Ibid. i. 344.

[5] Ibid. i. 353, 377 *et seq.*

fail to intercept a considerable portion of the Imperial power.

Censors.

Among the high officers of State are the censors, whose duty it is to warn the emperor of faults committed by himself, or by any departments of his government; and it is affirmed that they are not unmindful of their ungracious duties.[1] They are the terror of mandarins, whose administration they watch, and whose delinquencies they expose.

Extensive system of education.

Another limitation of the absolute power of the emperor is to be found in the encouragement of public education by the State. In this enlightened policy, the Chinese Empire is honourably distinguished from all other Eastern countries; and, in some respects, has been far in advance of the States of Europe. The only avenue to the public service has, for many centuries,[2] been proficiency in learning. Candidates undergo various examinations, to qualify them for the different grades of the public service: they receive degrees to mark their attainments; and the best are selected for public employment. Thus while the State secures a large body of instructed servants, thousands of educated men, who fail to obtain public employment, are spread through the country, and earn a livelihood as schoolmasters or otherwise. In most families there is at least one member who can read; and his reading is listened to with unfailing interest. Everywhere learning is respected, as the sole road to power and distinction.[3]

[1] Du Halde, ii. 36 *et seq.*; Williams, *Middle Kingdom*, i. 337–339.

[2] This system was introduced about A.D. 600.

[3] Williams, *Middle Kingdom*, ch. ix. See also Biot, *Hist. d'Instr. publique en Chine.*

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Its influence upon public opinion.

By these educational measures, while enlightened public officers are secured for the service of the State, a considerable class of educated men are dispersed throughout the Empire.[1] There being no hereditary nobles, and few men of great wealth, this class has acquired a position of peculiar importance: they are the aristocracy of Chinese society. And in China, as elsewhere, the influence of large bodies of enlightened men is a restraint upon despotism. The literati, or educated class, form a public opinion which sometimes sways the councils of the emperor. Nor is this public opinion the only check upon the government. The people are impressed with a traditional belief in the duties of the emperor towards his people, and are prompt in resisting oppression. No country has suffered more than China from numerous and formidable insurrections. The influence of Chinese education is considerable: but it is impaired by its formal and traditional character. Directed by the State, it continues from one generation to another, without improvement or expansion, and is barren of invention or original thought. The knowledge of the Chinese is as ancient and unchangeable as their customs.

Insurrections.

Village communities.

Here are many of the incidents of a free State; and there are also certain local customs, assuming the forms of self-government. In the cities there are guilds and associations, exercising some municipal functions;[2] and in the country, we find village communities electing their elders, for the direction of local affairs.[3]

Religion.

In its religion, China as little resembles other

[1] 'The Literati are the gentry, the magistrates, the governors, the negotiators, the ministers of China.'—Dr. Morrison, *Chinese Miscellany* (1825), 43.

[2] Williams, *Middle Kingdom*, i. 388.

[3] Ibid. i. 384.

Asiatic States as in its institutions. There is no mysterious and all-powerful priesthood, assuming to declare the will of the Deity, sanctified by superstitious rites, and supported by State revenues. No faith can be more simple: being the worship of the Supreme Being, or spirit, to whom sacrifices are sometimes offered. So simple and abstract, indeed, is this faith, that the mandarins and literati, who profess it, are imbued with a spirit of scepticism; and by many writers have even been described as Atheists. Such a national faith as this might, at least, have been expected to favour toleration: but all other forms of worship are rigorously proscribed by law. Such proscription, however, is vain. The State religion is far too simple for the ignorant multitude who have embraced the superstitions of Tao-tse and of Fo, or Boodh, and believe in astrology, divination, magic and sorcery. Elsewhere the people have learned superstitions from the State: but in China, they have revolted against the State religion, and have adopted superstitions of their own, as gross as any by which the minds of Eastern races are enthralled.[1]

Industry of the people.

The Chinese people are among the most ingenious and industrious in the world. Every inch of ground is laboriously cultivated: irrigation is carefully applied: rare products of the earth—tea, silk, and cotton—are raised in abundance: minerals are skilfully worked: manufactures in silk, cotton, porcelain and ivory flourish: the Chinese excel in every kind of handicraft: the extent of their trade and navigation is marvellous.

[1] Murray, Crawfurd, &c., *Hist. and Descript. Account of China.* For a full account of religion in China, see Williams, *Middle Kingdom*, ch. xviii.

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From early times the country has been intersected by canals, and inland navigations; and these channels of communication, as well as the sea coasts, are covered with innumerable craft, of all sizes and descriptions: an immense population live upon the waters: fisheries are everywhere carried on with rare industry and ingenuity.

Causes of the absence of freedom.

Among such a people as this, we might expect to find freedom as the result of so widespread a civilisation. Intelligent, industrious, inventive, enterprising: occupied in trade, manufactures, and navigation: why are they not free? In Europe they would long since have commanded freedom: in Asia their lot is that of slaves. Why is this? The causes may be briefly stated. Superstition and a repressive Eastern government are fatal to freedom: but social causes contribute to the same result.

Want of wealthy and middle classes.

There are no wealthy classes in China. When riches are acquired they are soon dispersed: accumulation is rare: the families of the rich are soon mingled with the toiling mass of the people. Nor is wealth respected in China as in other countries: all honour being reserved for public employments and learning. There are no independent and prosperous landowners: but the land is subdivided into an infinite number of small holdings, generally cultivated by the owners themselves. These poor peasants toil early and late, to secure a bare subsistence. Hence there is a marked absence of a middle class. Society is composed of mandarins and literati, on one side, and millions of industrious and wealth-producing people, on the other, who never grow rich themselves. But, above all, the climate, the soil, and the cheap food and clothing of the people in

Density of population.

this Eastern region, have encouraged the most extraordinary multiplication of its inhabitants. In no other country in the world is the population so dense: its hundreds of millions[1] swarm over earth and water,[2] and are now overflowing into distant lands across the ocean.[3]

Moral condition of the people.

This latter cause alone would prevent that social development which assures freedom. But there are moral causes which contribute to the abasement of Chinese society. The superstitions of the people are too gross to admit of true enlightenment: their knowledge, remarkable as it is, is narrow and unprogressive: their instruction is prescribed by the State, according to certain fixed standards: independent thought and inquiry are sternly discouraged; and nothing may be learned from foreigners. Again, the race are singularly mild, timid, and unresisting. Often provoked to rebellion by intolerable oppression, they are generally as docile as sheep. One other trait of Chinese character must not be overlooked. The people are selfish and unsocial: living apart in families, and indifferent to the welfare, or the sufferings, of their neighbours: they have few human sympathies: they work apart, in their several callings, without partnerships or combinations: they care not to lend a helping hand to

[1] The population of China is now estimated at upwards of 400,000,000; Dixon, *White Conquest*. For an account of several censuses and other estimates of population, see Williams, *Middle Kingdom*, ch. v.; also Von Schlegel, *Phil. of Hist.*, lecture iii. The latter author assigns reasons for believing that the population is not greater than the country can support.

[2] 'China is the poorest and most crowded country in the world.'—Dixon, *White Conquest*, ii. 212.

'Keang-Su has twice as many persons on a square mile as Belgium, the most thickly peopled corner of Europe.'—Ibid. 215.

[3] For an account of the Chinese emigration to the United States, see Dixon, *White Conquest*.

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others; and value little even their own wretched lives. Such a race as this cannot work together for the common good: they are poor units of humanity, wholly wanting in the first conditions of social advancement and freedom.

Japan.

Japan—a country no less singular than China—demands a passing notice. Its civilisation, like that of China, had advanced on its own lines, independently of Western teaching and examples; and in arts and useful inventions might have been favourably compared, for many centuries, with European States. But its political and social life has ever been purely Asiatic. The Mikado, or emperor, is absolute in spiritual and temporal affairs: but for ages his civil power had been usurped by a Mayor of the Palace, or Tycoon, and by the Daimios, or feudal nobles. His spiritual attributes were revered: but they doomed him to a holy seclusion, while others governed in his name. At length, in 1868, the Mikado quitted his sacred retirement, and assumed the active government of his empire. He summoned the Daimios: he resumed his feudal rights over their vast estates; and restored his Imperial rule. But Western ideas had now found their way into the councils of Japan. The Mikado determined to assemble a national council, or parliament, and declared that 'the practice of discussion and debate shall be universally adopted, and all measures shall be decided by public argument.' Rules and regulations were prepared for the Parliament, upon a European model; and it was divided into numerous standing committees. It was opened in due form, by an Imperial message; and this ceremony was followed by debates of rare wisdom and brevity. At the same time, a liberal spirit was displayed by the Japanese

Introduction of European customs.

government. Intercourse with foreigners was favoured: railways, telegraphs, and other public works were encouraged: education was promoted: freedom of the press was recognised;[1] and praiseworthy efforts were even made to reconcile the various discordant forms of worship, and to establish a single religion, which should embrace the whole empire in its comprehensive faith.

How far free institutions to be expected.

A change of policy, so sudden and complete, could scarcely be expected to endure; and the experiment of parliamentary institutions was not long continued: but the administration of Japan has become enlightened and progressive: European experience is accepted as its guide: foreigners are employed in its service; and Eastern customs and ideas are giving way before Western civilisation. It remains to be seen whether an Asiatic State can successfully advance in the direction of political freedom. It is not without some hopeful conditions. It has feudal nobles as political leaders: an intelligent people: European teaching: increasing wealth: a geographical position well fitted for maritime commerce, and extended intercourse with foreigners; and an interesting political problem still awaits solution.

Egypt.

Its religion and polity.

Egypt, though geographically removed from these Asiatic States, has exhibited the same characteristics. Its ruling race sprang from an Eastern stock, and brought with them Eastern traditions and customs. This mysterious country, of fabulous antiquity, and renowned for a high culture when the light of civilisation had not yet dawned upon Europe, was yet so purely Eastern in its government and in its religion, that no traces of freedom can be discovered in its history. Its

[1] See the very interesting correspondence respecting the affairs of Japan 1808–1870, presented to Parliament in 1870.

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rulers were absolute: its people slaves. Its religion was debased by low superstitions and idolatry:[1] its hereditary priesthood were as encroaching, as crafty, and as powerful as the Bráhmans of Hindustan. A long succession of dynasties had reigned for many centuries. Society was divided, as in India, into castes.[2] Of these, the priesthood were the highest: they were not only supreme in the mysteries of religion, but as chief officers of the king ruled over the State: they were custodians of the laws, which they alone were qualified to expound: they were the sole professors of jurisprudence, of medicine, and of architecture: all learning, history, and science were left to their sacred teaching. So exalted was their caste, that it even embraced the king himself.[3] Being all-powerful, they naturally secured exemption from the burthens of the State. The caste of soldiers was next in rank; and they were carefully organised in one of the most ancient standing armies in the history of the world.[4] The ascendency of these ruling castes, over an oppressed and degraded people, was the more easily maintained, as they were sprung from a superior race, while the people were chiefly composed of a lower type of mankind—the natives of Africa. In an Eastern State, governed by an absolute king, by priests and soldiers, a grinding slavery was the natural lot of the people.

[1] Of all the superstitions to be found in the Roman Empire, Gibbon pronounced the Egyptian to be 'the most contemptible and abject;' *Hist. of Roman Empire*, i. 52.

[2] Wilkinson, *Manners and Customs of the ancient Egyptians*, ii. 236 *et seq.*

[3] Ibid. 1st ser. ch. xii. xiii.; 2nd ser. xiii. xvi.

[4] Herodotus, ii. 37, 164–168; Diodorus, i. 28, 54, 74, &c.; Wilkinson, *Manners and Customs of the ancient Egyptians*, i. 4, ii. 285 *et seq.*; Heeren, *Hist. Researches* (Egyptians), ii. 98-200.

The enlightenment of Egypt was, indeed, remarkable: but it was the enlightenment of the governing class, not of the people; and it is only where a people are enlightened and raised in the social scale, by improved fortunes, that we may expect to find political freedom.

Its enlightenment confined to the rulers.

The laws and customs of Egypt had never allowed the people any measure of social independence; and the physical conditions of the country further contributed to their subjection. Its climate was hot, like that of the East: its soil, fertilised by the Nile, was extraordinarily productive. Hence, as in India, food was abundant: the cost of living generally cheap: the wants of the people were few and easily satisfied: a rapid multiplication of their numbers was encouraged, and the value of their labour consequently depressed. There was no hope of their rising above the lowest scale of life; and it was ever their lot to labour like beasts of burthen.[1] The laws of nature concurred with those of man, in maintaining the despotism of rulers, and the slavery of the people.

Physical conditions of the country.

The long line of native Egyptian dynasties fell before the conquering Romans, Saracens, and Turks; and one of the most ancient kingdoms of the world, at length, became a Turkish province. To other causes of oppression were now added the rule of conquerors, and the faith of Islam. Of all the religions of the world, none have been more opposed to freedom than that of Mohammed.

Egypt a Turkish province.

Of late years, enlightened viceroys have striven to introduce European civilisation, improved administration, and even representative institutions. The

Modern civilisation in Egypt.

[1] Buckle, *Hist.* ch. ii.

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material interests of the country have been promoted by great industrial undertakings, and aided by the boldest devices of European finance: but no changes have disturbed the immutable Eastern administration of the State. The Khedive is absolute, and the people are still held in hopeless subjection.

Turkey.

The comparatively modern State of Turkey is of the true Eastern type, and exhibits the same political conditions as the more ancient Asiatic governments. By successive conquests the Turkish hordes, advancing from the East, founded a great empire in Asia, in Africa, and even in Europe itself. The warlike followers of the Prophet overcame their Christian foes, seized upon the famous capital of the Emperor Constantine, and overran many favoured lands, which had been memorable in history. In the fifteenth century, Europe was advancing rapidly in enlightenment and freedom: but wherever the withering influence of the Mussulman rule prevailed, civilisation was arrested. Asia had encroached upon Europe; and the Western conquests of Turkey became Asiatic provinces. Other Eastern races who had invaded Europe had become naturalised in their new homes: but the Turks have ever maintained their dominion, as conquerors; and have perpetuated their faith and their polity in Christian lands. A fanatical and debasing religion: a despotic sultan: the immutable laws of the Koran: a stolid fatalism: provinces under the tyranny of corrupt and arbitrary pashas: a people ignorant and oppressed —such have been the natural characteristics of Turkish rule.

Contrast to European States.

This Asiatic State presents an instructive contrast to its European neighbours. Under the most favour-

able conditions for social progress: with territories which were the seats of ancient civilisation: with lands fertile, populous, and well situated: with much mineral wealth: with a capital wrested from the Eastern Roman Empire: with shores where commerce had flourished throughout all ages: in close proximity to the prosperous States of Europe—Turkey has been languishing and decaying, while other European States have been making marvellous advances in moral and material improvement. The rigid and fanatical faith of Mohammed, the haughty spirit of conquerors, and an Eastern rule, have crushed the intelligence and natural development of society. An imitation of European customs, including the perilous art of borrowing, has been lately affected: but in the hands of Eastern rulers, the civilisation of the West is unfruitful; and instead of restoring a tottering State, appears to threaten it with speedier ruin.

But among some few ancient peoples of Eastern race, favourably placed upon the coasts of the Mediterranean, are to be found exceptional evidences of self-government, and popular freedom.

Phœnicians.

The Phœnicians were distinguished alike for their commercial enterprise and for their intellectual activity.[1] At an early age in the history of the world they cultivated science and the arts: from them Greece borrowed her alphabet. Their culture and their maritime commerce prepared them for freedom; and Tyre, Sidon, and Aradus, though under the rule of kings, assumed, for a time, the form of municipal republics.[2] A federation of Phœnician cities was held

[1] In the Scriptures Phœnicia is known as 'the land of Canaan.'

[2] Grote, *Hist. of Greece*, ii. 89; Guizot, *Hist. de la Civ. en Europe*, 31;

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at Tripolis. The Phœnicians were neighbours of the Jews: of the same Semitic race, and speaking a language akin to the Hebrew: they claimed greater antiquity as a State, and a more advanced civilisation:[1] yet comparatively little is known of their institutions. Their proximity to the coast, and their great commercial activity, were favourable to the growth of liberty: but the influence of Eastern customs was probably too great to admit of its development.

Carthage.

From Tyre, one of the most famous of the Phœnician cities, sprang the Carthaginians, who founded their memorable State upon the southern shores of the Mediterranean. Like their Phœnician ancestors, they flourished in commerce and maritime enterprise. They became wealthy, powerful, and aggressive, until Carthage grew into a rival of Rome. Their traditions and their maritime pursuits combined to favour self-government. The constitution of Carthage was that of an aristocratic republic, with a considerable element of democracy. Aristotle compared it with the constitutions of Sparta and Crete, and honoured it with his commendation. He remarked that, though Carthage had for many centuries contained a numerous and a free people, it had never suffered from any serious sedition, nor endured the cruel yoke of a tyrant.[2] It was governed by a senate, composed of wealthy citizens, and men who had performed eminent services to the State: by a council of 104 magistrates, chosen

Mövers, *Die Phönizier*; Mr. Gladstone's *Juventus Mundi*, ch. v.; Kenrick, *Phœnicia*; Heeren, *Hist. Researches* (Phœnicians), i. 294-301.

[1] The Jewish chronology extends to about 2000 years B.C. The Phœnician reaches some hundreds of years earlier—perhaps 2750, or about the fourteenth dynasty of the Egyptian kings.

[2] *Polit.* book ii. ch. ix.

by the people, whom Aristotle likened to the Ephors of Sparta; and by two suffetes, or chief executive officers, who, though called kings by Greek and Roman writers, were, in truth, chief magistrates elected for life. They presided over the senate, and submitted questions for its deliberation. When the suffetes and the senate could not agree upon any matter of State, it was referred to the determination of the people. And, at other times, it was usual to consult the people upon questions of peace and war, and other important matters affecting the welfare of the State. The magistrates were either elected by the people, or chosen by the senate, and approved by the people. There were common tables, as at Sparta and Crete; and there were clubs of the principal citizens, or *circuli*, at which political subjects were discussed. But in course of time, there grew up certain smaller Councils of Five, or Pentarchies, chosen from the senators, which assumed extraordinary powers: they were self-elective and permanent: they elected and controlled the magistrates: they watched over the conduct of generals.[1] Their ascendency reduced the State nearly to an oligarchy. They resembled the celebrated Council of Ten, in the republic of Venice; and other analogies may be discovered in the constitutions of these two remarkable States which flourished at different periods, and sprang from different races, the one Semitic and the other Aryan. The preference of wealth to merit, in the choice of magistrates, and officers of State, and the concentration of numerous offices in the same families, further tended to contract the constitution into an oligarchy.[2]

[1] Arnold, *Hist. of Rome*, ii. 550.

[2] Aristotle, *Polit.* book ii. ch. ix.; Cicero, *de Legibus*, book iii. ch. xiv.;

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This prosperous and enlightened State, however, continued a republic throughout its strange vicissitudes of fortune, until it fell under the vengeance of its ruthless enemies, the Romans.

The Jews.

But by far the most interesting example of freedom, in an Eastern race, is that of the Jews. Palestine

Description of Palestine.

was favoured by nature, with a fine climate and a fruitful soil, which developed an early civilisation. But these natural advantages were accompanied by other conditions which discouraged the sloth and effeminacy of the people—too often associated with the luxuriant abundance of Eastern climes. There were earthquakes, floods, hot winds, and tempests: there were plagues of locusts and scorpions: there were fearful visitations of pestilence: there were incursions of hostile tribes. Beyond their fertile plains stretched the burning desert and rocky mountains, in contrast to their own more fortunate land. One side of their narrow territory was bounded by the far-reaching sea. Naturally a gifted people, these conditions gave elevation to their character. Surrounded by the mysterious forces of nature, they were led to revere the transcendent power of Jehovah, and to become a religious people. In defence of their homes they were trained to arms; and the sea, with its maritime and international associa-

Their early institutions.

tions, encouraged a spirit of freedom.[1] For ages their society continued patriarchal; and no king had risen up amongst them. From an early period, in their history, the Hebrews had a congregation or assembly,

Livy, book xxxiii. ch. xlvi. xlvii.; Polybius, vi. 51; Diodorus, xx. 10; Justin, xix. 2; Valerius Maximus, ii. 7; Mövers, *Die Phönizier*, ii. 483 *et seq.*; Grote, *Hist. of Greece*, x. 548; Heeren, *Hist. Researches* (*Politics and Commerce of the Carthaginians, &c.*), i. 105-142.

[1] Ewald, *Hist. of Israel*, Intro. sect. iv.

in which the tribes met and discussed the affairs of peace and war.[1] Its usual place of meeting was the sanctuary: its president was the High Priest, through whom, in cases of great importance, the decision of Jehovah was sought.[2] This assembly continued throughout the whole period of the monarchy.[3]

Their captivity in Egypt.

When the Israelites migrated into Egypt they were already forward in civilisation, as compared with other Eastern races, and even with the contemporary Greeks: but the Egyptians enjoyed a more ancient and advanced culture, and a more settled government. The Israelites profited intellectually by association with this people, but were repelled, by the oppression of strange kings and priests, from any national fusion.[4] After a long captivity, the Israelites, rather than submit to slavery and idolatry, rose up against their rulers. When they went forth out of Egypt, under the guidance of Moses, their great leader, prophet and lawgiver, they were prepared for a higher and purer faith, and a nobler scheme of government, than any which were the heritage of other Eastern races. They carried with them the conception of a theocracy, such as they had found in Egypt:[5] but it was sublimed by the higher inspiration of Moses. Theocracy is to be found in the early history of all the nations of the East and West:[6] but nowhere in so complete a form as in Israel.

The repub-

The great Hebrew lawgiver, renouncing the example

[1] Ewald, *History of Israel*, i. 370; ii. 31; iii. 11.

[2] Ibid. ii. 31, 112, 124.

[3] Ibid. iii. 11; and see Psalms lxxxii.

[4] Ewald, *Hist.* book ii.

[5] For some curious speculations upon this subject, see Comte, *Philos. Pos.* v. 41, 290, 293.

[6] See Mill, *Hist. of British India*, 159; Guizot, *Hist. de la Civ. en Europe*, 31.

CHAP. I.

lic of Moses.

of Eastern despotisms, founded a theocratic federal republic. The Hebrews acknowledged Jehovah as their God and king; and owned allegiance to no earthly rulers. The several tribes followed their own leaders: but decrees affecting the whole community were ratified by the general voice of the people, freely assembled, like our Saxon ancestors. Before the death of Moses, his law was ratified by the whole people; to whom he bequeathed a legislative code which, for the first time in the history of the world, sought the general welfare of the community, and a commonwealth in which political equality was the declared principle of the State.[1]

Through wars, troubles, and subjugation, the Mosaic commonwealth endured for upwards of four centuries. The Hebrews submitted themselves to the law, to the voice of Jehovah, and to the guidance of their prophets and judges.[2] The loyalty of the people was due to no earthly king: but their devotion was freely given to the unseen and almighty God, at once their spiritual Lord and temporal ruler.

[1] Exodus xv. 18; Judges viii. 22; 1 Samuel viii; Psalms xviii. 47, &c.; Milman, *Hist. of the Jews* (Ed. 1863) i. 2, 148, 158, 162–168, 209, 213–215, 265–271; Ewald, *Hist. of Israel*, book ii. sect ii. In a lecture at Brussels by M. Astruc, the Chief Rabbi of Belgium, in March 1874, it was stated 'the law recognised the absolute equality of all citizens, and conferred, even upon the stranger, nearly all civic rights. The provisions of the land tenure law were such as to prevent the accumulation of large fortunes.' 'The high priest was not the representative of God on earth, but the representative of the people before God.' And one of the objects of the Mosaic legislation was 'the exercise of political liberty by the people, and the recognition of the rights of the weak.'

[2] When Moses proposed to the people that the wise men amongst them should be chosen as their rulers, they answered, 'The thing which thou hast spoken is good for us to do' (Deut. i. 13–17); thus showing an appeal to the people concerning the choice of their rulers, and their concurrence in the government of the State. 'In those days there was no king in Israel, and every man did that which was right in his own eyes' (Judges xxi. 25). 'Then Jephthah went with the elders of Gilead, and the people made him head and captain over them' (Judges xi. 11).

But the rule of an unseen God can only be exercised by human agents, who assume to declare and interpret the Divine will. Hence the prophets and priests of the Hebrews took the place of civil rulers in the government of the State; and the strong faith of that people in supernatural influence, in all the events of life, and over the order of nature, made them as children in the hands of their spiritual guides.

In the opinion of some, indeed, a theocracy is no more than a government by priests: but as the people —whether swayed by reason or by faith—followed the lights of their own religion, and their laws, they must be accounted free. They may have been led by priests, but their freedom was not sacrificed to their faith. In all free States the people have ever been led by a few of their number—by warlike chiefs, by bold and eloquent leaders, by fanatical preachers, by demagogues, and, in modern times, by an anonymous and irresponsible press. They have been swayed by religion, by warlike passions, by the love of plunder, by popular prejudices, or by national pride, no less than by reason and patriotism: yet, if in the people lay the ultimate power to will and to act, upon them rested the responsibility of the national resolves, and they were free. Where there is free will, there is freedom; and so were the Jews free, even when awed by the voice of Jehovah. They were not oppressed by their priests, like the people of Asia and Egypt: but were trained to high conceptions of God, and of the moral duties of man.[1]

[1] 'The remark of a distinguished Hebrew, M. Salvador, that the prophets were, in Church and State, the equivalent of the modern liberty of the press, gives a just, but not an adequate, conception of the part fulfilled, in national and universal history, by this great element of Jewish life.' —Mill, *On Repr. Govt.* 42.

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The Jewish Monarchy.

At length, not without ample warning of the tyranny they were bringing upon themselves, they chose kings to rule over them.[1] A monarchy was not forced upon them by violence or fraud: they freely changed the form of their own government, and Saul was elected king by all the tribes.[2] The king of this free people ascended the throne as a constitutional monarch. Every king of Israel was anointed by the High Priest, and he was accounted sacred.[3] All the powers of the State were centred in him: but on his accession, he pledged himself to observe the fundamental laws of the kingdom; and above his crown was placed a copy of the laws.[4] The monarchy, like the commonwealth, was theocratic: the prophets were a power superior to the kings, warning and rebuking them for their sins, in the name of Jehovah, and protecting and encouraging the people. The Jews were still animated by the spirit of freedom, and, inspired by the cry of 'To your tents, O Israel,' they knew how to resist oppression.[5] Nor were the children of Israel ever ruled like the slaves of an Eastern despot: they were called into council by their kings,[6] and contended boldly for their rights.

'Accordingly the Jews, instead of being stationary like other Asiatics, were, next to the Greeks, the most progressive people of antiquity, and, jointly with them, have been the starting-point and main propelling agency of modern cultivation.'—Mill, *On Repr. Govt.* 43.

[1] 1 Samuel viii. 6–22. [2] Milman, *Hist. of the Jews*, i. 265–271.

[3] Ewald, *Hist.* iii. 6.

[4] Ibid. iii. 7; Deut. vii. 18–20; 2 Kings xi. 12; 2 Chron. xxiii. 11; Job xxxi. 36.

[5] 1 Kings xii. 3–19; 2 Chron. x.

[6] 'And the king went up into the House of the Lord, and all the men of Judah, and the inhabitants of Jerusalem, and the priests and the Levites, and all the people, great and small, and he read in their ears all the words of the Book of the Covenant that was found in the House of the Lord.'— 2 Chron. xxxiv. 30.

This free people were not overawed by the cruelties of Herod, but murmured and conspired against him. Under his son Archelaus, the last of the kings, they clamoured for a release of prisoners and a reduction of taxes.[1] They resisted by force the spoiling of the temple by Sabinus; and when, at length, Judæa had become a Roman province, the Proconsuls were obliged to consult the wishes of their resolute subjects through the Sanhedrim—a council of chief priests, scribes and elders of the people. When Pontius Pilate was building an aqueduct, out of the revenues of the Temple, the offended populace rose against the workmen engaged upon the impious work.[2] And, lastly, the popular power was illustrated by the most momentous event in the history of mankind. Pontius Pilate was compelled, by the clamours of the people, to condemn the innocent Jesus to death. The chief priests and elders crucified our Saviour, not by persuading the Governor of his guilt, but by stirring up the multitude to cry aloud for his blood.[3]

The Jewish intellect.

Of all Eastern races, the Jews were the most intellectual. In science and culture they were unequal to the Egyptians: but in genius, in sublimity of thought, in moral sentiments, and in religious elevation, they were without rivals. Their inspired prophets and lawgivers were destined to quicken the minds, and regenerate the faith of the most civilised nations of the world; and they taught a gifted people. Israel is the country,

[1] Milman, *Hist. of Jews*, ii. 91 *et seq.* [2] Ibid. ii. 121.

[3] 'When Pilate saw that he could do nothing, but rather that a tumult was made, he took water and washed his hands before the multitude, saying, I am innocent of the blood of this just person: see ye to it.' —Matt. xxvii. 24.

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above all others, which Christendom regards with respect and reverence, as the birthplace of its religion. Its sacred writings are cherished above all the works of human genius. Scholars revel in the masterpieces of Greek and Roman genius: but Christians of every creed, throughout the world, pay homage to the higher inspiration of the Hebrews. No one will venture to compare Solon with Moses, or Plato with St. Paul: no one will shrink from comparing the Hebrew Psalmist with the sublimest poetry of ancient or modern times.[1]

Association of intelligence and freedom.

That a race more entitled to our reverence than any people of antiquity should have afforded an example of popular freedom, notwithstanding their Eastern origin, and the influence of Eastern despotism, by which they were surrounded, is a conspicuous illustration of the principle that the spirit and intelligence of a people are the foundations of liberty. The Eastern race which was distinguished from its contemporaries by the purest faith, and the highest ideal of morals, afforded also a conspicuous example of freedom.[2]

Contrast between the East and Europe.

This sketch of the governments of Eastern races affords a striking contrast to the ideal of a free European State. Theocratic despotism, and the hard rule of conquerors, have been the lot of Asia; and the only races which have enjoyed any measure of political liberty have dwelt on the shores of the Mediterranean, or in proximity to Europe, which was destined to be the home of civilisation and freedom.

[1] See especially Psalms lxxviii. civ.–cvii.

[2] For interesting studies of the Jewish character and history, see Rothschild, *Hist. and Lit. of the Jews*; Graetz, *Hist. of the Jews*; Kalisch, *Commentaries on Leviticus, &c.*; Dr. Benisch, *Judaism Surveyed; being a Sketch of the Rise and Development of Judaism from Moses to our days.*

CHAP. I.

The Aryan races.

But there was one Eastern race—prehistoric and traditional—whose high destiny it was to migrate from their Eastern birthplace, and to people new lands in the West, where they became the progenitors of the noblest and most conspicuous races of mankind. The Aryans, to whom modern science has assigned this rare distinction among men, are supposed to have sprung from the country about Balkh—known to the Greeks as Bactria—near the sources of the Oxus and Yaxartes, and the highest elevation of Central Asia: whence they spread to the west and south, as far as the Caspian Sea and the Persian Gulf.[1] Their history has been constructed from their language, by the studies of comparative philologists, just as the early history of the material world has been deciphered from strata and fossil remains, by the researches of geologists.[2]

Their migrations and descendants.

The part of Asia occupied by the Aryans was renowned, from the earliest times, for its commercial intercourse with other nations; and its position and communications were favourable to the migrations of its people. These migrations are assigned to a period between 3000 and 2000 years B.C., and they spread over Greece, Italy, Germany, and other parts of Europe. In their own lands they were chiefly a pas-

[1] 'The Aryans migrated (into India) from the cold region of the Iran, or Aryana, and were a cognate race with the ancient Persians. They were, in fact, an offshoot of the same Indo-European stem which sent forth other branches, under the names of Greeks, Italians, Germans, Slaves, and Celts, to conquer the Western world.'—Talboys Wheeler, *Hist. of India*, iii. 14.

[2] The laborious investigations of Grimm, Bopp, Pott, Kuhn, Weber, Curtius, Schleicher, and other German authors, may be studied by the learned in philology. The evidences are, however, presented in a more popular and interesting form by Max Müller (*Lectures on the Science of Language*), and by Pictet (*Les Origines Indo-Européennes*).

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toral people,[1] trained to arms. In these highlands of Central Asia they enjoyed a temperate and invigorating climate, and a fertile soil; and they appear to have belonged to the highest type of the human race, in strength, in courage, and in intellect. Their language bears witness to their civilisation and social advancement; and modern philologists have traced its roots in the dead languages of Greece and Rome, and in the living tongues of modern Europe. Whatever their laws and government, their pastoral life was the freest condition to be found in the East, and the most remote from the control of despotic rulers. They were gifted with the spirit and manly attributes of freedom; and wherever their migration can be discovered, by the evidence of language, we find a civilised and progressive people, and examples of free institutions. Removed from the repressive polity of the East, and mingling with Western races, they played their part in the history of Europe, as Greeks, Romans, Celts, and Teutons.[2] So far, the East contributed to European liberty: but, while giving the Aryans credit for their share in its development, we must now leave them, and approach those Western climes which form the special theme of this history.

[1] Max Müller calls them 'agricultural nomads,' and says that they led 'a life such as Tacitus describes that of the ancient Germans;' *Lectures*, i. 273.

[2] Mr. Freeman, in his spirited and eloquent lectures upon comparative politics, has given a prominent place to the Aryans, in the history of Europe. He says:—'As the Aryan family of nations, as a whole, stands out above the other families of the world, so the Greek, the Roman, and the Teuton, each in his turn, stands out above the other nations of the Aryan family: each, in his turn, has reached the highest stage alike of power and civilisation that was to be had in his own age, and each has handed on his own store, to be further enriched by successors who were at once conquerors and disciples.'—*Comp. Pol.* 38, 39. See also Ibid. 65, 76, 200.

CHAPTER II.

GREECE.

THE GREEKS THE HIGHEST TYPE OF EUROPEAN RACES—THE HEROIC AGES—EARLY TRAINING IN FREEDOM—DECAY OF MONARCHY—VARIOUS FORMS OF GOVERNMENT WHICH SUCCEEDED IT—CITY COMMUNITIES—SPARTA—ATHENS—CONSTITUTION OF SOLON—OF CLEISTHENES[1]—OF PERICLES—VICISSITUDES AND FALL OF THE DEMOCRACY.

Liberty prized by European nations.

POLITICAL liberty, ignored alike by rulers and people in the East, has been prized by all intellectual nations in Europe, from the earliest times. Where not enjoyed in fact, its ideal virtues have been propounded by philosophers, and extolled by poets; and a considerable part of the history of European States is the history of struggles for political and religious freedom.

The Greeks the highest type of European races.

Of all the races of the West, the ancient Greeks presented the highest type of intellectual capacity and cultivation. From them the Romans first, and afterwards the whole of modern Europe, derived their best examples of literature, eloquence and art. They were the first teachers of European philosophy, history, poetry and the drama—of architecture, sculpture, painting and music. The creations of their genius have served as models for the imitation of succeeding ages; and, if sometimes rivalled in excellence, have certainly

[1] I have adhered to the old spelling of Greek names. I do not question the propriety of the new method, in works relating to Greece; but here the reader may prefer to meet with names in a familiar shape.

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never been excelled. And it is among this intellectual people that we are able to study the first examples of freedom, and the earliest experiments in democracy.[1]

Contrast between the Greeks and Eastern nations.

The Greeks afforded a striking contrast to the nations of the East. They differed in their religion, their customs, and their government. Descended from the Aryan races of the East, the climate, and other physical conditions of their new home, had wrought essential changes in their character. No longer exposed to the influences of Eastern climes,[2] they outgrew the superstitions, and repressive customs of their forefathers; and, surrounded by sea and mountains, and by the temperate and genial bounties of nature, they improved upon the earlier civilisation of the East, and attained the utmost development of which man is capable. They had superstitions of their own, but these were not such as to inspire awe and terror. Their deities were clothed in human form: their kings and heroes boasted of divine parentage: there was kindred between gods and men. However frivolous their mythology, however corrupt its morals, it did not depress and abase the human mind. Zeus, with his thunderbolts, never assumed the tremendous shape of

[1] It was well said by Arnold 'that the history of Greece and Rome is not an idle inquiry about remote ages and forgotten institutions, but a living picture of things present, fitted not so much for the curiosity of the scholar, as the instruction of the statesman and the citizen.'—*Preface to Thucydides*, vol. iii.

[2] See *supra*, Intro. and p. 7, 8; Grote says:—'General propositions respecting the working of climate and physical agencies upon character are treacherous.' 'The contrast between the population of Greece itself, for the seven centuries preceding the Christian era, and the Greeks of more modern times, is alone enough to inculcate reserve in such speculations.'—*Hist. of Greece*, ch. i. But he does not overlook the influence of physical causes, in moulding the character and institutions of the Greeks.

Siva or Vishnu. The Greeks were able to cultivate their noble faculties, to form a higher social life, and to qualify themselves for freedom.[1]

In the East, the interests and feelings of the people were ignored by their rulers.[2] In Greece there was mutual confidence: we find the people sharing in the national councils: kings debating with their chiefs, before the multitude: aristocracies yielding privileges and franchises to the commonalty; and the people themselves exercising sovereignty in democratic republics. Whatever the form of government, there was always a place appointed for the people.

The heroic ages.

In the earlier or legendary ages the Greeks, like other races in the first stage of civilisation, were ruled by kings and chiefs, descended from the gods, or under their divine protection.[3] But in the character of these kings, and in their relations to their subjects, we may discern the elements of future liberty and popular government. The ideal of a king, in the heroic ages, was that of a soldier who, in the words of Grote, 'must be brave in the field, wise in the council, and eloquent in the agora.'[4] He was expected to excel in

[1] Buckle forcibly illustrates the influence of religion in India and in Greece; *Hist. of Civ.* i. 118–133.

[2] Aristotle says:—'The genius of the Europeans is different from that of the Asiatics, who of all nations are the most patient of despotism.'—*Polit.* book iii. ch. 10. And, again:—'The inhabitants of Asia are artful and ingenious, but mean-spirited and dastardly. They, therefore, always have been, and continue to this day, either subjects or slaves.'—Ibid. book iv. ch. 7.

[3] Of Greek kings, Mr. Freeman says:—'The mortal king on earth is the living image of the immortal king on Olympos. He is at once his child and his representative among men. The Homeric king is Zeus-born and Zeus-nourished; he comes of the divine stock, and he rules by the divine commission.'—*Comp. Polit.* 145.

[4] *Hist. of Greece*, ii. 87. The Homeric king was '*ἀμφότερον βασιλεύς τ' ἀγαθὸς κρατερός τ' αἰχμήτης.*'

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athletic sports and manly accomplishments. In the earliest times, the king is represented as seated on a throne in the public place, or agora, supported by his chiefs, and surrounded, in war by his army, in peace by a multitude of the people.[1] Whatever his royal authority, he had to convince his chiefs in the council, and to persuade his followers and people, assembled in the agora. Whatever his personal ascendency, he was constant in the habit of meeting his people face to face, and announcing the resolutions of his council, seeking their applause, appeasing their discontents, and associating them with himself, in a common cause, and in united action. His sovereignty was essentially popular rather than absolute. He was at once king and leader of his people: he was trained to the arts by which free States are governed; and the rude accomplishments of a warlike king foreshadowed the higher cultivation of an Athenian statesman.[2]

Relations of the people with the State.

The people, on their side, were called to a share in the councils of the State. They were invited to approve, and not blindly to obey the resolves of their chiefs; and they gave free expression to their feelings by murmurings and acclamations. Our Teuton ancestors, as described by Tacitus, were not more demonstrative. Thus they were raised far above the subjects of an absolute monarch. They learned to judge the wisdom of their leaders, to respect their valour, to admire their eloquence, and criticise their faults: to dispute and murmur among themselves: to form opinions of their own, and to concur, with an intelligent will, in all national acts. Here

[1] Thirlwall, *Hist.* i. 188, 189.

[2] See Mr. Gladstone's *Studies on Homer and the Homeric Age*, 'Agora;' *Juventus Mundi*, ch. xi.

were sown the seeds, at once, of cultivation and of freedom. Their minds and manners were improved by the eloquence of their chiefs in the agora, while their self-respect and self-reliance were encouraged. At first approving all the counsels addressed to them, with impulsive acclamations, they advanced gradually to greater independence, and from soldiers and followers grew into citizens. In the Greek councils of war before the walls of Troy, and in the assembly of Telemachus in Ithaca, as described by Homer, we may trace the germs of Athenian democracy. Even justice was publicly administered in the assembled agora, by the king himself, or by the chiefs. The people had no voice, indeed, in the judgment of the court: but they took an eager interest in the proceedings, and were not checked by the heralds when they gave loud expression to their sentiments.[1] Such publicity could hardly fail to impose some restraint upon a wrongful exercise of power by half-civilised chiefs, and to create a public opinion favourable to justice, and the maintenance of civil rights. The agora also aided in the education of the community. It was a popular institution, ultimately destined to become a democratic judicature. The custom which sanctioned the presence of the people in deliberative and judicial assemblies, naturally grew into a constitutional right; and the freemen who, in earlier times, merely assisted at these assemblies, at length acquired the right of voting.

Public administration of justice.

Public life was the characteristic of Grecian society: all freemen were invited to engage in it. They were a social and demonstrative people, and every function of the State was carried on in the midst of them. Hence

Public life characteristic of Greek society.

[1] *Iliad*, ii. 282; *Odyss.* iii. 150.

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Oratory.

oratory became the principal agent in the government of the Greeks. Any man who desired to acquire or to maintain influence with the people, studied the arts of public speaking; and the tastes and habits of Greek society afforded him constant opportunities of displaying his talents. The more cultivated the people, the more finished became the oratory of their leaders. Oratory was to the Greeks what the pulpit and the press have been to modern Europe—it instructed and civilised the people, and it encouraged their instincts of freedom. Public discussion and freedom are inseparable: the one cannot exist without the other.

Rhapsodists.

Another excitement kindred to that of oratory, was the recitation of epic and lyric poetry to large assemblages, in the public festivals. Delivered, in the earliest times, by the bards themselves, with musical accompaniments, and later by rhapsodists, with rhythmical intonation and dramatic action, they inspired the people with the imagery and stirring language of their popular poets. Narrating the deeds of gods and heroes, they aroused the reverence and emulation of the eager crowd, cultivated their imaginations, and refined their taste. At a time when reading was unknown, no surer means of educating a people could have been devised. Recitations of poetry were succeeded by the still more exciting representations of the drama.[1]

Public games.

The free spirit of the Greeks was further encouraged by their passionate devotion to public games, and other national and religious festivals. In the games the ambition and rivalry of private citizens were excited, and the people learned to admire courage, strength, skill, activity, beauty of form, grace, and accomplish-

[1] Grote, *Hist.* ii. 181 *et seq.*

ments. The victor in the Olympic, or Isthmian games, was for a time the popular hero, sharing with kings and chiefs the idolatry of the people. And athletic sports, if less favourable to culture than other diversions, were well suited to a people who were at once citizens and soldiers, and whose lives were spent in vigorous activity and bold independence. Nor were more intellectual excitements wanting: for poetry and music contributed to the popular entertainments, and sometimes even lectures on philosophy and history.[1] Authors recited their writings; and orators addressed the eager multitude. This union of athletic games with more ennobling studies is illustrated, at the present day, in the public schools and universities, in which our own manly youth are trained for the duties of public and social life in England. At the same time, the assemblage of large bodies of people promoted, by social intercourse, that quickening of wits and extension of knowledge which, in later stages of society, are found to result from the congregation of men in populous cities. And, further, there arose an interchange of common sentiments, and union in the bonds of citizenship. Thus every usage of Greek society contributed to advance the spirit of freedom. These public games, however, were not without their evils.[2] If they were conducive to emulation and culture, they no less ministered to the idleness, the love of pleasure, and passion for excitement, for which the Greeks were remarkable, and which afterwards became the chief

[1] Grote, *Hist.* iv. 68–98. The Olympian games alone were restricted to athletic sports and races.

[2] The public games did not meet with the approval of some contemporary sages, e.g. Aristotle, *Pol.* vii. 8, 14. See also Guhl and Koner, *Life of the Greeks and Romans*, 212–231.

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causes of their political corruption. These popular gatherings, indeed, may not have been without some of the debasing influences which are too notorious on an English racecourse.

Respect for women.

In reviewing the social habits of the Greeks, we ought not to overlook the reverence attaching to women, in all Grecian legend and poetry, which attests the superior refinement of the Greeks, as compared with Asiatic races.[1] Respect for women has ever been the characteristic of free races, and contempt for them the mark of a lower civilisation, and of slavery.

Greece divided into small States.

The natural configuration of Greece—its islands, its gulfs, and mountain ranges—favoured the multiplication of small separate States and independent cities; and in the earlier stages of European civilisation, difficulties of communication with distant countries had a tendency to create small political communities. Aryan customs, which united families and tribes, by religious bonds, further contracted these primitive societies.[2] Hence a country smaller than Portugal,[3] and less than a third of the area of England, comprised upwards of a hundred independent States. Within the walls of a city, or in the confined area of a small territory, municipal government could be conveniently administered: but without roads or security to travellers, the union of distant provinces, in a popular government, was scarcely practicable. So extensive a division of a country into small States was an obvious source of external weakness: but it fostered that fondness for public life and political activity which distinguished the Greeks. These small communities were not too remote

[1] Grote, ii. 113.

[2] Cox, *Hist. of Greece*, ch. ii.

[3] Thirlwall, *Hist.* i.; Grote, *Hist.* ii. 299, 302; Heeren, *Ancient Greece*, 16; Buckle, *Hist.* i. 125; Comte, *Philos. Pos.* book v. 246.

from one another for commercial and social intercourse, and for the interchange of thought: while the peninsula was conveniently situated for maintaining communications with kindred nations dwelling on the shores, and in the islands of the Mediterranean. The Hellenic races were spread far and wide upon that classic sea, on the western coast of Asia Minor, in Sicily and Southern Italy—on the shores of Africa, of Spain, and of Gaul. Arts and commerce from the East and from the West —from Egypt and from Carthage—contributed to the culture and civilisation of the Greeks. They lived in the very centre of the civilised regions of the ancient world. Commerce alone will not create liberty: but without it liberty has been rarely known to flourish; and the Greeks, especially on the sea-coasts, enjoyed at once the benefits of commerce, and of intellectual sympathies and affinity with the most advanced nations of their own time. Every condition favourable to liberty was to be found in Greece. The several States were further united by the sympathies of a common race, the same language, and the same religious traditions and usages. The Greek people were one: but their States were many.

The Amphictyonic Council.

In the Amphictyonic Council, held twice a year, twelve Hellenic races were represented by deputies. Their functions were religious rather than secular: but they brought together the citizens of different States, and formed another variety of public life in Greece.

The results of all these popular influences, among the Greeks, is to be observed in the changes which took place in their forms of government.

Decay of monarchies.

By the time we reach the historical period of Greece, heroic kings had lost their influence: the very

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name had become unpopular, while the council and the agora had acquired extensive powers. By about 500 B.C. the States of Greece had generally become either elective and limited monarchies, oligarchies, or democracies. The particular character of the several governments was determined, in great measure, by the geographical position, social development, industries and local traditions, of the different States.

These changes were effected, at about the same period, in a multitude of small independent States; and it is clear that they were due to causes affecting the whole range of Greek society. It was not in the order of nature that a long line of heroic kings could be maintained, bravest in war, wisest in council, just and eloquent in the agora. They were watched by jealous chiefs, and a quick-witted people. The king of a petty State was always in sight: he was surrounded by none of the awe and mystery of the unknown; and he could not affect the pomp and splendour which, in larger monarchies, inspire the multitude with veneration. His crimes and his failings were known to all men: if he wronged a citizen, or outraged a woman: if he was feeble and effeminate: all his subjects murmured round about him. Sometimes a race of kings died out: sometimes they were overthrown by conquest: now a cruel or depraved king was deposed, now a weak king set aside; and so these little States became republics. These revolutions were effected not by the people, but by the chiefs, who retained all the powers of the kings whom they had deposed.[1] At first, all that

[1] 'These conspiracies were, at first, contrived, not by men of obscure or low condition, but by those of noblest birth, and who were the most distinguished by their courage and exalted spirit: for such are, at all

the people gained by the change was this—that, in place of an irresponsible king, they had rulers who at least acknowledged the supremacy of the law: there were a council to make laws, and magistrates, elected for a limited time, to execute them: power was exercised on behalf of the people; and the State—to use a modern phrase—enjoyed a constitution.

Political reaction: the Tyrants.

But a period of deplorable reaction ensued in the political life of these Greek States. No form of government is so much exposed to the dangers of individual ambition and intrigue as an oligarchy; and in most of these States the chiefs were afterwards overpowered by usurpers, who became known by the odious name of 'tyrants,' or 'despots.' Sometimes the usurper was a chief who supplanted his colleagues, by cunning or by force: sometimes a chief, or citizen, who incited the people to rise up against oppression and misrule.[1] Such men were justly execrated: they were without the traditional respect due to a royal lineage; and, as usurpers, they were generally arbitrary, suspicious, and cruel. The people having learned their own power, by the appeals made to them for aid, stung by the betrayal of their trusts, and goaded by tyranny, revolted from time to time, and overthrew the despots. Even to assassinate a tyrant was accounted an heroic virtue, among the Greeks.[2] This singular phase of tyranny had generally passed away by about 500 B.C.;

times, most impatient of the insolence of princes.'—Polybius, book vi. See also Cox, *Hist. of Greece*, i. 99.

[1] This latter class are commonly called demagogues by Greek historians, but must not be confounded with the class of men to whom the same title was assigned in later periods of Greek history.

[2] See collection of authorities: Grote, *Hist.* iii. 37; Freeman, *Federal Govt.* 381.

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and throughout Greece, republics had been restored, some oligarchical as before, some democratic.

Advance of democracy.

Meanwhile the Greek people had made great advances in commerce and the arts, in wealth and enlightenment. They were better able to protect themselves; and as cruel experience had taught them the evils of irresponsible power, they sought in more popular constitutions, not only securities against oppression, but a just execution of the laws, and publicity and free discussion in the government of the State. Many generations of Greeks had been trained to the usages of public life, before the people had acquired political rights; and now they were prepared for the part they were destined to play in the history of their country.

Aristocracy.

In many States the chiefs and territorial nobles governed, with the general confidence and good will of the people; and such a form of government was distinguished as an aristocracy. But where by conquest, or usurpation, or party intrigues, power was restricted to a favoured few, a constitution so restricted was known as an oligarchy. It was natural that an aristocracy, or an oligarchy, should endeavour to maintain its power intact: but in many States, the growing influence of other classes forced the ruling body to admit them to political privileges.[1] This was more particularly the case when towns grew into importance, and maritime and commercial wealth began to rival that of the

Oligarchy.

[1] Aristotle says where the magistracy 'is confined to a few families, wealth and eminence will not patiently brook an absolute exclusion from authority, but will convulse the State rather than submit to be debarred from civil honours.'—*Polit.* vii. 7. And again:—'Wherever the political forces of wealth and of numbers are not duly adjusted, the constitution is likelyto be overthrown.'—Ibid.

owners and cultivators of the soil. The admission of new classes to the franchise was generally effected by providing a property qualification, as a condition for sharing in the government of the State. The exclusive rights of birth were renounced in favour of the claims of property. This form of government, which the Greeks distinguished from an oligarchy, by the name of a Timocracy, often differed but little from that which it had superseded. Where the qualification was high, and was restricted to land, the State continued to be ruled by a territorial aristocracy. But where the qualification was comparatively low, and included considerable classes of citizens, it more nearly approached a democracy. A State so governed was called a Polity, and found much favour with Greek philosophers, as a moderate and well-regulated constitution, in which the people exercised a just influence, without claiming ascendency.[1] According to English ideas, a Polity was a model Whig republic. But as the society of the state expanded in numbers and in consideration, fresh demands for political privileges were made, until

Timocracy.

Polity.

[1] Aristotle everywhere prefers a moderate democracy, in which the middle classes exercise the chief authority. Thus he affirms 'a wise legislator will endeavour to comprehend in his scheme of polity, men of the middle class, and to make them, if not more powerful than both the extremes, at least superior to either.'—*Polit.* vi. 12. Again he speaks of 'a republic or government residing chiefly in men of the middle classes: which of all popular constitutions, is the best and safest:' ibid. vii. 1. Again, he says:—'The intermediate portion of the people are always more steadfastly attached to the public welfare, than those who are elated by wealth or depressed by poverty;' ibid. vii. 7. In short, Aristotle may be described as a Greek constitutional Whig.

Thucydides, Isocrates, Polybius and Plutarch express similar opinions. Polybius says:—'That kind of government is, undoubtedly, to be esteemed the best, which is composed of all the three now mentioned' (Royalty, Aristocracy and Democracy).—Polybius, *Hist.* book vi.

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further extensions of the franchise changed the Polity into a Democracy.

Democracy.

Among the Greek democracies, there were considerable varieties of constitution: but wherever the sovereign rights of the State were vested in all, or considerable classes of the freemen, it was regarded as a democracy. In all such States, foreign settlers and slaves, not being accounted citizens, were excluded from the franchise—a law which considerably restricted the numbers claiming political rights. If all the freemen had a share in the government, the State was a pure democracy. But sometimes their rights were restricted by property qualifications: sometimes all were admitted to the deliberative and judicial assemblies, and entitled to elect their magistrates: but the general body of citizens were not themselves qualified to serve in the high offices of the republic. Where such a disqualification was recognised, the Greeks regarded the constitution as an oligarchy, the irresponsible power of magistrates, chosen for life, being confined to a limited number of privileged persons. But in principle such a State would more properly be called a limited democracy. There were restrictions upon the full rights of the freemen: control over their magistrates was wanting: yet even in the right of election their sovereign rights were recognised; and in the assemblies the rule of the Demos was supreme.

Ochlocracy.

An ideal democracy was that in which all citizens were equal, without the recognition of any special privileges. But so fertile were the Greeks in political nomenclature, that when a republic of this type fell into the hands of the lower class of citizens, who dominated over the noble and wealthy, it was said to have

degenerated into an ochlocracy,—a term now vulgarly translated into mob-ocracy.[1]

The ruling class limited in all these democracies.

One characteristic, however, was common to all these varieties of Greek democracy. The citizens who governed the State were generally a privileged, and comparatively a small, class of the whole community. They enjoyed their franchises by right of birth, or property: they were proprietors of the soil: according to the social habits of the ancient world, they scorned manual labour as dishonourable; and gave up all handicrafts and agriculture to their slaves. Jealous of their privileges, they excluded strangers and settlers from the franchise; and the slaves, who formed the entire working classes, were naturally denied any share of political power. Citizens alone formed the State; and they owned no fellowship with strangers or slaves. None of these States were, therefore, democracies, in the widest sense, being governed by a single privileged class. Neither can they be fitly termed oligarchies or aristocracies, as some high authorities have regarded them.[2] The conditions of Greek society necessarily separated the freemen from the slaves: but the citizens formed a complete society, composed of various ranks, noble

[1] Aristotle is very severe against a pure democracy. Citing Homer '*οὐκ ἀγαθὸν πολυκοιρανίη*,' *Iliad*, ii. 204, he says in a democracy 'the people, knowing itself to be an absolute king, assumes all his pretensions, and exercises all his prerogatives;' *Polit.* vi. 4. And, again, 'the worst mode of constituting the deliberative power is that of placing it, on all occasions, in the great body of the people, convened in the assembly;' ibid. 14. Aristotle's ideal of a democracy was that of an agricultural or pastoral State, where the people could not assemble often or tumultuously; ibid. viii. 4. Plato also says that 'tyranny more naturally results from democracy than from any other form of government;' *De Repub.* book ix.

[2] De Tocqueville says:—'Athènes, avec son suffrage universel, n'était donc, après tout, qu'une république aristocratique, où tous les nobles avaient un droit égal au gouvernement;' ii. ch. 15.

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and humble, rich and poor; and where all alike shared in the government, the State must be accounted a democracy. That large classes were outside this privileged body, was due to the constitution of Greek society, rather than to the polity of the State.

Examples of all these varieties of constitution may be found in the history of the Greek communities, or in allusions to them by Aristotle and other philosophers and historians.[1] But we cannot pursue the fortunes of democracy, in the minor States, which have not left their mark in the history of the world. Nor is much instruction to be gathered from their local struggles, factions and intrigues.[2]

Conflict between aristocracy and democracy.

One observation, however, may be applied to all. Wherever a State originally oligarchic ultimately assumed a democratic constitution, a contest was continued between these opposing principles and interests. This political law, as it may be termed, was illustrated by the entire history of Greece. In every State we read of revolutions and convulsions: at one time, the aristocracy being in the ascendant, at another time the democracy.[3] All these free States were governed, in

[1] Aristotle, *Polit.* iii. 5–7; vi. 4–11. Polybius, vi. 4. 9. See Thirlwall, *Hist.* ch. x.

[2] For a view of the rancorous spirit of Greek factions, see Thucydides, iii. 82.

[3] According to Aristotle, 'oligarchies and then tyrannies successively prevailed, an usurping faction continually narrowing the basis of its own power, till this power, supported on a single point, was easily overturned by the just resentment of the people. Democracy then arose and prevailed in its turn.'—*Polit.* iii. 11.

Thucydides says:—'The leaders in the cities, making the fairest professions, on one side putting forward the political equality of the people, on the other a moderate aristocracy, while in word they served the common interests, in fact they made prizes for themselves. And while struggling, by every means, to obtain an advantage over each other, they dared and carried out the most dreadful deeds: heaping on still greater

great measure, by political parties: the nobles were divided, and whichever party happened to prevail, there were generally capable and ambitious members of their order, ready to assume the direction of public affairs.

These contests between classes were pursued with the violence and injustice which disfigure the history of half civilised societies. Where the great and rich triumphed, their rule was selfish and oppressive: where the people prevailed, they rioted in their power, and were prepared to trample upon their prostrate rivals. At Megara, during a revolutionary time, the rich were forced to open their houses and feast the populace;[1] and creditors were required to refund the interest which they had received from their debtors.[2] And at Cyrené the people oppressed the rich so grievously, that the latter rebelled against the democracy and overthrew it.[3]

600 B.C.

We must confine our illustrations of democracy to a few of the most eminent States, and notably to Athens: but a few observations may here be offered in regard to some of the general characteristics of Greek democracy.

Agricultural and town populations.

The social conditions of the different States affected their political constitutions in Greece, as in other countries. The Greeks themselves were fully aware of the essential differences between agricultural and urban or maritime communities. 'Arcadian simplicity' became a proverb. The Lacedæmonians, whose country

vengeance, not only so far as was just and expedient for the State, but to the measure of what was pleasing to either party, in each successive case; and whether by an unjust sentence of condemnation, or on gaining ascendency by the strong hand, they were ready to glut their animosity;' *Hist.* iii. 82.

[1] Aristotle, *Polit.* v. 5.

[2] Thirlwall, *Hist.* i. 487.

[3] Aristotle, *Polit.* viii. 4.

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was bounded by an inhospitable coast, unfavourable for maritime trade and foreign intercourse, and by mountain ranges,[1] were known as intellectually inert, unchanging and conservative. The Athenians, dwelling in a city on the sea-coast, were quick, progressive, and impressionable—alive to the varied influences of civilisation, and superior to all other Greeks in cultivation and refinement. The difference was not less remarkable in the forms and spirit of their governments. Even in Attica itself there was a marked difference between different classes of the inhabitants. According to Aristotle, the maritime population of the Piræus were more inclined to democracy than the residents in the city of Athens itself; and the seamen who won the battle of Salamis, and the sovereignty of the sea, thenceforth turned the balance of power in favour of the democracy.[2]

Thessaly and other pastoral countries.

The cities founded in the rich plains of Thessaly were generally governed by warlike oligarchies. Larissa, however, one of the most flourishing, was a democracy.[3] The agricultural and pastoral character of the country assured the influence of the landowners; and the soil was tilled by the Palestæ, a race of serfs, like the Laconian helots. Aristotle observes that oligarchy prevailed 'wherever cavalry formed the national force; as among the Chalcideans, the Eretrians, the Magnesians, on the banks of the Meander, and many other wealthy communities of Asiatic Greece.'[4] This naturally arose from two causes: first, such countries had wide pastures, with scattered populations; and,

[1] Grote, *Hist.* ii. 206; Lloyd, *Age of Pericles*, ii. 91.
[2] Arist. *Polit.* v. 2.
[3] Ibid. v. 6.
[4] Ibid. vi. 3.

secondly, the costly equipment of cavalry rendered it the peculiar force of the rich. The social condition of such countries, and their system of warfare, combined to maintain a territorial aristocracy. As the population increased, and infantry became a more important arm of the military service, other classes acquired political influence.

Growth of towns.

But it was mainly by the growth of towns that democracy was advanced. When the population of any city increased, and out-lying villages were brought within its walls, the aristocracy was generally overcome. Sometimes the latter recovered its ascendency, by dispersing the people again, beyond the walls of the city. Wherever there was a maritime population, the democracy gained influence. Everywhere the cultivators of the soil were the most favourable to aristocracy.[1]

Distribution of land.

In the Greek States the distribution of land among the proprietors was generally not very unequal. Some had considerable estates: but the possessions of the greater number were so far alike as to cause a general social equality amongst them; and this circumstance contributed to the maintenance of equal political rights.

Smallness of city communities.

We have already noticed the smallness of the communities which constituted the Greek States; and this circumstance should be constantly borne in mind in studying their institutions. It explains much that would otherwise be unintelligible. That all the free inhabitants of a city should be concerned in its government may be comprehended: in a large State it would be impossible without representation. But the general type of the Greek republics or commonwealths, in the best

[1] Thirlwall, *Hist.* i. 454, 455.

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period of their history, was that of a city community — or 'town-autonomy,' according to Grote — surrounded by a limited extent of territory, and exercising independent rights of sovereignty.[1] In such States the fullest development of democracy was attainable.[2] Every citizen, whether dwelling in the city itself, or in the adjacent territory, was able to attend in person the deliberations of the assembled people. Where representation was unknown, it was only by personal attendance that a citizen could exercise his rights. If distance excluded him, he was debarred from the enjoyment of his franchise. Hence it was in these small States that the ideal of a pure democracy was most fully realised.[3] And what a study of political and social life does such a community present! Without an army, without representation, without a press, every citizen was himself a soldier, a statesman, and a judge: now hastening to the battle-field to meet the enemies of his country: now debating affairs of peace and war: now judging the causes of his fellow-

Remarkable society of Greek cities.

[1] 'The State, the commonwealth, was in Greek eyes a city, an organised society of men dwelling in a walled town, as the hearth and home of the political society, and with a surrounding territory not too large to allow all its free inhabitants habitually to assemble within its walls to discharge the duties of citizens.'—Freeman's *Comp. Pol.* 83. The same writer says elsewhere:—'The full and perfect sovereignty of each separate city formed the political ideal of the Greek mind.'—*Hist. Essays*, 2nd ser. 116.

[2] Aristotle affirms it to be 'difficult to establish any other form of government in large cities and populous communities' (*Polit.* book iii. ch. 11.)

[3] 'The natural limit of a democracy is that distance from the central point which will but just permit the most remote citizens to assemble as often as their public functions demand.'—*Federalist*, No. xiv. 71; 'In the ancient world . . . there could be nothing like a regulated popular government, beyond the bounds of a single city community; because there did not exist the physical conditions for the formation of and propagation of a public opinion, except among those who could be brought together to discuss public matters in the same agora.'—Mill, *On Repr. Govt.* 8.

citizens. Every citizen was a ruler, directly and constantly exercising the sovereignty of the State. No higher duties and responsibilities can attach to the most eminent; and there they were habitually discharged by the entire body of freemen. In no other constitution could the power and dignity of the citizen be so exalted, and nowhere could be found such opportunities and incitements for political education. While such a system of popular government afforded a noble field for the genius of Greek orators and statesmen, the public discussion of affairs of State trained all the citizens to political thought and action. It spread knowledge and formed public opinion, like the modern press; and it did more—it united with knowledge, and the capacity of forming a judgment, the interest and responsibility of voting,[1] and the stimulus of action.[2] The patriotism of citizens in such a State reached the highest pitch: their country, their city, and their home were identified. Their patriotism may have been narrow, jealous, and exclusive: but it was a passion.

Feuds and jealousies.

This is the bright side of the picture of these little States: let us now glance at its darker shades. We have seen citizens as earnest and instructed rulers, zealous in the discharge of their high functions, and burning with patriotic ardour: but we cannot overlook

[1] The Greeks understood the practice of putting questions, and divisions at their assemblies. Thus in the Lacedæmonian assembly the ephor put the question in this form: 'Whoever of you, Lacedæmonians, thinks the treaty to have been broken, and the Athenians to have been guilty, let him rise and go yonder (pointing out a certain place to them); and whoever does not think so, let him go to the other side.' They arose and divided, and there was a large majority who thought that the treaty had been broken.—Thucydides, i. 87.

[2] 'The newspaper press,' says John Stuart Mill, 'is not in all respects an adequate equivalent of the Pnyx and the Forum.'—*Repr. Gov.* 8.

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the enmities of ambitious leaders—more dangerous to the peace of society, and the liberties of the commonwealth than in larger States — the feuds of hostile factions, the corruption of citizens, and, above all, the national pride and local jealousies, which drove every city into war with its neighbours. But such faults as these, it must be confessed, were not peculiar to small city commonwealths: they have been the faults of large States no less than small, in all ages, and are due to the infirmities of human nature rather than to political institutions.

No more instructive study is to be found, in the whole range of history, than that of the Greek commonwealths. They differ from any examples of government in our own time: but they afford some of the best illustrations of popular rule, for the guidance of modern States, established on a larger scale, and upon more rational principles.

Sparta.

Among these commonwealths the renowned monarchy of Sparta stands alone, as a conspicuous contrast to the general polity of contemporary Greece; and its singular institutions demand special notice.

Its constitution.

The constitution of Sparta was a limited monarchy of a peculiar character. There were two kings, of equal power, whose chief business it was to thwart one another. They had large possessions: they were entitled to command the Spartan armies in time of war: they offered sacrifices to the gods, and they enjoyed a traditional reverence: but their power was subject to the Council of Ephors.[1] These magistrates, originally designed to protect the people and restrain the kings, gradually usurped an arbitrary and irresponsible au-

[1] Arist. *Pol.* ii. 9, 23; Herod. vi. 56.

thority over the State. They reduced the kingly power to a shadow, and were themselves supreme in peace and war. They appointed and dismissed magistrates: they fined and imprisoned citizens at their pleasure: nay, they could even lay hands upon the king himself: they judged causes without the restraint of written laws: they assembled the military forces, and directed their movements; and two of their number attended to control the kings in the field.

Under the institutions of Lycurgus, there was a senate and a public assembly, with some ostensible powers, but little more than nominal influence. The assembly was held in the open air: no seats were provided for the citizens, who were kept standing, and were speedily dismissed. There was no discussion of public affairs: but a simple vote was given on the decrees of the senate.[1] No citizen was allowed to speak without the express leave of the magistrates. Silence and secresy were the characteristics of Spartan rule.[2]

Its narrow polity.

As monarchy, aristocracy, and popular institutions were united in the Spartan constitution, several of the Greek writers commend it.[3] But, in truth, the consti-

[1] Plutarch (Lycurgus), i. 120; Thucydides, v. 68.

[2] Grote, *Hist.* ch. vi.

[3] Aristotle, ii. 4.; Plutarch (Lycurgus). Polybius extols it in these words:—'The dread of the people, to whom a certain share was allotted in the government, restrained the excesses and abuses of royalty. The people, on the other hand, were maintained in a due submission to the kings, by their apprehension of the power of the senate. For the members of the senate, being all selected from the best among the citizens, were always ready to support the cause of justice; and by throwing their own weight into the scale, when either side was in danger of being oppressed by the other, to give such strength to the weaker party as the constitution of the State required. By these means, the Lacedæmonians preserved their liberty entire for a much longer period than any other people' (book vi. ch. 10.)

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tution of Sparta never advanced beyond a close oligarchy of hard and narrow-minded landowners and oppressed helots, who tilled the soil; and the boasted polity of its great lawgiver was fitter for a military college than a State. Its ascetic rigour of manners and discipline, if calculated to make good soldiers, was fatal to civilisation and freedom; and accordingly Sparta is not to be numbered among the free States of Greece. Nay, opposed to freedom herself, when she attained ascendency, she trampled out the freedom of other States. She did not aspire to intellectual progress: but she aimed successfully at military domination; and the stable character of her people ensured the permanence of her institutions for upwards of four hundred years.

Cost at which stability was secured.

But at what a cost was this stability secured! The generous national life of a free State was sacrificed to a narrow and arbitrary discipline: society was immovable: citizens spent their lives without progress or variety, like Hindus or Chinese: grown men submitted to the intolerable yoke of pedagogues and drill-sergeants: irksome restraints were relied on, for the ordering of the commonwealth, instead of the healthy spirit of rational freedom.

Democratic institutions.

But under kings and an aristocracy, there were some institutions in Sparta of a democratic character. The children of the poor were educated with the children of the rich: the poor dressed like the rich, and sat at the same common tables. The citizens had the right of election to one of the two highest magistracies, and were eligible to the other. They also elected the senators, and were eligible to the Council of the Ephors.[1] No legislator of antiquity was socially so

[1] Arist. *Polit.* vi. 9.

great a leveller as Lycurgus. He divided the lands equally among the citizens, and even endeavoured to make an equal division of all other property. He introduced a cumbersome iron coinage, which discouraged the ordinary uses of money, and restrained luxury. He put down the elegant and refined arts, which contributed to the enjoyment and culture of the rich, and favoured none but the common handicrafts, which were useful to the whole community.

Sumptuary laws.

The public tables were established in order to counteract the luxurious habits of the rich: even the kings were required to dine at these tables; and the nobles, instead of enjoying costly repasts at home, were constrained to share the rough dietary of the commonalty. Their favourite dish was a coarse black broth, which was revolting to any but Spartan stomachs: they were restricted to spare potations of wine—probably as bad as their broth; and after these frugal repasts, they were not even allowed a lanthorn to light their way home in the dark.[1] By sumptuary laws they were restrained in the enjoyment of the arts and refined tastes of civilised society. Their houses were plain and devoid of ornament: they cultivated none of the fine arts at home, neither did they import the works of foreign artists: their dress was plain, if not shabby, and their persons dirty:[2] they avoided intercourse with foreigners as obstinately as the Chinese, and they repelled commerce: they laid no claim to learning, but prided themselves upon that 'Laconic' brevity which

Severity of training.

[1] Plutarch (Lycurgus), i. 129.

[2] 'At twelve years of age their under garment was taken away, and only a single upper one a year allowed them. Hence they were necessarily dirty in their persons, and denied the great favour of baths and oil, except on some particular days of the year.'—Ibid. i. 130.

CHAP. became proverbial. Family life was roughly discouraged by the public tables, by dormitories even for married men, by public education for the children, by the constant training of the men for war, and by absurd regulations for the separation of the sexes. Such customs forbade the refinements of cultivated society. Hence the Athenians could laugh at the boorishness of their warlike rivals. The Spartans were trained for the endurance of hardships and dangers: war was the end and aim of their lives: their courage was that of freemen: but, wanting the culture and intellectual activity of the Athenians, they never aspired to political liberty. Their social institutions were democratic, if not communist: their government was the rule of the few over the many.

Contrast between Athens and Sparta.

The rule of Sparta was narrow and jealous: it allowed no political power to the provincial towns, but concentrated all authority in the capital: while Athens, liberal and expansive, embraced the whole of Attica in the civic franchise.

To realise the true character of this singular polity, we must contrast Athens with Sparta. Freedom was the ruling principle of the one: restraint the scheme of the other: in the one, individuality and genius were encouraged: in the other, all men were straitened to a common type: in the one the government was open, public, free, popular: in the other, close, secret, and reserved: in the one, life was intellectual, expansive, sympathetic, gay: in the other, it was dull, selfish, narrow, and monotonous: in the one, man was developed to his highest ideal: in the other, he was an elaborate social mechanism: in the one, instructive con-

verse with foreigners was encouraged: in the other, it was repelled with barbarous exclusiveness.[1]

Athens.

Of all the Greek States, Athens was the most eminent in civilisation and in freedom. It is to Athens that Greece owes her extraordinary reputation. In the works of the Athenians we have learned to admire the genius of the Greeks.[2] Athens was the intellectual centre of Greece, and of ancient Europe, and her history presents an example of the fullest development of Greek democracy.

Athenian oligarchy.

After the death of Codrus, their last king, the Athenians were governed by Archons, elected by the Eupatrid or patrician order, at first for life, afterwards for ten years, and at length by nine archons chosen for one year only. The citizens were divided into four Ionic tribes, united by religious and social ties: they were charged with the collection of contributions for the public service, and with furnishing military contingents: but as yet they had no voice in the government of the State. A close oligarchy continued to rule over Athens—with what success we may judge from the condition in which the renowned Solon found his countrymen. This distinguished lawgiver was chosen archon in 594 B.C.; and his country needed all his statesmanship. Attica was convulsed by factions and discontents: the Thêtes, or small cultivators,[3] were groaning under oppression, poverty, and debt: many had sunk from freemen into slaves, and an insurrection

The constitution of Solon.

[1] Thucyd. i. 70, ii. 37–42.

[2] Draper says, with much truth, 'that the philosophical celebrity of Greece is altogether due to Athens.' 'It is a popular error that Greece, in the aggregate, was a learned country.'—*Intellectual Progress*, i. 128.

[3] They may be likened to freeholders and small tenant-farmers in England.

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of the debtors and poorer citizens was imminent.[1] Solon, by summary changes in the laws concerning debtors, contracts, and the tenure of land, redressed these present grievances. He was now called by his grateful countrymen to reform their political constitution; and his laws became the foundation of Athenian democracy. He was the inventor of a property qualification, or timocratic principle, as it was called by the Greeks. He divided the citizens of all the four tribes into four classes, according to the estimated value of their property. To each class specific duties and privileges were assigned, while a graduated income tax was levied, rising in proportion to the annual value of the property. The first class alone could serve as archons, sit in the senate of Areopagus, and command the land and sea forces: the second were bound to serve, fully equipped, as cavalry, and the third as heavy infantry. The fourth and most numerous class were exempt from direct taxation: but they were disqualified for the magistracy: in the field they fought as light infantry, and in the fleet as common sailors. So far aristocratic rule was maintained: but an aristocracy of wealth was permitted to encroach upon the older aristocracy of birth, which had hitherto enjoyed exclusive privileges.[2] Solon, however, did not rest here. To the fourth class he extended the rights of voting for the archons, whom he made accountable to the Heliæa, or assembly of the people.[3] He reformed the

[1] Mr. Cox enters fully into the causes of these troubles: *History of Greece*, i. 196–203.

[2] Thirlwall, *Hist.* ii. 45; Grote, *Hist.* iii. 176; Cox, *Hist.* i. 203.

[3] Aristotle says:—'Solon justly entrusted the people with the power of electing the magistrates and the right of calling them to account—powers which cannot be withheld from the people, without degrading them into

ancient court of the Areopagus, which was to be the guardian of the laws. And, further, he constituted a popular senate, or Council of Four Hundred, one-fourth being elected annually by each of the tribes: the lowest tribe, however, being disqualified from choosing any of its own members. And it was ordained that no matter should be laid before the general assembly of the people until it had been approved by a Probouleutic, or preconsidering council.[1] Popular principles were here recognised, side by side with invidious disabilities; and the most numerous class, while admitted to the franchise, were carefully reduced to a political minority in the senate. Indeed, there is no doubt that Solon, in this balanced constitution, designed to give the people no more power than was necessary to ensure their contentment, and pride of citizenship.[2] Athens was still an oligarchy: but popular rights were fully recognised, and merely awaited further development, together with the advancing power and enlightenment of its citizens. And the Ecclesia, or public assembly, which embraced all classes, was an institution essentially democratic.[3]

Encouragement of commerce.

Nor must we part with Solon without alluding to the encouragement which he gave to commerce and industry, in opposition to the general prejudices of the Greeks. Such a policy contributed no less to the national prosperity of Athens, than to its enlightenment and freedom. It withdrew numbers from agriculture,

slaves, or converting them into enemies.'—*Polit.* i. 9. The Heliæa was assembled for the election of officers, for the sanction of laws, and for judicature; Curtius, *Hist.* ii. 448.

[1] Plutarch, Life of Solon.

[2] Solon himself said he 'had given the Athenians the best laws which they were capable of receiving.'—Plutarch, i. 238; Arist. *Pol.* ii. 12.

[3] Grote, *Hist.* ch. xi.; Thirlwall, *Hist.* ii. 39 *et seq.*; Plutarch, Life of Solon; Boeck, 494, 495.

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and brought them within the social influences of the city; and was one of several concurrent causes of the advance of Athens towards democracy.

Reaction under Peisistratus.

Such was Solon's constitution: but like other Greek States, Athens was destined to political reaction, and Solon just lived to see the usurpation of Peisistratus. Under that tyrant, and his sons Hippias and Hipparchus, the freedom of Athens was suspended for fifty years.

Constitution of Cleisthenes. 506 B.C.

During this prolonged usurpation, the forms of the Solonian constitution had survived: but their vitality had been extinct; and the expulsion of Hippias, the last of the usurpers, was followed by a political revolution.[1]

It has generally been through the rivalry of contending parties that popular rights have been extended; and here Cleisthenes, the popular leader, in order to overthrow his rival Isagoras and the nobles, 'took the demos into partnership,'[2] and determined upon an extension of the suffrage.[3] The four Ionic tribes, who had hitherto enjoyed the franchise, were a limited body, enjoying their privileges by right of birth and succession, and allied in blood and religion, as in other Greek States. Meanwhile, a large population had arisen, not connected with these tribes, and therefore excluded from the franchise. Cleisthenes swept away the exclusive privileges, and religious constitution, of the four tribes, and divided Attica into ten new tribes, which embraced not only all the free inhabitants of the State, but many metics, or foreigners, if not slaves.[4] This

[1] Thucydides assigns this revolution to causes anything but patriotic; vi. 54.

[2] Herodotus, v. 66.

[3] Herodotus, v. 66-69; Grote, *Hist.* iv. 170; Thirlwall, *Hist.* ii. 82.

[4] Aristotle, *Pol.* iii. 1, 10; Grote, iv. 171; Thirlwall, ii. 83; Niebuhr, ii. 305; Cox, *Hist.* i. 223.

The ten tribes remained without alteration until 305 B.C., when tw other tribes were added.

latter concession was due to the claims of the seamen of the Piræus, and the maritime population, who had won naval victories for the State, and were constantly growing in wealth and importance. This franchise broke down the narrow limits of hereditary right: but the privileged citizens still formed a limited portion of the population.[1] The great mass of the people, consisting of unenfranchised foreigners and slaves, were beyond the pale of the new constitution. In each deme, or district (of which there were upwards of a hundred) there was an elaborate system for the registration of voters. Solon's senate now became the Senate of Five Hundred, consisting of an equal number of senators from each tribe, chosen annually by lot. It was organised as a continuous and effective body in the State, and regulations were made for holding its sittings throughout the year. The public assembly, or Ecclesia, comprised the entire body of the registered citizens of Attica, and became the sovereign political power. The Heliæa was now to be developed into the popular judicature of the dicasteries. All citizens were eligible to the Senate of Five Hundred; but as yet citizens of the fourth class, in respect of property, were not qualified to serve as archons and other high officers. Solon had confined this privilege to the first class: Cleisthenes extended it to the two other classes, but continued the disability of the lowest. The choice of senators by lot was designed to equalise the chances of the poor and the rich; and this blind principle of selection was hereafter to be further extended in the Athenian constitution. The dicasteries, or committees of the Ecclesia, were also chosen by lot. The military

[1] See Boeck, book i. ch. 7; and infra, p. 115–118.

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system was placed upon a popular basis: each tribe appointed its own officers: but the *strategi*, or generals like the ambassadors, were chosen by the assembly. The administration of the finances was likewise popular, being conducted by a board of ten elected by the several tribes.[1]

Ostracism.

Lastly, as a security against any future usurpation of power by ambitious citizens, Cleisthenes introduced the law of ostracism. Grote's masterly vindication of this law redeems it from much of the odium commonly attached to it. It was introduced when society was insecure, when usurpers and nobles acquired power by violence and assassination, and when the triumph of parties was followed by proscription and confiscation. Ostracism averted these greater evils. An innocent citizen was indeed banished: but he was not dishonoured; and his property was protected. In earlier times he would have suffered death and confiscation. So far the new policy was less wrongful than the old. It may be added that ostracism was rarely used; and that when democratic rule was assured, and fears of aristocratic reaction had passed away, the law fell as much into desuetude as did the law of impeachment, in England, when liberty had been firmly established.

But ostracism, however wise and salutary its purpose, and however guarded against abuse, was founded upon a principle utterly indefensible: for it contemplated the banishment of a citizen, not for any offence proved, or even alleged against him,[2] but in order to

[1] See Boeck's chapters on this part of the economy of Athens; Books ii. iii.

[2] Plutarch says:—'Ostracism was not a punishment for crimes and misdemeanours, but was very decently called a humbling and lessening of some excessive influence and power' (Aristid.) ii. 456.

avert probable danger, or inconvenience to the State. Admitting fully the natural jealousy of usurpers by which the Athenians, and other Greeks, were possessed, and their justifiable fear of powerful citizens, not yet restrained by respect for constitutional obligations, the banishment of a blameless citizen, merely to serve the supposed interests of the majority, was the absolute sacrifice of one, for the benefit of the many. It has, indeed, been compared with the English law of impeachment. But an impeachment is founded upon the proof of high crimes and misdemeanours,—imperfectly defined, indeed,—yet distinct criminal acts committed against the State. These crimes must be proved, before the highest tribunal of the realm,—a tribunal not swayed by the passions of the people, on whose behalf the charge is made, superior to intimidation, and sworn to do even justice between the commons and the accused. Acts of attainder may afford a closer analogy: but, in truth, ostracism more nearly resembled those decrees of banishment, by which arbitrary kings have been wont to rid themselves of dangerous or obnoxious subjects. It is not a free State, but an absolute monarchy, that affords examples of innocent men condemned and punished by the caprice of their rulers. Ostracism was the arbitrary device of a popular despotism.[1]

[1] Aristotle, while maintaining the theoretical value of ostracism, is constrained to doubt 'whether this invention ought ever to be employed in a virtuous and well-regulated community.'—*Polit.* iii. 9. And in another place he speaks of it as 'a remedy as cruel as it is violent—a political amputation which severs from the commonwealth those qualified to form its best defence and highest ornament.'—Ibid. vii. 3. Plutarch says:—'The ostracism was intended, not so much to punish this or that great man, as to soothe and alleviate the fury of envy, who delights in the disgrace of superior characters, and loses a part of her rancour by

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Changes in the constitution of Cleisthenes. 477 B.C.

The constitution of Cleisthenes, democratic as it was, retained some important provisions of the old oligarchy. These continually gave way before the advancing power of the people. Aristides, after the battle of Platæa, removed all official disabilities, and threw open the offices of archon and strategus to every class of citizens.[1] And at about the same period the archons appear to have been first chosen by lot.[2]

Reforms of Pericles.

But it was reserved for Pericles to complete the democratic constitution of Athens. The principal institution of the old oligarchy was the ancient court or senate of Areopagus. This distinguished body was the highest court of justice in the State, and was fenced round with dignity and privilege. It had long been upheld by religious respect, and traditions of divine authority: it was composed of men, wealthy and high-born, who had served as archons; and it exercised not only an extended judicature, but a censorship of morals, and powers for ensuring an observance of the laws. It even controlled the proceedings of the Ecclesia. It was naturally an aristocratic and conservative body; and in jurisdiction, and in reverence, it had once been more than a House of Lords. But it became obnoxious to the democratic party in Athens. Its members belonged to the highest class, from which alone the archons had been eligible, and many to the hostile

The Areopagus.

their fall.'—Life of Themistocles, i. 345. And again he calls it 'a mild gratification of envy' (Arist.) ii. 456.

'The citizens voted for an ostracism, by ballot, inscribing the names of those denounced upon pieces of broken pots or shells.'—Plutarch (Arist.) ii. 456.

[1] Plutarch (Life of Aristides), ii. 481; Cox, *Hist.* ii. 16.

[2] Socrates ridiculed the choice of officers by lot, saying that no one would so choose a pilot, a carpenter, or a musician; Xenophon, *Mem.* i. 2. And this was one of the charges against him, on his trial.

faction of Peisistratus and his family, who resisted popular influences, and intrigued with oligarchic Sparta and despotic Persia, against their own countrymen. Its exclusive constitution, its political sympathies, and its powers were alike opposed to the full development of democracy. Its divine traditions had faded away like those formerly associated with kings; and the people had lost confidence in its justice and impartiality. The opening of the office of archon to all classes might in course of time have invigorated this body: but the election of these officers by lot, instead of by intelligent choice, impaired its character and reputation;[1] and it was destined to fall suddenly in the conflict of rival parties. The breach between the oligarchic and conservative elements of the constitution, and the democracy, was widened by the rapid growth of Athens and the port of the Piræus, and the rise of new maritime and commercial interests. Cimon was chief of the oligarchic and Peisistratid party: Pericles and Ephialtes were leaders of the popular and democratic party; and by striking at the senate of Areopagus, as the chief support of the oligarchy, they at once disabled their rivals, and carried out their own democratic principles.

457 B.C.

The dicasteries.

This venerable institution was now stripped of nearly all its powers; and its judicature was transferred to the entire people. The archons were at the same time deprived of their independent judicial functions. The administration of civil and criminal justice was now vested in the dicasteries, consisting of about six thousand citizens, annually drawn by lot, sworn, and divided into ten panels of five hundred each, a thousand being left as a reserve. Each dicastery was presided

[1] Plutarch (Pericles), 9.

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over by an archon, the cases being assigned to it by lot. All the dicasts were now paid for their services.[1] Before these popular assemblies were tried all civil and criminal causes, except those concerning homicide, which were still reserved for the Areopagus. So numerous a body was obviously unsuitable to the functions of a judicial tribunal: but the Athenians, dreading the corruption of individual magistrates, and the weakness of small courts, in dealing with powerful and turbulent citizens — whose causes were often espoused by excited followers—sought for authority, and respect for the law, in the numbers of the dicastery.[2] So large a body, it was maintained, could neither be bribed nor intimidated; and if it sometimes erred, they believed it to be not more liable to error than the magistrates whom it superseded. Its generous sentiments could be relied on for the redress of injustice and oppression. Impartiality was also sought in the publicity of its proceedings, and in the choice of its members, from the different tribes, by lot.

But whatever their merits and defects as judicial tribunals, the dicasteries ministered to the passion of the Athenians for social and public life. Here was a field for the display of oratory, subtlety and wit. The accused, or parties in a cause, pleaded before an audi-

[1] 'When the power of the popular dicastery came to be fully recognised, the demos received all the court which is payable to a tyrant, and so the polity was turned into the democracy of which we are witnesses.'—Arist. *Pol.* ii. 9. Aristotle speaks elsewhere of the attractions of the fees to the dicasts; ibid. xi. 4. And Aristophanes ridicules their restless activity, in the '*Wasps*.'

[2] So much reliance was placed upon the efficacy of numbers in securing an impartial and fearless decision, that in cases of great importance the dicastery was sometimes increased to 2,000; Curtius, *Hist.* ii. 450.

ence keen and quick-witted, sensitive and impressionable. Denied the assistance of advocates, every man strove to fit himself for the ordeal of public discussion. To persuade their fellow-citizens with argument or sophistry, to move them with passionate bursts of eloquence, was the ambition of Athenian orators. The dicasts were trained by the exercise of judicature, and cultivated by the forensic struggles which they witnessed; and the more ambitious and capable of their number were ever seeking occasions for the display of their judgment or eloquence.

No institution of Athenian democracy contributed more to the intellectual development of the citizens: none gave greater power and ascendency to the demos: but as a scheme of judicature it can only be approved by those whose generous devotion to the genius of the Greeks can discover no error in their ways. This democratic judicature has often been compared with English trial by jury;[1] and, undoubtedly, the same popular principle is the foundation of both: but how different are the two tribunals! Conceive a trial in New Palace Yard, before a magistrate and five hundred common jurors of Middlesex, instead of before a judge and jury in Westminster Hall![2]

Scrutiny of magistrates.

Another powerful instrument of the democracy was found in the scrutiny of the conduct of magistrates by the people. Administrative abuses were checked by the fear of popular displeasure: but censure was too often directed more in the spirit of faction than of patriotism, and was used to ruin a political opponent

[1] See especially Grote, *Hist. of Greece*, v. 516 *et seq.*

[2] Anacharsis, having seen an assembly of the people at Athens, said 'He was surprised to find that in Greece, wise men pleaded causes, and fools determined them.'—Plutarch (Life of Solon), i. 224.

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rather than to serve the interests of the State. In this manner, Ephialtes at once rescued the commonwealth from pernicious corruptions, and struck down the Eupatrid, or aristocratic party. Like impeachment in England, a scrutiny was applied sometimes for the vindication of public rights, sometimes to serve the ends of political parties. The two processes, however, were widely different: in Athens the people were at once accusers and judges: in England the Commons accuse: but the trial of the charge is with the Peers.

Restraints upon the democracy.

The working of these democratic institutions, however, was not free from supervision and restraints. The proceedings of the Senate of Five Hundred, and of the public assembly, were watched by assessors called nomophylakes, who interposed to restrain any excess of jurisdiction, or deviation from the law; and considerable checks and limitations were imposed upon the legislative authority of the senate and the assembly: while rash proposals to amend the laws, were discouraged by a liability to penalties.[1]

Increased power of the public assembly.

While these constitutional changes were proceeding, the assembly assumed more extended powers, and overthrew the checks which had been imposed upon it by the constitution of Solon.[2] With a view to limit the legislative authority of the public assembly, propositions for new decrees were required to originate with the Council of Five Hundred: but these were so altered by the assembly, that its legislative power was practically unlimited. Nor did it always await the propositions of the five hundred: but originated pro-

[1] All these securities are fully described by Grote, *Hist.* vol. v. 498; and by Thirlwall.

[2] *Supra*, p. 69.

posals or decrees of its own, which it sent up to the council for approval. It appears, however, that the power of making general laws, or amending the laws of the State, was still confided to a committee of the assembly. How decrees of the assembly were to be distinguished from laws has never been clearly defined,[1] and was probably undetermined: but the strongest body is more likely to have encroached upon the authority of the weaker, than to have suffered unwelcome restraints upon its own power.

Council of Five Hundred.

The Council of Five Hundred was entrusted with important functions. It controlled the finances: it received despatches from generals and ambassadors: it laid such communications before the assembly, to which it also introduced ambassadors in person; and it generally arranged the business to be brought before the assembly. Such a body should have given steadiness and consistency to the administration: but its constitution was so jealously regulated, that it was itself wanting in stability. It was elected annually by lot, by the ten tribes: each of these tribes chose its fifty members to act for a month as prytanes, or office-bearers, in rotation, also determined by lot. A new Epistates, or president, was appointed every day, by lot. No better scheme could have been devised for ensuring the incapacity of a governing body. The creature of chance, without unity of purpose or experience, it was powerless in presence of the assembled people.

Nor were its deficiencies supplied by any considerable number of high officers, and official establishments, such as those which assisted in the government of Rome, and have been found indispensable in the States of

[1] Thirlwall, *Hist.* iv. 227, 228; and authorities there cited.

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modern Europe. A general, or popular statesman, like Themistocles or Pericles, was able to dominate alike over the council and the assembly, and to direct the policy of the State: but otherwise the Athenian constitution ministered to popular impulse, and not to a steady and consistent statecraft.

Payments for public services.

None of the measures of this period favoured the onward movement of democracy so much as the payment of citizens for the discharge of their duties to the State. Payment for public service was originally unknown among the Greeks. Even military service was performed gratuitously: duty and honour being its sole rewards. But when the Athenians found themselves constantly engaged in war, or preparing for hostilities, such onerous duties could scarcely be exacted, or performed with alacrity, without assistance from the State, on whose behalf great personal sacrifices were required. Hence, in the time of Pericles, military pay was first introduced.[1] Public and political services in time of peace had also been unpaid. Envoys to foreign States, indeed, were provided with the means of maintaining the dignity of their mission, but all the civil magistracies were honorary. The only citizens who received pay were the subordinate officers, and servants of the greater functionaries of the State.

The democratic party, under Pericles, could not fail to perceive that this principle discouraged the activity of the poorer citizens in public affairs. A rich citizen needed no inducements but duty and ambition, to take his part in the government of the State: but his poorer neighbours, though entitled to share equally in the democratic rule, were naturally restrained by

[1] Only 4 obols or 6*d.* a day; Curtius, *Hist.* ii. 447.

their poverty from a free exercise of their rights. These were at once the most numerous class, and formed the party to whom the democratic leaders looked for support. Every citizen, they argued, should be encouraged to concern himself with public affairs, for the interest of the State, and to qualify himself for the duties of citizenship: otherwise the government of a free State would be monopolised by the rich. Accordingly, to attain equality of rights and duties, it was contended that public services should be paid; and such payments were now introduced, first for service in the popular judicature, which was becoming overladen with business, and afterwards for attendance at the public assemblies.[1] Nor were there wanting specious reasons, at this time, for remunerating the public services of citizens. The business of the popular courts was extended by the enlargement of their jurisdiction, by the limitation of the powers of the magistrates, by the litigious spirit of the citizens, and, above all, by the assumption of supreme judicial authority over the Athenian allies. This accumulation of important causes increased so much the labours of the dicasts, that daily attendance was often required, and public duties so onerous and constant, it was said, were fairly entitled to compensation.

The principle of payment for public services, in time of peace, being thus admitted, it was readily extended to attendance at the public assemblies. If citizens were to be paid for the performance of their duties as dicasts, why not when they served the State, by assisting at its political councils? If it could not be suffered that the judgment seat should be occupied

[1] Curtius, *Hist.* ii. 448–452.

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by the rich alone, it was of the very essence of the democratic polity that the poor should freely share in the councils of the State, protect their own interests, and counteract the dangerous influence of the rich and powerful. Accordingly, on the motion of Callistratus, an 'obol' was awarded for every attendance in the public assembly. A 'drachm' was next given for attendance at the council; and orators addressing the assembly, on behalf of the State, were also entitled to remuneration.[1]

Thus, step by step, payment was extended to all public services; and the scheme of democracy was consummated. It was the right and duty of every citizen to sit upon the judgment seat, to administer and to make the laws, and to determine all questions affecting the welfare of the State. In qualifying himself for these varied functions, the State, in whose service he laboured, undertook to indemnify him for personal sacrifices. The poor were at once enabled and encouraged to assume a forward place in public affairs; and democracy was henceforth in the ascendant.[2]

Popular amusements.

Nor were these constitutional changes the only concessions made by Pericles to democracy. His rival Cimon was wealthy and munificent: he kept open house; and distributed largesses among the poorer citizens. He devoted his own fortune to secure the favour of the people towards himself and the aristocratic party. This was a form of bribery by no means uncommon at Athens; and was afterwards to be practised with far greater extravagance at Rome. But Pericles was neither able nor willing to waste his private fortune in counteracting the seductions of Cimon; and

[1] Curtius, *Hist. of Greece*, ii. 450–453. [2] Ibid. ii. 453.

proposed measures for providing subsistence and amusements to the poorer citizens, at the public expense. The munificence of Cimon was eclipsed by the prodigality of the State.[1] But Pericles had higher aims than a party manœuvre, and the temporary favour of the populace. If he was ambitious of personal power, he was yet more ambitious of the ascendency and glories of his country. He was resolved that Athens should in war be the foremost State, by sea and land, and in peace the metropolis of the arts. To train and employ seamen, he kept sixty galleys at sea, for eight months;[2] and in maintaining the efficiency of the fleet, he found employment for numbers of the poorer class of citizens. He completed the fortifications of Athens, which had been planned by Themistocles, and partly executed by Cimon. He restored the ruined temples; and erected new temples of the grandest proportions, and the noblest architectural designs. The Parthenon arose, under his auspices, a model of beauty for all time. He built a new theatre for the instruction and entertainment of the people. The first architects, sculptors, and artists of Greece were collected for building and adorning these noble edifices: encouragement was given to trade by the importation of the rare materials used in their construction; and crowds of skilled artificers

Public works at Athens.

[1] This policy was not originated by Pericles. The earliest distribution of public money among the citizens of Athens arose from the profits of the silver mines of Laurium. These mines being the property of the State, all citizens claimed to be their proprietors, and the surplus profits, when not required for other public objects, were accordingly divided among the citizens, and applied to public spectacles, sacred processions, and dramatic entertainments. Themistocles obtained their consent to discontinue this practice.—Curtius, *Hist. of Greece*, Ward's trans. ii. 230, 231; Lloyd, *Age of Pericles*, ii. 99.

[2] Plutarch (Pericl.), ii. 19.

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were engaged in the costly work. In a few years, Pericles made Athens the fairest city of Greece; and the Athenians were justly proud of their capital. At the same time, this concentration of the arts, and of employments, raised, to its highest pitch, the general prosperity of the people.[1] So noble an enterprise transcended any immediate considerations of policy. It served, indeed, to confirm the political ascendency of Pericles, and the popular party: but it made Athens the glory of her own citizens, the admiration of foreigners, and the wondering study of all ages. It extended the knowledge, cultivated the taste, and confirmed the patriotism of the Athenians.

The Theoricon.

But Pericles was not contented with the embellishment of Athens. He had built a new theatre, and he resolved that it should be thrown open to the people. Admission to theatrical representations had formerly been gratuitous: but this privilege had been withdrawn after the rebuilding of the theatre. The poorer citizens now complained that they could not afford the small price of their amusement; and Pericles, instead of restoring the old freedom of admission, provided for the distribution of money, out of the treasury, to indigent citizens, for the indulgence of their theatrical tastes. This recreation fund was known as the 'Theoricon.' Its bounty was not confined to the theatres, but extended to religious festivals, to processions, and other public celebrations. These, again, were increased in number and magnificence; and measures were taken for keeping down the price of corn. Pericles may be acquitted of any design to corrupt the people, for party purposes. The public amusements, which formed part of the

[1] Plutarch (Pericl.), ii. 23.

public life at Athens, were at once religious and intellectual: they were associated with the worship of the gods: they appealed to the imagination and the taste of the citizens: they presented forms of grace and beauty: they inspired lofty and heroic thoughts: they stimulated the wit and subtlety of the Athenian mind. The cultivated taste of Pericles inclined him to encourage every form of art; and his political principles, as a democratic statesman, dictated his present policy. While undermining the influence of his political rivals, and gratifying his own party, he was at the same time advancing the principles of a pure democracy. According to the theory of this democratic State, all citizens enjoyed equal rights; and it was fitting that they should be freely and independently exercised. If the poor could be bribed by the rich, their independence was forfeited, and the State was governed by the few, instead of by the many. By the intervention of the State, a proper influence was now secured to the demos. Nor were the sovereign people slow to claim all the privileges of rulers.[1] They insisted that national celebrations, supported from the public treasury, should be open to all citizens alike. The revenues of the State were derived from foreign tributes, and from taxes levied upon the Athenians. The former were won by their valour, the latter were paid directly by themselves. They had paid for the adornment of the city, and they enjoyed its porticoes and public gardens: they had paid

[1] 'The distributions of money were closely connected with the spirit of democracy in general. For, since in all States the power of the ruler is surrounded by a certain splendour of life, which also redounds to the credit of the entire State, in a democracy, the demos is, as a matter of fairness, entitled to share in this privilege of rulers.'—Curtius, *Hist.* ii. 444.

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for its theatres and national festivals: why then should any citizens be denied the enjoyment of the common possessions and privileges of the entire community?

Its evils.

But whatever justification may be found in the peculiar democracy of Athens, and the state of Athenian society, for so ultra-democratic a policy, it was plainly opposed to all reasonable principles of government. Its worst evils were not disclosed until after the time of Pericles; but it encouraged general corruption, in a new form: it demoralised society; and it was peculiarly injurious to a people so passionately fond of amusement as the Athenians.[1]

Commerce encouraged by Pericles.

In reference to the constitutional policy of this period, it may be added that Pericles further promoted the ascendency of the democracy by favouring commerce, and discouraging the landowners, who were the conservative power in the State.[2]

Athenian democracy.

By these successive measures, the constitution of Athens became a pure democracy. All citizens were equal; and in war, in politics, and in judicature, the people were supreme. They were the only source of power: all offices were open to them: the distribution of offices by lot placed high and low upon a level: payment for public services raised the poor to an equality with the rich; and even the public amusements were free to all alike. It is the first and most memorable example of a government in which popular power has been exercised directly, without any intermediate governing authority.

So complete and direct was the sovereignty of the people, that ambassadors were received, not by any great officer of the State, but publicly by the assembly

[1] See *infra*, p. 123. [2] Boeck, 399.

itself.[1] During the Persian war, the ambassadors of Sparta were publicly received in the assembly, and told, in the memorable words of Aristides, 'that the people of Athens would not, for all the gold either above or under ground, barter the liberties of Greece.'[2] The rival envoys of Corinth and Corcyra appeared before the assembly and pleaded the claims of their respective States to the support of the Athenians.[3] And during an armistice after the battle at Pylus, in the Peloponnesian war, the Spartans sent ambassadors to treat with Athens, and were publicly heard by the assembly.[4] Philip of Macedon addressed a letter to the senate and people of Athens; and it was discussed in the senate and in the assembly. Thus even diplomacy—in modern times so secret and reserved—afforded occasions for the display of popular oratory in Greece. The assembly combined executive functions with powers of legislation and judicature. It elected the civil and military officers of the State, and it determined questions of peace and war. Its range of powers and functions far exceeded that of the House of Commons; and embraced some

435 B.C.

425 B.

343 B.C.

[1] 'In Greece it was the usual habit to transact diplomatic business, like other political matters, publicly before the governing number—the council, if the constitution happened to be oligarchical—the general assembly, if democratical.' And in this manner the ten Athenian envoys, including Æschines and Demosthenes, addressed Philip of Macedon.—Grote, xi. 529.

[2] Plutarch (Aristid.), ii. 461.

[3] Thucydides, i. 31–44. The discussions which ensued present an early example of an adjourned debate, the assembly having been twice held before a resolution was agreed to. Ambassadors were heard in the same manner by the assembly at Sparta, the Corinthians and Athenians being so heard against each other.—Thucydides, i. 67–79. And, again, the Corinthians and other allies addressed the assembly before the commencement of the Peloponnesian war.—Ibid. i. 119.

[4] Thucydides, iv. 16–20.

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which are jealously excluded from the jurisdiction of that powerful body.

Democratic influence of Athens.

Democratic in her own institutions, Athens also favoured democracy in all her allied and subject States. Sparta, in like manner, aided and encouraged oligarchies wherever her influence extended.[1]

Overthrow of the democracy. 411 B.C.

The democratic constitution, thus developed, continued without a check for nearly a hundred years after the laws of Cleisthenes: when, at a critical period of the Peloponnesian war, it was suddenly overthrown by Antiphon, Peisander, and the oligarchic party. The means by which this revolution was brought about afford a curious insight into the political and social condition of Athens, at that time. Before the assembly, Peisander urged the necessity for changes in the constitution: but he did not venture to propose them to so democratic a body. He sought to gain his ends by the secret agency of political associations, or clubs, which had long been familiar to the Athenians. Such associations had given valuable aid to Cimon, to Pericles, and to Alcibiades. Some were organised for influencing the elections of magistrates, and for mutual support in the assembly, or dicasteries. These were generally of the aristocratic party, and threw themselves warmly into the intrigues of Peisander, Antiphon, and his confederates. The most active of the party, in order to allay suspicion, openly discussed the necessity of some moderate constitutional reforms: but in private they were conspiring to effect a *coup d'état*. Androcles, a bold leader of the democratic party, was assassinated: other forward members of his party fell victims to the same ruthless conspiracy. The democrats quailed before the

[1] Aristotle, *Polit.* vii. 7.

dagger of the assassin: the plot was so widespread, and its secrets so dark, that they knew not whom to trust; and they were half prepared by intimidation to submit to the designs of their enemies, when the blow was struck. Antiphon, Peisander, and the aristocrats obtained a decree from the assembly changing the mode of electing magistrates, and substituting a new Council of Four Hundred, for the existing Council of Five Hundred: limiting the franchise to five thousand citizens; and abolishing payments for attendance at the assembly, and other civil functions. The new council was nominated by the conspirators themselves; and the old council was ejected by force of arms. The Four Hundred at once assumed all the powers of the State, the five thousand citizens being altogether ignored. They endeavoured to complete the ruin of the democratic party, by executions, exile and imprisonment. At the same time, active measures were taken, with indifferent success, to bring about an oligarchical revolution in all the subject and allied cities. But the rule of the oligarchs was short-lived. The fleet remained faithful to the popular cause: the army near Athens distrusted the designs of the Four Hundred; and the citizens were discontented with the usurpation of the oligarchs, and their own exclusion from power.[1]

Overthrow of the oligarchs.

At an assembly, called by the democrats at the Pnyx,[2] the Four Hundred were deposed: the sovereign power was vested in five thousand citizens; and again payments in respect of all civil offices and functions were condemned. The oligarchs were overthrown:

[1] Thucyd. viii. 64–72.

[2] The Pnyx was the place appointed for the meeting of the assembly, ever since the expulsion of the tyrants.

CHAP. II.

but the old democracy was not yet restored. A limited constitution, distinguished by Aristotle as a polity, was established, for a time, comprising the upper and middle classes only. Peisander and most of the leaders of the oligarchy fled: but Antiphon and Archeptolemus were condemned to death, and their goods confiscated.

This restricted constitution, however, seems to have lasted little longer than the oligarchy which it had supplanted; and the old democracy soon recovered its dominion. It used its powers with a lenity which put its aristocratic rivals to shame. But national disasters were impending, which were to cast down Athens from her ascendency among nations, to cripple the liberties of her citizens, and to demoralise her people.

Humiliation of Athens. 404 B.C.

The long Peloponnesian war closed in ruin to the Athenian arms. The fleet was captured by the Spartans: 3000 prisoners were put to death: the proud capital was forced to surrender to the Spartan general Lysander; and imperious Athens was compelled to become a member of the hated Spartan confederation. The glories of Athens had culminated; and were henceforth

506 B.C.

destined to decline. Since the constitution of Cleisthenes, more than a hundred years had passed; and they were the most glorious epoch in the history of the Athenian commonwealth.[1] But there were yet some brilliant days in store for her; and we must follow her history rapidly to its close.

For the present her fortunes were low indeed. Her territory had been wasted by the enemy: the tribute

[1] 'The one century of Athenian greatness, from the expulsion of the tyrants to the defeat of Aigospotamos (508–405 B.C.) is worth millennium of the life of Egypt or Assyria.'—Freeman's *Hist. of Fed. Govt.* 52.

of subject cities was no longer poured into her treasury: her fortifications were in ruins: her fleet was disabled by defeat, and laid prostrate under treaty: her commerce was impaired: her people were impoverished.

The Thirty Tyrants.

National humiliation before the conqueror was not all that the Athenians were called upon to endure. At the dictation of Lysander, their cherished constitution was again overthrown; and all the powers of the State were vested in a Council of Thirty—soon to be branded as the Thirty Tyrants. Their Spartan sympathies were shown by their efforts to cripple the power of Athens; and with the aid of Spartan troops they revelled in a merciless proscription of Athenian citizens. Executions, confiscations, exile and imprisonment marked their rule. The richest citizens were marked out for destruction, not for their crimes, but for their wealth. The chief author of this execrable proscription was Critias, a scholar and a gentleman, of the highest birth, and many accomplishments: but cold-blooded and inexorable in his determination to trample upon the democracy. All the citizens were disarmed, except the knights, and a chosen body of three thousand, who could be relied on. Even peaceful foreign merchants at the Piræus, who had taken no part in politics, were sacrificed for the sake of plunder. Hundreds of citizens and foreigners fled for their lives, and were pursued into other lands by their ruthless persecutors. Nor was this proscription confined to Athenians: but three hundred citizens of Eleusis and Salamis were brought to Athens, and publicly executed. It was said that the Thirty 'had shed more Athenian blood in eight months, than the Peloponnesians in ten years of war.'[1] Such

[1] Diodorus, xiv. 33.

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monstrous crimes could not long be perpetrated with impunity. Thrasybulus, a banished citizen, raised an armed force at Thebes, and marched upon Athens, to rescue his fellow-citizens from their oppressors. Critias fell in battle; and the Thirty were deposed. Their place was supplied by a Council of Ten. one being taken from each tribe. But as this council was found to continue the repressive policy of the Thirty, Thrasybulus pursued his armed opposition: the citizens flocked to his standards; and after a further intervention of the Spartans, under Pausanias, the Ten were overthrown, and the old democracy was again restored. And it must be recorded to its credit, that mercy and not vengeance distinguished its return to power. The oligarchs had been bloodthirsty, rapacious, and unjust: the restored democracy, with noble moderation, protected its enemies by an amnesty.[1]

Democracy again restored.

Decline of the ascendency of Athens.

The political ascendency of Athens over other Greek States now gave way to the harsh domination of Sparta. Another half-century of brilliant independence, however, was still allotted to her: her maritime power was greater than ever; and at one time, she recovered a commanding position in Greece. But her power was greatly reduced by the social war; and Thebes, under the guidance of Epaminondas, acquired, at once, her greatest freedom and her highest military and political supremacy.

358 B.C.

355 B.C.

Brief sketch of Athenian history.

Throughout this period, the democratic constitution of Athens was maintained; and though her fortunes were less exalted, and her domestic institutions were deteriorated, the genius of the Athenians maintained its pre-eminence. When the independence of Greece

[1] Thucydides, vi. 39; Xenophon, *Hell.* ii. 43; Grote, viii. 411–416.

was threatened by Philip, and Alexander of Macedon, the eloquence of Demosthenes surpassed all former examples of Greek oratory. Æschines was second only to Demosthenes himself. This period of decline was also made illustrious by the genius of Plato, Aristotle, and Xenophon.

Conquest of Greece by Macedon. 336 B.C.

But the days of her greatness and of her freedom were numbered. She fell, not from internal dissensions, nor from the failure of her democratic institutions, but under the overpowering military force of Macedon. Alexander trampled upon Greece; and a few years later Athens was required by Antipater to renounce her democratic constitution, and not only to disfranchise, but to banish her poorer citizens. No less than 12,000 of her 21,000 citizens were driven into exile.[1] Her patriots and statesmen fell under Macedonian vengeance. The great orator who had warned his countrymen against the ambition of Philip and Alexander lived to see the degradation of his country; and was slain by Macedonian foes whom he had denounced. The once free people of Athens and of Greece became the servile subjects of Macedonian satraps. Their fair cities were garrisoned by foreign troops: their national spirit was subdued; and their genius sickened and died out. The glories of Greece faded with its freedom.[2]

Fall of the Athenian democracy. 322 B.C.

[1] Grote, *Hist.* xii. 436; Thirlwall, *Hist.* vii. 209.

[2] Grote says the close of the generation contemporary with Alexander is 'the epoch, from whence dates not only the extinction of Grecian political freedom and self-action, but also the decay of productive genius, and the debasement of that consummate literary and rhetorical excellence which the fourth century B.C. had seen exhibited in Plato and Demosthenes.' —*Hist.* xii. 661.

CHAPTER III.

GREECE.

REVIEW OF ATHENIAN DEMOCRACY—ITS CONSPICUOUS MERITS AND DEFECTS—PUBLIC SPIRIT OF THE ATHENIANS—ORATORY—CULTURE—LEADERS AND DEMAGOGUES—ATHENIAN FRANCHISE—ATHENS AS A STATE—JUDICATURE—PUBLIC AMUSEMENTS—CORRUPTION AND DEGENERACY—THE ACHAIAN LEAGUE—GREEK COLONIES.

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Review of Athenian democracy.

HAVING closed this sketch of the fortunes of Athens, and her democracy, we may here briefly review the working of her democratic constitution, its merits and defects, its glories, its vices, and its degeneracy.

During the period in which Athens was governed by a democracy, are recorded her greatest material prosperity, her most brilliant achievements in war, her ascendency among the States of Greece, her ablest generals and statesmen, her most famous orators, philosophers, and historians, the highest development of her literature and arts, and the most extended cultivation of her people. Within this period are comprised the proudest memories and monuments of Athenian history.

National enlightenment and freedom.

Many causes contributed to this memorable result. First, there was a coincidence of national enlightenment and of freedom. All the social customs of the Greeks, as we have already shown, had been, for centuries, advancing their education. Nothing had been wanting to this end, in an age when printing was un-

known, and even writing was little practised; and thus the people were gradually trained to self-government. The memory of past misrule and oppression led them to value every successive extension of their privileges: while intellectual culture had prepared them for their judicious exercise. When every citizen found himself a member of the body politic, he was filled with self-respect, and fired with sentiments of national union, prowess and glory. The people were themselves the State. They went forth armed to fight their country's battles, with all the energy of a single will; and, strange as it may seem, they showed rare discrimination in the choice of generals. Among their elected generals at Marathon, were Miltiades, Themistocles, and Aristides. It was to men of noble birth that the people generally turned, as leaders in the field of battle. The demos was jealous of any authority but its own: but to its generals it confided more power than it was willing to yield to any civil magistrate. The ten generals superseded the archons in civil, no less than in military, functions.[1] Herodotus, in a well-known passage, has borne witness to the extraordinary impulse given by freedom to the warlike spirit of the Athenians:—'The Athenians while under a tyrant, were not superior in war to any of their surrounding neighbours: but so soon as they got rid of their tyrants, became by far the first of all. These things show that, while kept down by one man, they were slack and timid, like men working for a master: but when they were liberated, every single man became eager in exertions for his own benefit.'[2]

Warlike spirit of Athens.

Fifth century B.C.

[1] Freeman, *Hist. of Fed. Govt.* 285. See also p. 300 for some instructive illustrations of the gradual separation of the civil and military functions.

[2] Herodotus, v. 78. Mr. Grote's translation has been cited; *Hist.* iv. 238.

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This warlike energy was conspicuous in the battles of Marathon, Salamis, Platæa, and Mykalê,[1] which placed the Athenians at the head of the Greek States. Democracy suited the genius of the Athenians, and thus encouraged their warlike spirit. But we must guard ourselves against any general inference in favour of democracy as producing superiority in war. The Spartans, without freedom, were not less eminent in valour and in military prowess, and they maintained their ascendency for a much longer period. And all the Greek States, whether free or not, were eventually to succumb to the Macedonian kings. Any national sentiment, or prejudice, has sufficed to arouse the warlike instincts of mankind. Loyalty, fanaticism, hatred, and greed of plunder have made good soldiers of most races, in all ages of the world, and under every form of government. In Athens and in other free States, the warlike spirit has naturally been most active when the greatest confidence and union of sentiment animated the people and their rulers.

Mercenary troops.

It was the duty of every citizen to fight for his country; and a standing army, in time of peace, being inconsistent with the freedom of a democracy, was not maintained by the Greek States. At Argos an armed force, called 'the Thousand,' overthrew the democracy and established an oligarchy.[2] Even in time of war, no troops received any pay at Athens, except foreign mercenaries, until Pericles introduced the payment of citizens who served as soldiers.[3]

[1] Justice, however, must be done to Sparta. Athens won Marathon alone, Salamis with Sparta, having the principal part, Platæa with Sparta, the latter having the first honours, Mykalê also with Sparta, Athens bearing off the principal honours.

[2] Thucydides, v. 81; Arist. *Polit.* v. 4; Boeck, 283.

[3] Boeck, 272; *supra* 80.

Athens became so frequently engaged in wars, that they could scarcely have been carried on by unpaid forces; and after the Peloponnesian war, the Athenian citizens became less willing to risk their own lives in battle. They had become addicted to the arts and luxuries of peace, and gladly found substitutes. The same change also came over the spirit of the Spartans. Mercenary soldiers were multiplied in the time of Demosthenes; and the decay of military ardour, among the Greeks of the Peloponnesus, favoured the designs of Philip of Macedon. The new military system not only tended to lower the courage and patriotism of the Athenians, but led to scandalous corruption: the generals lived in splendour and luxury, and soldiers were charged to the State, who had never served in the field. The same frauds were practised in the navy.[1]

360 B.C.

Political activity of the Athenians.

With that vigour in war which distinguished Athens, in her best days, there grew up a passionate spirit of patriotism in civil affairs. Every man accounted the interests and honour of his country as his own. No sacrifice was too great for the service of the State. And this patriotic zeal was accompanied by an extraordinary activity in public affairs. In the senate, the ecclesia, and the dicastery there was a constant contention of rival orators. Every citizen was at once a politician and a juryman: his voice was to be heard everywhere: the business of the State was transacted in the streets and in the market-place. To our modern conceptions, nothing but confusion and tumult could be expected from such a system of government, which must, indeed, be regarded as a political phenomenon. Athens, however, was a small city compared with European capitals

[1] Boeck, 202.

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of the present day: it could rarely have assembled a greater number of citizens than we are accustomed to see, in England, gathered at a public meeting: the issues placed before them were generally simple; and they were guided to their determinations by the ablest statesmen, and most consummate orators of their age.

Funeral oration of Pericles.

Some striking passages in the noble funeral oration of Pericles, in the first year of the Peloponnesian war, exhibit the zeal and judgment with which the Athenians exercised their privileges.

'We are the only people,' he said, 'that consider the man who takes no part in public affairs, not as unofficious, but as useless; and we ourselves judge rightly of measures, if we do not originate them.'

And again:—

'We always hear and pronounce on public matters, when discussed by our leaders, or perhaps strike out for ourselves correct reasonings about them: far from accounting discussion an impediment to action, we complain only if we are not told what is to be done, before it becomes our duty to do it. For, in truth, we combine in the most remarkable manner these two qualities,—extreme boldness in execution, with full debate beforehand, on that which we are going about: whereas, with others ignorance alone imparts boldness, debate introduces hesitation.'[1]

It may be said that this speech was not without flattery to the Athenians, to whom it was addressed: but its general truth is attested by their history. And how rare a picture it presents of a free State, in ancient times! Popular self-government, freedom of speech, cautious deliberation, bold execution: what more could be said of the most free and well-ordered States of our own age: of England, or of America?

[1] Thucydides, ii. 34–46; Grote, *Hist.* vi. 196.

Athenian leaders.

The men who aspired to lead the Athenians, resorted to the popular arts which have, in all ages, been used to influence the multitude. Some, like Themistocles, at one time, and Alcibiades at another, sought to dazzle them by display, and by courteous intercourse with the citizens: others, like Aristides and Pericles, were content to lead them by calm judgment, and the mastery of persuasive eloquence. Pericles was the true type of a Greek leader—soldier, statesman, and orator. Under his rule, the democracy was instinct with the genius and will of a single mind.[1] And so long as the fortunes of the republic were in the ascendant, the Athenians displayed a remarkable constancy to the counsels of their leaders. It has been said, indeed, that the democratic forms of Athens, and other Greek republics, were deceptive, the real power of the State being always in the hands of a few leading men:[2] but is not this ever the case, under all institutions? The Jews were led by their prophets: the Greeks by their generals, orators, and statesmen: the English are led by their public men, their political parties, and their newspapers. The Athenians were persuaded by the oratory, or led by the arts of able and ambitious citizens: but the real power of the people was often shown by the disgrace and exile of their foremost men, and by the passionate impulses by which their government was swayed.

Influence of birth.

The Athenians, notwithstanding their democratic spirit, valued highly the claims of birth and ancestry.

[1] 'Pericles, indeed, by his rank, ability, and known integrity, was enabled to exercise an independent control over the multitude—in short, to lead them instead of being led by them.' 'What was nominally a democracy, became, in his hands, government by the first citizen.'—Thucyd. ii. 66.

[2] Draper, *Intellectual Progress in Europe*, i. 127.

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To gain influence with the people, popular leaders claimed a descent from Hercules or Ajax; and relied upon their pedigree, no less than upon their gracious manners, to become the spoiled favourites of the populace.[1] According to the theory of the Athenian laws, all citizens were equal, but birth and wealth were generally able to maintain their ascendency. Most of the eminent men who ruled the State—Solon, Cleisthenes, Pericles, and Alcibiades—were of noble birth. The highest offices of the commonwealth were divided among the Eupatrid families. Rarely were fleets and armies commanded by any but men of gentle blood. Never was aristocrat more insolent or audacious than Alcibiades: yet, for some time, he was the idol of the people.

Demagogues.

A change, however, in the birth and pretensions of the democratic leaders, is observable in the course of the Peloponnesian war. The 'demagogues' who obtained influence at this time—Cleon, Cleophon, and others—were of a lower social station than the statesmen who ruled Athens from the days of Solon to those of Pericles. Many of these men were bold, capable, and eloquent leaders: but their want of birth was a continual occasion for reproach; and their merits received scant justice from their political opponents, or the aristocratic historians of their time. The aristocratic reactions of this period, and the general disparagement of the 'demagogues,' attest the continued influence of the higher classes, in Athenian society and politics.[2]

[1] Lloyd, *Age of Pericles*, i. 216.

[2] Aristotle denounces demagogues as the 'pests of democracies'—'corrupting the multitude by indulgence, and exasperating the rich by agrarian laws and the weight of public burthens, until necessity compels them to resist oppression by force.'—*Polit.* book vii. ch. 5.

The earlier leaders of the Athenians had been at once generals and statesmen: military and political power being united in the same persons. Miltiades, Aristides, Themistocles and Pericles, led Athenian armies to battle, and guided the councils of the assembly. They represented the executive power of the State. But when mercenaries began to take the place of citizen-soldiers, and professional generals to supersede the old type of Greek military leaders, the men who exercised influence in the assembly had no other connection with the State, and were stigmatised as demagogues. In this sense, however, such eminent citizens as Callistratus and Æschines, and even Demosthenes himself, were demagogues. In the political life of Athens there was room for statesmen, orators and patriots, as well as for the lower race of adventurers, who traded upon the passions and prejudices of the people. And in the contentions of the oligarchic and popular parties, democratic leaders were necessary for the protection of the people against the dangerous combinations of their political enemies. Without their counsels, the popular constitution could not have been maintained.[1] Every free State has had its demagogues: some have been patriots: some mischievous knaves: but both have been confounded in one common censure, by the anti-popular party, whom they have resisted and provoked. History may discern their respective claims to approbation or reproach: but good and bad demagogues are as inseparable from a republic,

[1] According to Grote, 'they formed the vital movement of all that was tutelary and public-spirited in democracy. Aggressive in respect to official delinquents, they were defensive in respect to the public, and the constitution.'—*Hist. of Greece*, viii. 58.

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as are good and bad princes and councillors from a monarchy.

Study of oratory.

With the growing fortunes of democracy, oratory became a popular study, and was taught by professional rhetors and sophists.[1] Disputation became at once the business and the pleasure of all cultivated and aspiring citizens. Whether aiming at the distinctions of public life, or preparing for the defence of their own rights, or seeking instruction in philosophy and intellectual accomplishments, the young citizens of Athens eagerly sought instruction in dialectics. It were beside our purpose to inquire into the moral effects of the teaching of the sophists,[2] which offended the religious sentiments and social prejudices of many of their contemporaries. But it is certain that their influence was great in stimulating the natural disposition of the Athenians for public life. They swelled the crowds in the assembly and the dicasteries; and diminished the number of 'silent members.' The young men who had learned to argue and to refute opponents, flocked to the assembly to display their rhetoric; and as disputation rather than the pursuit of truth had been the object of their studies, it is not improbable that—like aspiring youths fresh from our modern debating societies—they may have exhibited more rhetorical skill than depth of reasoning. Their forwardness and flippancy were satirised by Aristophanes: but we must not condemn such failings with too much severity. Public life was at once the duty and the ambition of the Athenians. Were they to train themselves for their proper func-

[1] 'Antiphon was the first person who wrote speeches for money, and was paid highly for them.'—Boeck, *Public Ec. of Athens*, 122.

[2] See Grote, *Hist.* ch. xlvi.; Thirlwall, *Hist.* iv. 269.

tions: or to appear before their fellow-citizens awkward and unskilful? If they trained themselves for the chariot race, and for wrestling, why not for the higher art of oratory? Their conceit may have been encouraged: but conceit has ever been one of the strongest inducements to engage in the trials and sacrifices of politics; and is not incompatible with the highest public virtues. Many of the popular orators may have been justly exposed to ridicule: but where, in the history of the world, shall we find so high a general standard of oratory, in assemblies of the people, as that for which the Athenians were distinguished above all their contemporaries?

Oratory a fine art.

But far above the range of ordinary rhetoric, oratory was cultivated as a fine art, like poetry, painting, sculpture, music and acting.[1] It was studied, prepared, fashioned, and perfected with the care and practised skill of the artist. The oration was the cherished form of intellectual expression; and even essays and pamphlets, never designed to be spoken, were written in the guise of speeches, by Isocrates, Antiphon, Andocides, and other masters of the rhetorical art.[2] And in this manner, without the aid of printing, public opinion was formed by the circulation of written addresses to the people. The Greeks had been trained, from early times, to high conceptions of the graces of public speaking: oratory and debate had attained the highest excellence in the Homeric poems:[3] the taste for

[1] Jebb, *Attic Orators*, Intr. lxxi.

[2] Ibid.; Curtius, *Hist.* iv. 14, v. 173, 174.

[3] 'When we find these speeches in Homer, we know that there must have been men who could speak them: so from the existence of units who could speak them, we know that there must have been crowds who could feel them.'—Gladstone, *Studies on Homer*, iii. 107.

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rhetoric had been kept alive by recitations of poetry; and where political and forensic oratory was encouraged by free institutions, they exacted finished and artistic performances. It was not so much by close reasoning, that orators sought to convince their audience, as by appeals to their passions, their interests, their prejudices, and their national pride.[1] But their speech was ever moulded in artistic forms, and designed to produce the most striking effects attainable by art.

Freedom of speech.

Another characteristic of this democracy was an unprecedented freedom of speech,[2] to which every institution and social custom of the Athenians contributed. In the assembly, they discussed all measures affecting the welfare of the State, and heard the impassioned addresses of contending orators. In the dicasteries, generals and public men were fiercely accused, and boldly defended. In private life, disputation was encouraged by philosophers, rhetors, and dialecticians: learned dialogues were eagerly listened to: the profoundest problems in ethics were debated by the disciples of different schools of philosophy. Wherever cultivated Athenians met, they reasoned, and disputed.

[1] Aristotle, *Rhet.* i. 2, &c.; Hume's Essay, *Of Eloquence*; Lord Brougham's *Eloquence of the Ancients.* According to Mr. Froude, 'The brilliance of oratory is, at all times, and from the very nature of the art, in the inverse ratio of the truth contained in it.'—Froude's *Ireland*, ii. 329.

[2] In the time of Solon the Athenians passed a decree 'that no one, under pain of death, should, either by speech or writing, persuade the city to assert its right to the island' of Salamis: but Solon contrived to obtain the repeal of this decree.—Plutarch (Life of Solon), i. 227. According to Pericles: 'Far from exercising a jealous surveillance over each other, we do not feel called upon to be angry with our neighbour for doing what he likes, or even to indulge in those injurious looks which cannot fail to be offensive, although they inflict no positive penalty.'—Thucyd. ii. 38.

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Hence, freedom of speech was the natural growth of Athenian life. The license of public discussion was conspicuous in the libels tolerated on the stage. The most powerful men in the State—even Pericles, himself[1]—were daily exposed to ridicule and contumely. Cleon was libelled by Aristophanes in the 'Knights,' and Socrates caricatured in the 'Clouds.' Such satires were approved by the plaudits of the audience.[2] A remarkable toleration of obnoxious opinions was also generally displayed by the Athenians. There was no attempt to enforce uniformity of thought; and the widest diversity of speculations was allowed, upon moral and political theories. Socrates was at once an example of this toleration, and a memorable illustration of its breach. For thirty years he had discoursed freely upon religion, ethics and politics: his doctrines were such as, in later times, would have been denounced as heresies: his scornful views of the democracy were notorious: his argumentative triumphs and sarcasms had provoked many enmities: yet it was not until the Thirty had overthrown the democracy that he was forbidden to teach. At length, under the restored democracy, he was accused of irreligion, and of corrupting the youth of Athens. Notwithstanding the prejudices raised against him and his fearless defence, he was nearly acquitted; and had he not mocked his judges, and courted death, his life would certainly have been spared. Yet was he unjustly condemned: he died the victim of prejudice and intolerance; and his death was a stain upon the judicature of his country. But we must

399 B.C.

[1] Plutarch, Life of Pericles.

[2] 'The privileges of the mask were much larger than those of the cap and bells among our ancestors.'—Thirlwall, *Hist.* iii. 39.

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not forget the age in which his lot was cast. In what other State would he have so long enjoyed impunity? What king or oligarchy would have suffered him to impugn the national faith, or to deride the laws? And what was the fate of heretics, in Christendom, for sixteen centuries after Christ had taught the purest doctrines of justice and mercy? There was far more toleration in Pagan Athens, than in Christian Spain.

While the public life of the Athenians thus stimulated every intellectual faculty, their taste was no less cultivated by art, and by the elegances of a refined society.

The Drama.

First among their pleasures was the theatre. In the fifth century B.C. the drama arose as a distinct branch of poetry. First tragedy, and then comedy, was cultivated. What nobler studies could be offered to an intellectual people than the tragedies of Æschylus, Sophocles, and Euripides! What more exciting amusement than the trenchant satirical comedies of Aristophanes! So much were these entertainments prized, that, as we have seen, the State distributed money to the poorer citizens to enable them to pay the price of admission.

Music.

Nor should we omit to mention their study of music, which, according to the Greeks, included not only the musical art, but reading and elocution [1]—accomplishments essential to public life and to the refined enjoyments of society, and sadly neglected in the education of most modern States.

Ideal of a Greek education.

The ideal of a Grecian education, according to Plato, Isocrates, and Aristotle, combined bodily strength and activity, study, and eloquence—the quali-

[1] Grote, *Hist.* viii. 477; and see Boeck, ch. xii.

ties of the athlete, the soldier, the scholar and the orator.[1] And these accomplishments were brought into constant activity by the pursuits and habits of Athenian life.

Athenian culture.

With these various means of education, the intellectual powers and activity of the Athenians attained an extraordinary development. Without the aid of printing, with little assistance even from writing, they acquired, by free converse among themselves, by the teaching of philosophers, by the contemplation of works of art, by the theatre, by the public games and festivals, and above all by the active duties of free citizens, a rare and general cultivation.[2]

Athens as a State.

So far the aspects of Athenian democracy assume a dazzling brilliancy: but truth demands a less flattering view of some of its features. The admiration with

[1] Grote, xi. 371–374.

[2] In the pregnant words of Macaulay, 'the Athenian might pass every morning in conversation with Socrates, and might hear Pericles speak four or five times every month. He saw the plays of Sophocles and Aristophanes; he walked amidst the friezes of Phidias and the paintings of Zeuxis: he knew by heart the choruses of Æschylus: he heard the rhapsodist at the corner of the street reciting the shield of Achilles or the death of Argus: he was a legislator, conversant with high questions of alliance, revenue, and war: he was a soldier, trained under a liberal and generous discipline: he was a judge, compelled every day to weigh the effect of opposite arguments. These things were in themselves an education—an education eminently fitted, not, indeed, to form exact or profound thinkers, but to give quickness to the perceptions, delicacy to the taste, fluency to the expression, and politeness to the manners.'—*Essays*, i. 401 (Boswell's 'Life of Johnson'). In the opinion of John Stuart Mill, 'Notwithstanding the defects of the social system and moral ideas of antiquity, the practice of the dicastery and the ecclesia raised the intellectual standard of an average Athenian citizen far beyond anything of which there is yet an example in any other mass of men, ancient or modern.'—*Repr. Govt.* 67. And Mr. Freeman says:—'There has never been another political society in the world, in which the average of the individual citizen stood so high as it did under the Athenian democracy, in the days of its greatness.'—*Comp. Pol.* 94.

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which the genius of the Greeks has filled all classical scholars, is apt to arouse an undue enthusiasm for their institutions: but an impartial survey of Athens, as a State, may modify our estimate of its pretensions.

Its smallness.

First, we must not overlook the smallness of Athens as a State. This circumstance, far from being a disparagement of the individual citizen, gave him opportunities for political training, which are denied to the citizens of larger States.[1] Nor does it detract from the rare distinction of the State itself. It only raises our wonder that so small a commonwealth should have occupied so conspicuous a place in the history of the world. Not all the vast empires of the East; not even the European empires of Charlemagne and Charles V., have left annals so memorable, or are associated with names so illustrious, as this single city, with a few square miles of territory, in a corner of the Greek peninsula. At the same time, it is necessary for maintaining the due proportions of history, to remember that in population Attica was about equal to Liverpool;[2] and in wealth and resources was not to be compared with that flourishing commercial port.

If we compare the government of a single city with that of a great country—like England—comprising many cities far larger than Athens, with extended territories, vast populations, and multiplied interests, we cannot but feel that the genius of the Athenians has accustomed us to form too high a conception of their

[1] 'In the old democracies there were no means of keeping out of sight any able man: the bêma was open to him; he needed nobody's consent to become a public adviser.'—Mill, *Repr. Govt.* 148.

[2] The population of Attica was about half a million; that of Liverpool in 1871 was 493,405, and now exceeds 500,000.

political greatness. They were members of a city community, not of a nation. They were strangers to the wider duties, sympathies, and responsibilities of a great nationality. Petty warfare took the place of peaceful association and national unity. The kindred races, with whom they should have been united by the closest ties of a common nationality, they treated as enemies—made war upon them by sea and land, and laid them under tribute.

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Rudeness of its form of government.

But small as was the State, the assembly was far too great for careful and effective deliberation. Like an English meeting, they might have given fair expression to public opinion: but in Athens they resolved absolutely, and without appeal, questions of peace and war, of life and death, of banishment and confiscation. In England, a meeting is summoned to support some well-known and declared opinions, to hear orators who are all of one mind, and to agree to simple and definite resolutions. If men of different opinions find their way into the meeting, they fail to obtain a hearing: dissension obstructs further deliberation; and the meeting is closed in confusion and uproar. But in the Athenian assembly every opinion was represented, rival orators addressed the assembled multitude, and to their determination were referred issues as grave as any submitted to chosen senates or parliaments. Whatever the genius of the Athenians, such an institution as the Ecclesia was an ill-contrived instrument of popular government.

But it is said that their rare political education qualified them to decide on these momentous questions. They listened to philosophers, rhetors, and statesmen: they went to the play, and they gazed upon the Par-

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thenon. But can it be seriously contended that any of these means of education are to be compared with the press, and the multiplied resources of modern civilisation? Upon the political questions of the day, are the higher and middle classes of England less instructed than were the citizens of Athens?[1]

Need of representation.

If this intellectual people had known the political uses of representation, or some other means of selecting its rulers, their high intelligence would have ensured them the inestimable privileges of self-government, without the evils of a pure democracy. A council, like the Roman Senate, for the general administration of the State, was the great need of Athens. But where all the citizens were senators, it is astonishing that they escaped the confusion of anarchy. It was a rude and inartificial polity, without the checks and balances which political experience has since found to be necessary in a well-ordered State. But it was one of the earliest examples of popular government, in the history of the world. Compared with an Eastern despotism, or a Greek tyranny, it was a model of political capacity, virtue, and moderation. Elsewhere force and the arbitrary will of rulers was the supreme law: in Athens, and other Greek States, the community were governed by the judgment of the majority of citizens—expressed, in a constitutional form, after free debate, and according to the counsels of able and experienced leaders.

The Greek religion.

In comparing Athens and other Greek States with the States of modern Europe, we must bear in mind the marked differences in their religions. Many Pagan

[1] Mr. Freeman suspects 'that the average Athenian citizen was, in political intelligence, above the average English member of Parliament.'—*Historical Essays*, 2nd ser. 147.

legends and traditions being associated with loyalty to chiefs and kings, may have kept alive patriotic sentiments: but the morals of the ancients profited little by their faith. The gods of the Pagans exemplified the worst passions and vices of mankind. They were represented as cruel, selfish, cunning, and licentious. There was nothing in their teaching or example to elevate the character of their worshippers. The worst of men could not be worse than Zeus: the most depraved of women could not be more depraved than Venus. The coarse mythology of the Pagans was leavened by noble ideals of virtue: philosophers strove to raise the minds of men above their religion: the greatest thinkers were superior to it: but the multitude were possessed by their ancient superstitions. In the legendary ages, they awaited the direct intervention of the gods, in every battle and in every undertaking. They never ventured upon an enterprise without consulting an oracle, or being guided by an omen or prodigy.[1] And even in later times we cannot but smile at their superstitions. These may be illustrated by some well-known examples. What instance of facile credulity can exceed that of the Athenians, when they allowed themselves to be deceived by Peisistratus, returning to the Acropolis under the auspices of a counterfeit Minerva?[2] What more irrational than the conduct of Pausanias, the Spartan general, who suffered his troops to be ridden down by the Persian cavalry, until the soothsayers had declared the signs to be favourable?[3] What more childish than the omen of a sneezing soldier, which had more effect than the eloquence of Xenophon, in encouraging the ten thousand

[1] Grote, ii. 110. [2] Ibid. iv. 140. [3] Plutarch (Aristid.), ii. 474.

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in their retreat?[1] Not less childish was Timoleon's omen of the parsley. That general, in his war with the Carthaginians in Sicily, met some mules laden with parsley. His soldiers were frightened at the supposed omen, because parsley was used for making wreaths for tombs: but Timoleon, decking his own head with a wreath of this homely herb, said it was the victor's crown at the Isthmian Games; and by this trifling stratagem were the superstitious Greeks persuaded that they were advancing to victory.[2]

A religion so debased, and superstitions so trivial, could not but affect the intellectual and moral character of the people. As their enlightenment advanced, they became less credulous; and governed their conduct rather by the laws of their country than by the fear of their gods:[3] but they were unable to overcome the influences of a vicious faith.

Decline of paganism.

The leaders of thought, indeed, in the most advanced period of Greek culture, were little impressed with the truth of their own religion. Four centuries before Christ, there were signs of a declining faith, among the Greeks, in their Pagan divinities. Philosophers, historians, and poets began to treat ancient traditions as allegories and myths. This scepticism continued, until, at a later period, Polybius, a highly-cultivated Greek, thus wrote of Pagan superstition:—

Circa 200 B.C.

'To me it is evident, that this contrivance was, at first, adopted for the sake of the multitude. For if it were possible that a State could be composed of wise men only, there would be no need perhaps of any such invention. But as the people universally are fickle and inconstant, filled with irregular desires, precipitate in their passions, and prone to

[1] Grote, x. 109. [2] Grote, xi. 245. [3] Ibid. ii. 110.

violence, there is no way left to restrain them, but by the dread of things unseen, and by the pageantry of terrifying fiction.' [1]

This decay of the ancient faith having commenced centuries before the rise of a purer religion, the higher order of minds were left without any religious influences. But Greek philosophy, which supplied the place of religion, was as intellectual and ennobling as Paganism was gross and contemptible; and served as a surer guide to the consciences of enlightened men, than any religious system of the Pagans, until Christianity taught them a higher philosophy, together with a spiritual faith.

This religion not repressive of a free spirit.

With all its vices, the faith of the Greeks did not subdue those sentiments of self-respect and self-reliance which are essential to freedom. If they sought the help, and dreaded the wrath of their divinities, there was little in their mythology to inspire them with awe and abject prostration. Their deities were more powerful than themselves: they enjoyed attributes to which men could not aspire: but they shared the passions and infirmities of their worshippers. They quarrelled among themselves: they engaged in human strifes; and they were allured by the fascinations of earthly beauty. Zeus was a henpecked husband on Olympus, and a libertine on earth. There was too much fellowship with gods like these, to raise mysterious awe.

But taught no charity.

But if the Greeks could assert their own rights, they were not taught to respect the rights or feelings of others. There was nothing in their creed to encourage charity, and goodwill towards men. It bound them to their families, their phratries, their tribes, and

[1] Book vi.

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their fellow-citizens: but it steeled their hearts against all other sympathies. To them, foreigners were barbarians and enemies: slaves were as the beasts of the field. War with other States was their natural pastime; and they pursued it without pity or remorse. Even kindred Hellenic races, allied in religion and blood, raged, with unnatural hatred, in the battle-field. Nor did the closer bonds of citizenship restrain the bitterest enmities in civil life. The Pagan faith was narrow and selfish: it united small brotherhoods, but it was cold and pitiless to the human race.

Slavery.

Slavery was no less hurtful than Paganism to the character of the Greeks. Not only did it circumscribe political privileges: but it impaired the virtues of the governing class. The Athenians, indeed, had the credit of treating their slaves more gently than their neighbours: but wherever slavery has flourished, it has hardened the hearts of masters, and fostered selfishness. Slavery further discouraged the useful industry of citizens. Manual labour, being the lot of slaves, was held to dishonour freemen, whose sole occupations were war and politics. Nothing gives so much stability to social life, as steadfast industry; and this was wanting to the Greeks. Their business was found in the agora, the religious festival, and the theatre. Instead of public life being the occasional duty of all citizens, it was their constant vocation. To a certain number of thoughtful citizens, leisure was a signal privilege: to the multitude it was a source of demoralisation to themselves, and of mischief to the State.

Athenian policy.

The operation of these religious and moral influences may be traced in many of the actions of the Athenians. With the greatest admiration for their genius, and

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for the surpassing interest of their history, we cannot be blind to their faults.[1] The character of a people determines their policy more distinctly than their enlightenment. With the Athenians, selfishness was the rule of all their actions. They were haughty and quarrelsome with their neighbours: they were cruel to their enemies:[2] they were unfair and ungenerous to their allies: they were unjust to one another. If an oligarchy ruled, they oppressed the people: if the democracy was in the ascendant, they pressed heavily upon the rich: they had no consideration, or sense of responsibility towards others, while they squandered the revenues of the State upon their own amusements. Such faults, indeed, were not peculiar to the Athenians —who were far more generous and liberal than their Spartan rivals—nor to the Greeks. They were the faults of human nature, unregenerated by a pure religion, or a high standard of morals, and of an age in which violence and wrong were the law of nations. Kings, tyrants, aristocracies, and democracies were alike under the sway of selfishness. It was not the form of government, but the character of the rulers, which determined the policy of the States of antiquity.

Athenian franchise.

The conditions of Greek society must be regarded in all our speculations upon Athenian democracy. With

[1] Boeck, whose judgment is very harsh, says of the Greeks:—'If any competent judge of moral actions will contemplate their character without prejudice, and unbiassed by their high intellectual endowments, he will find that their private life was unstable and devoid of virtue; that their public life was a tissue of restless intrigues and evil passions; and, what was the worst of all, that there existed to a far greater degree than in the Christian world, a want of moral principle, and a harshness and cruelty in the popular mind.'—*Pub. Ec. of Athens*, Sir G. Lewis's translation, 194; see also, ibid. 398.

[2] The massacres of Mitylêne, Scione and Melos displayed the ferocity of barbarians, rather than of civilised Greeks.

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such habits as those which we have described, we may wonder how the Athenian citizens were able to attend to the ordinary duties of life. All their time and energy would seem to have been absorbed in public affairs, or other kindred pursuits. How did they live? The answer is simple: they had nothing to do. All the toilsome work of life was performed for them by metics and slaves. The metics rapidly increased, with the growth of the Piræus, and the extension of maritime commerce; many had been enfranchised by Cleisthenes, but they were not generally admitted to the franchise. The slaves who tilled the soil, laboured in handicrafts, and performed all menial services, and whose numbers amounted to about four-fifths of the entire population, had no political rights.[1] Hence the privileged citizens, who lived upon the produce or rental of their land, or upon the industry of slaves, were, in relation to the entire community, a select body, enjoying ample leisure for politics and intellectual culture; and, however equal among themselves, exercising power over 'the masses.' The metics and slaves comprised the entire body of the working classes, and many traders and artificers who, in modern society, would be reckoned among the middle class. Hence it appears that the Athenian constitution, however democratic as an association of citizens, was very far removed from a republic, constituted on the general basis of population. It could not properly be called an oligarchy, for it comprised all classes of citizens; and the exclusion of aliens and slaves was a natural limitation

[1] Boeck enters minutely into the different estimates of the relative numbers of freemen, metics and slaves in Attica (*Pub. Ec. of Athens*, book i. ch. vii.)

of the franchise, which has been recognised by modern States. This principle being admitted, the number of Athenian citizens, amounting to upwards of twenty thousand, in a population of about half a million, was no inconsiderable enfranchisement.[1] It may be fairly compared with the electoral franchise of England, before the introduction of household suffrage, in 1867.[2] The Athenian constitution was faulty, not by reason of the number of citizens associated with the State, but of their too direct action upon its councils. Under representative institutions, the electoral body would have been limited, and even select, comprising the upper and the greater part of the middle classes, and excluding the main body of the working classes. But as the principles of representation were unknown, and the political conscience of the Athenians was neither sensitive nor elevated, the citizens who ruled the State were wholly without moral responsibility to the classes not included in the franchise. They were themselves the State: they governed for themselves, and in their own interests: they had no sense of duty to others: no respect for public opinion, beyond their own privileged circle: no patriotism save for their own contracted ideal of the State.

Lowering of the franchise.

Considerable changes in the constituent body appear to have occurred, from the time of the Peloponnesian war. So long as the rule of the old Attic

[1] Assuming the citizens and their families to have amounted to upwards of 90,000 persons; they formed somewhat less than a fifth of the population.

[2] We have already compared the population of Attica with that of Liverpool, and it is not a little curious that before the extension of the suffrage, in 1867, the electors of Liverpool amounted to 21,839. Household suffrage increased the number to 57,752.

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tribes was maintained, the government, though democratic in form, had been really vested in the noble, the rich, and the cultivated classes of Athenian society. The enfranchised citizens were the *élite* of Attica. But this limited body was gradually enlarged. Numbers of a lower class gained admission to the franchise by new qualifications—many by fraud. Under Pericles there had been an extensive immigration from the country into Athens; and these immigrants, removed from their accustomed occupations, formed a city populace, like the Plebs of Rome, at a later period. At the same time, numbers of the higher classes were withdrawn from the city by their public services, or lost their lives during the war. The Peloponnesian war made havoc among the Athenian nobles, as the wars of the Roses struck down the ancient baronage of England.[1] Hence a preponderance of the poorer citizens—less versed in public affairs, less cultivated, and less patriotic—was changing the character of the democracy. Nowhere had the citizens of this class such opportunities of political education and culture as at Athens. The public and social life of the city comprehended all classes alike—whether rich or poor, high-born or humble—but the hard struggles and necessities of the poor could not fail to restrict their education, and to expose them to corrupt temptations.

Lowering of the character of the democracy.

Its increased power.

And while the general character of the democracy was lowered, its powers were enlarged. The Ecclesia assumed the power of initiating public measures, and determining the policy of the State, without the

[1] In the one case, the power of the people was increased: in the other, the power of the Crown.

authority of a pre-determining council, and without the need of confirmation.[1]

Burthens upon the rich.

One of the greatest temptations of this lower class of citizens was to lay the chief burthens of the State upon the rich. No complaint was more frequently made than this; and none so much provoked the frequent reactions against democracy. In peace the rich were called upon to contribute towards the entertainment of the people. In war they found equipments for the forces, and were liable to heavy war contributions. The natural repugnance of the rich to burthens which they deemed unfair, was viewed by the people as a proof of hostility to the State; and aroused suspicions of reactionary conspiracies, which increased the popular jealousies against the higher classes.

And upon the poor. 357 B.C.

On the other hand the rich were not slow to exact undue contributions from the poorer citizens. On the revolt of the allies of Chios, Rhodes, and other cities, twelve hundred of the richest citizens were divided into twenty symmories, for raising supplies for the fleet. The constitution of this body placed the power of taxation in the rich; and loud complaints were heard that they contrived to spare themselves, and to lay the heaviest burthens upon those who were least able to bear them.[2] The partiality of these symmories was denounced by Demosthenes,[3] who, at a later period, 354 B.C. was able to correct these inequalities of assessment.[4] 340 B.C.

Payments for attendance.

And while this social deterioration of the democracy was advancing, a mischievous form of corruption was undermining the pure patriotism of Athenian citizens. At one time, the duties of citizenship were

[1] See Lloyd, *Age of Pericles*, ii. 94.
[2] Curtius, *Hist.* v. 111, 116. [3] Ibid. 245. [4] Ibid. 390.

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encouraged by the highest motives by which the members of a free State can be impelled to activity. Citizens may have been ambitious, forward and vain-glorious: but to labour in the service of their country was virtuous and patriotic. This honourable service was gravely affected by the introduction of payments to the citizens attending the public assemblies and courts of justice. The payment of judges and public officers, and even of the members of a legislative body, is consistent with the purest principles of a democracy: but to pay the whole body of citizens for attending to their own proper business was, in truth, a system of State bribery.

In the later days of Athenian degeneracy, the popular assemblies became less earnest and patriotic. The citizens sought amusement, rather than instruction, from their leaders. Coarse jests, and scurrilous personalities found more favour than well-reasoned arguments; and the loudest and most confident speakers swayed the unthinking multitude. The citizens had become indifferent to public affairs, and were indolently led by flattery and artifice.[1]

About a third of the citizens—or from 6,000 to 8,000—sat as 'ecclesiasts;' and all these from the time of Pericles,[2] received first one obolus, and soon afterwards three oboli, for each attendance.[3] Such payments were no boon to the rich, while they offered an irresistible attraction to the poorer classes, who flocked to the agora, and outnumbered the more instructed citizens. This custom unduly stimulated the natural

[1] Curtius, v. 117 *et seq.*

[2] *Supra*, p. 80.

[3] The amount was increased to three oboli by Cleon. It was called *μισθὸς ἐκκλησιαστικός*.

taste of the Athenians for public display, and disputation. Neglecting their own affairs, they hurried to the ecclesia, and wrangled over the affairs of other people. Many not satisfied with their oboli, received bribes from the litigants,[1]—a flagitious custom which was encouraged by clubs formed for mutual protection, in the dicasteries.[2]

Paid advocates.

Another grave evil arose from the practices of a class of paid advocates who, sitting themselves as judges, espoused the cause of the party by whom they were retained. Originally, as we have seen, every citizen was required to plead his own cause: [3] but as civil and criminal causes multiplied, and especially as accusations of political crimes were more frequently brought before the courts, the custom of retaining paid advocates was introduced. At first, they merely composed the speeches of their clients—even Demosthenes wrote such speeches, to be delivered by others—but ultimately, by various pretexts, they were allowed to address the dicasteries, in person. Sometimes they claimed to speak on behalf of absent relatives or friends: sometimes they appeared to have an interest, however remote, in the cause itself: sometimes their clients were metics, minors, or women, who, having no place in the dicastery, could not speak for themselves.[4] The employment of advocates has been recognised as necessary for the due administration of justice, in every civilised State: but their pleadings are conducted

[1] Diodorus, xiii. 64.

[2] *Supra*, p. 88. Probably these assemblies were scarcely caricatured in the 'Wasps' and 'Ecclesiazusæ' of Aristophanes; see Boeck, 226 *et seq*

[3] *Supra*, p. 77.

[4] For an interesting account of the Athenian Courts, see Forsyth, *Hortensius*, ch. ii.

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before an independent judicature: they may convince and persuade: but they have no voice in the judgment. But in Athens the advocates were at once counsel and judges, in the cause: now disputing for their clients; and now swaying by influence, by solicitations, by intrigue, and by their votes, the judgment of the court. So anomalous a practice could not be endured in any well-regulated judicature.

Popular judicature.

But far grosser evils than these perverted the judicature of Athens. Assuming the judicial competence of a popular court, of several hundred citizens, in ordinary causes, what tribunal could be more unfit for the trial of political offences? Here the passions and prejudices of the hour were paramount. How could evidence or reason prevail against popular clamour? It may be enough to refer to the condemnation of the victorious generals of the Peloponnesian war, and of the great Socrates, as notorious examples of popular injustice.

406 B.C.

399 B.C.

The Sycophants.

The evils of criminal judicature were aggravated by the nefarious activity of the sycophants, or informers. These infamous pests of Athenian society lived upon the fears of wealthy citizens. Had the courts been pure and trustworthy, these miscreants might have been defied: but with a popular judicature, jealous of the rich, and ever ready to suspect crimes against the State, the innocent too often deemed it safer to pay hush-money to a sycophant, than to brave the prejudices of a dicastery. No man could rely upon proofs of innocence: he was exposed to the vengeance of factions, the prepossessions of his judges, and even to their greed for confiscations. No wonder that the sycophants were hated and despised! The only act of

the Thirty Tyrants which met with general approval, was the punishment of these scourges. They may have deserved their doom: but, having done wrong to others, they were condemned themselves, in defiance of all the forms of justice.

Public amusements.

Other grave evils arose in the political and social state of Athens, which have ever been deplored as a reproach to its democracy. In Athens, as afterwards at Rome, gratuitous distributions of corn were frequently made to the people, in order to keep them quiet and contented, in times of scarcity.[1] Largesses, in money, were also often distributed,[2] especially from the proceeds of confiscated property.[3] Hence the banishment of citizens and the confiscation of their goods was too often demanded, not in the interests of justice, nor even in the vindictive spirit of faction, so much as to satisfy the greed of demagogues, and the hunger of the populace. A more pernicious mode of conciliating and corrupting the people had arisen in the time of Pericles.[4] Large sums of money, under the name of theorica, were distributed to the people, to enable them to enjoy the games and festivals, either by payment for admission to the theatres, or for feasting. From the same source, the cost of sacrifices was defrayed, which included public feasting.[5] Games, festivals, and sacrifices formed an important part of the national and religious life of Athens, and were shared by the whole people.[6] They awakened the genius and

[1] They were termed σιτοδοσίαι; Boeck, *Public Economy of Athens*, Sir G. Lewis's translation, 2nd ed. p. 89.

[2] Ibid. 217. [3] Ibid. 395. [4] *Supra*, p. 84.

[5] τὰ θεωρικά; ibid. 182, 209 *et seq.*; see also *supra*, p. 85.

[6] 'The ancient religion, not simply at Athens, but throughout Greece and the contemporary world—very different in this respect from the

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spirit of a gifted race. The games sustained their manly emulation in strength and courage: the theatre, in the absence of a press, was an intellectual exercise; and the highest art contributed to adorn the sacrifices. A moderate use of such ceremonials was, therefore, essential to the development of the Greek character: but at length they were so multiplied, that they ministered rather to idleness and dissipation, than to the instruction and elevation of the people. Their cost also became so extravagant as to be out of all proportion to the revenues of the State. The whole community looked to the State for its amusements. To trust to charity for their bread was bad enough: to insist upon being amused at the public expense was a more hazardous form of pauperism. Such mischievous waste of the public revenues was allowed at a time when the Athenians had failed to meet the necessary expenses of their wars. In fact, the people spent upon their own pleasures the revenues necessary for their fleets and armies. No custom can well be conceived more corrupting to the citizens, or more dangerous to the State.

The corruption of the Athenians was completed by Eubulus. He taught the people to cherish ease and
353 B.C. comfort, above all other aims; and distributed amongst them the surplus revenues of the first year of peace, in the riot of public festivals. The theoricon of the age of Pericles had been so much abused that it was discontinued: but being restored by Agyrrhius,[1] it had again become one of the institutions of

modern—included within itself and its manifestations, nearly the whole range of social pleasures.'—Grote, xi. 493.

[1] Curtius, iv. 280.

Athens. And now Eubulus made the festival fund the most important branch of the finances. Every service of the State was to be so managed that ample means should be forthcoming to gratify the passion of the Athenians for feasting and public entertainments. To find dissipations for the people had become the first duty of the State.[1] Happily, this mischievous law was ultimately repealed through the energy and public spirit of Demosthenes.[2]

Their pernicious effects.

These various modes of bribing the populace were the worst features of the Athenian democracy. They were burthensome to the allies, who contributed largely to the revenue, without sharing in its distribution, and unjust to the richer citizens: they pandered to the influence of the lower classes; and they demoralised society.

The redeeming point in the system was the cultivation of the fine arts of architecture, sculpture, poetry, music, and the stage, which contributed to the high culture of the people, and has left immortal monuments of the genius of the Greeks. But by far the greater part of the money expended for the support and amusement of the people was wholly mischievous. Large classes of the citizens, thus maintained in idleness, considered it their right to be fed and constantly amused by the State: while they enjoyed ample leisure to crowd the assembly, and clamour for further gratifications. Their leaders, the demagogues, won their voices in the assembly, not by a high-minded or worthy policy, but by fresh donations and spectacles. Hence in its period of decline, the Athenian democracy was approaching communism. The multitude ruled,

[1] Curtius, v. 133 *et seq.*

[2] Ibid. v. 402.

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and supported themselves out of the common fund of the State.

Misappropriation of money.

Nor were these the only forms of corruption in the government of Athens. The Athenians had devised an elaborate system for checking and auditing the accounts of their officers concerned in the receipt and payment of public moneys: but they failed to secure honesty in their servants. Polybius says, 'if in Greece the State entrusts to anyone only a talent, and if it has ten checking-clerks, and as many seals, and twice as many witnesses, it cannot ensure his honesty.'[1] Such offences were severely punished—even with death—but the unprincipled character of the Greeks, their love of pleasure and self-indulgence, and general demoralisation, defied the safeguards of the law.

Corruption of generals and envoys.

A more dangerous corruption tainted the generals and ambassadors of all the Greek States. Inaction in the campaign, and the surrender of national interests in negotiation, were too often caused by an enemy's bribes. The disgrace of such corruption was shared alike by the oligarchy of Sparta and the democracy of

411 B.C. Athens. The Lacedæmonian fleet was crippled at Rhodes by the bribery of its officers; and Athens was

346 B.C. betrayed into a dishonourable peace with Philip of Macedon, which hastened the subjection of Greece, by the corruption of Æschines and other Athenian envoys.[2] Such corruption far surpassed, in infamy, the petty malpractices of humbler citizens. Men, trusted and honoured by their countrymen, and raised to the greatest eminence to which they could aspire, were

[1] vi. 56, cited by Boeck, p. 195.

[2] Grote, *Hist.* vii. 549-554; ibid. xi. 591 *et seq.*

yet so sordid as to be seduced by wretched bribes, to commit the basest treason against their country.

Efforts of Demosthenes to reform abuses.

Strenuous efforts were made, by Demosthenes and his national, or patriot party, to correct some of the growing evils of Athenian democracy. Strong measures were taken against persons accused of bribing citizens in the assembly, and the courts of justice. Order and decency were enforced in the assembly, by appointing one of the tribes to sit near the tribune, to protect the orator while addressing the people, and to enforce order.[1] But the fortunes of the republic were now declining, and it was too late for patriots to raise the corrupted citizens from their degeneracy.

Athenian poor laws.

While dwelling upon these vices of the Athenian democracy, we must not overlook a praiseworthy institution far in advance of the age. The Athenians, alone among the Greeks, had a poor law. They relieved the old, the blind, the lame, and the sick, who were destitute, or unable to support themselves; and they brought up and educated the orphans of citizens who had lost their lives in war.[2]

Greece compared with modern States.

The society and institutions of the Greeks differed so widely from our own, that it is unsafe to draw general political conclusions from the history of Greek democracy. Their society consisted, as we have seen, of privileged citizens, foreigners, and slaves. It was without the multiplied grades of modern society, its territorial nobles and country gentlemen, its learned professions, its independent gentry, its church establishments and universities, its standing armies, its merchants and manufacturers, its traders, artificers, and free labourers. Again, the smallness of Greek

[1] Curtius, v. 343. [2] Boeck, 242.

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States forbids any useful comparison with the vast States of modern Europe, and their varieties of town and country life, religious opinions, and local interests. Their institutions were no less different. Representation was unknown: there was no separation of legislative, executive and judicial functions: there were no effective checks upon the sovereign power: there was no body of trained judges, magistrates, and public officers: there was no sense of political or moral responsibility: there was no religious creed to teach the generous and forbearing spirit of charity. With such diversities as these, the morals to be drawn from Greek democracy are few: but they are not without instruction. To reproduce a democracy, of the Greek type, in the present age, would be as practicable, as to establish the ideal 'Republic' of Plato, or the 'Utopia' of More. But its study illustrates principles applicable to all times. We find freedom and intellectual activity combined; each stimulating and developing the other. We find a cultivated society, achieving political greatness, and imperishable fame, by its genius and patriotism: we see it decline through its evil passions, its selfishness, and corruption. With the expansion of modern society, the growth of popular power is inevitable; and it should be the aim of statesmen, profiting by the lessons of the past, to promote the moral and intellectual advancement of society, and to cherish freedom: to invigorate the State with the healthful force of the national will: to associate the people with its government: to win their confidence and attachment: to moderate their power by social influences, and constitutional checks: to rule in a spirit of justice to all classes: to exalt public morality; and to root out cor-

ruption. The ideal of a free State, in modern times, is that which develops the sound principles of democracy, without its evils: which wields its potent forces; and parries its acknowledged dangers.

Before we conclude this view of Greek democracy, we may glance at a later period in the fortunes of Greece, in which we shall still find traces of her former liberties.

The Achaian League. 281–146 B.C.

The federal union of Achaia was maintained, with varied fortunes, for 140 years, and assured to a large part of Greece an honourable freedom, and a political independence, which could not have been enjoyed by a number of separate cities. At length, however, it succumbed, first to the ascendency of Macedon, and at last to the irresistible dominion of Rome. Its history, if less glorious than that of the earlier republics of Greece, is yet specially interesting, as presenting to us one of the earliest and best-contrived examples of a federal State, and the last home of Grecian liberty.[1]

This league presented an example of pure democracy, in the form of a federal union. As in Athens—the highest type of pure democracy—the sovereign power was vested in the assembly, so in the Achaian league, the like power was exercised by the Federal assembly, in which all citizens of the confederation had equal rights. In the latter case, however, the assembly ordinarily met only twice a year, and considerable powers were entrusted, in the meantime, to the magistrates. Again, all the Athenian citizens were able to attend their assembly, which sat three times

[1] Mr. Freeman, in his *History of Federal Government*, has devoted the greater part of his first volume to an interesting and instructive sketch of the Achaian League.

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every month, and were paid for their attendance: while the citizens of the Achaian League had to travel considerable distances, at their own expense. Hence at Athens the poorer citizens outnumbered the rich in the ecclesia: in Achaia the assembly was chiefly attended by the rich. Another difference was this: that whereas at Athens every citizen had an equal voice, in the Achaian assembly, each city had a single vote, determined by the majority of its own citizens then present. This virtually, though not in form, amounted to a representation of the several cities.[1]

Representation unknown in Greece.

Examples of nearly every form of government are to be found in the varied history of Greece: but nowhere do we find a distinct system of political representation. There is, indeed, a passage in Aristotle which implies a knowledge of the principles of representation. He speaks of 'a moderate oligarchy, in which men of a certain census elect a council entrusted with the deliberative power, but bound to exercise this power agreeably to established laws.'[2] There can be no better definition of representation than this: but it appears to express his theoretical conception of a government, rather than to describe any example within his own experience. Such a system was incompatible with the democratic constitutions of the city republics: but in their international councils and leagues, we may perceive a certain resemblance to it. There was an approach to representation in the Amphictyonic Council,[3] and in the Achaian League; and the several cities of

[1] Freeman, *Hist. of Fed. Govt.* 229 *et seq.*; 255–280; Freeman, *Comp. Pol.* 191–216.

[2] *Polit.* book vi. ch. 14.

[3] Freeman, *Hist. of Fed. Gov.* 139.

the Lycian League had a number of votes in the assembly, proportioned to their size—the first example of the kind—being a still nearer approximation to the principles of representation.[1] But it was reserved for later ages to devise the great scheme of representative government, under which large States may enjoy as much liberty as the walled cities of Greece, and individual citizens may exercise their political rights as fully as the Athenians, without the disorders and perils of pure democracy.

Representation reserved for modern times.

Greece, even in her decline, again presented an example of liberty to other States. Some of her ancient liberties had been recovered; and she proved herself able to use them worthily. But it was not by her example alone, that Greece promoted the cause of freedom in Europe. Her relations with the outer world had become extended and multiplied. From an early period, she had sent forth colonies to Asia Minor, to the coasts of the Euxine, the shores and isles of the Mediterranean, and, above all, to Italy and Sicily.[2] These colonies carried with them the characteristics of the races from which they sprang, and generally the institutions of their own State, at the time of their emigration.[3] Where kings or aristocracies ruled at home,

Greek colonies.

[1] 'In this as in so many other cases, the ancient world trembled on the very verge of representative government, without ever actually crossing the boundary.'—Ibid. 211, 212.

[2] A concise account of the Greek colonies is given in Mr. Cox's *Hist. of Greece*, ch. viii.

[3] The Greeks formed a just estimate of the relations of colonies to the mother-country. The Corcyræan ambassadors, addressing the assembly at Athens, said, 'Every colony, if well treated, honours its mother-country: but if wronged, is estranged from it: for they are not sent out to be slaves, but to be on the same footing with those who are left at home.'—Thucydides, i. 34.

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the colonies usually assumed a like form of government: where democracy prevailed in the parent State, democracy was favoured in the colony. The settlers, indeed, occupied their new lands as conquerors, and the privileges of citizens were at first naturally restricted to the small community of the Greek race. It happened, however, that the settlements as far west as Italy were made long after those in the East, and at a time when Greece had generally formed itself into aristocratic or democratic republics. Hence the Italian colonists generally established small municipal commonwealths. And as these colonists were for the most part maritime and commercial, their pursuits, no less than the instincts and traditions of their race, favoured the development of democracy. Thus Greece became the parent of Italian liberties.

Greek civilisation.

Nor was it by her free institutions alone, that Greece advanced the freedom of the West. Her colonists carried with them to new lands the arts and culture of their own wonderful fatherland. Poetry and philosophy, architecture, sculpture, painting and music, and the mechanical arts of an advanced civilisation, were naturalised wherever the Greeks set their foot. And even when Greece herself had declined from her high destinies, her intellectual influence was more extended than ever. In the days of her greatness she was narrow in her sympathies, and shut out from the great world, which was advancing round about her. In her pride, she scorned all foreigners as barbarians. When she fell under the rule of Macedon, the bounds of Greece were widened; and when, at last, she bowed to the dominion of Rome, her conquerors carried her arts and her philosophy, with their conquests, through every part of Europe. Hers was, indeed, a noble

destiny among the nations of the earth. By the lusty colonisation of her youth, and by the broken fortunes of her old age, did she civilise the world. Her conquerors completed the mission which her own sons had commenced. Her culture, by quickening the intelligence of Italy and of Europe, sowed everywhere the seeds of future freedom. She fulfilled a yet higher mission. The spread of her beautiful language, far and wide, over Western Asia and the Mediterranean, became one of the chief instruments for disseminating the Christian faith. This inestimable service to the cause of religion was followed by other blessings to the West. The principles of Christianity were in themselves eminently favourable to liberty, and promoted the political no less than the religious welfare of Christendom.[1] The West accepted these fruitful principles: the East renounced them: the West, with a purer faith and higher culture, advanced in civilisation and freedom: the East, impervious to religious enlightenment, and opposed to intellectual growth, has continued unchanged for thousands of years, in her civilisation, and in her polity.

[1] See *infra*, 228–240.

CHAPTER IV.

ROME.

DIFFERENCES IN THE GENIUS OF THE GREEKS AND ROMANS—GEOGRAPHICAL ADVANTAGES OF ITALY—OVERTHROW OF MONARCHIES IN ITALY, AS IN GREECE—SOCIETY AND INSTITUTIONS OF THE ROMAN MONARCHY—THE REPUBLIC—THE CONSULS—THE SENATE—THE PATRICIANS—GROWTH OF DEMOCRACY—CONQUEST OF ITALY—ROMAN VIRTUES—THE STOICS—PUBLIC LIFE IN ROME.

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Differences in the genius of the Greek and Roman people.

HAVING now followed the fortunes of Greek democracy, we approach the history of another ancient State, in which we find institutions more akin to modern political systems, than in any other State of antiquity. For this reason Rome presents the most instructive illustration of the working of democracy.

The genius of the Greeks and the Romans was essentially different. The former were imaginative, impulsive, and impressionable: the latter, earnest, resolute, and steadfast.[1] In genius the Greeks were superior to the Romans: but in moral force and dignity they were far below them. The philosophy of Epicurus was best suited to the temperament of the Greeks: the

[1] Garibaldi, in a speech to the working-men of Rome, Feb. 14, 1875, after referring to the ancient Romans, concluded by saying, 'Be resolute like your ancestors; imitate also the English people, the moderns who come nearest to them. The English are never disconcerted by anything, and always know how to get out of a difficulty; possess that virtue, which they call steadiness.'—*Times*, Feb. 18, 1875.

philosophy of the Stoics was congenial to the more resolute and enduring spirit of the Romans. The Greeks were ever divided into separate and jealous States; and after perpetual war among themselves, became subject provinces of Macedon and Rome. The Romans subdued Italy, and conquered the world. Unity and comprehension were the great principles of Roman policy. The institutions of the two peoples differed no less than their characters and destinies. In the Greek democracies, the people, as we have seen, governed the State directly and absolutely. In the Roman republic, the general administration of affairs was entrusted to the consuls and other great magistrates, and the Senate, the people being consulted on special occasions only. The liberties of Greece were crushed by her enemies: the liberties of Rome fell before her own victorious armies.

Such being the differences of the two countries, we may proceed to examine the well-known history of Rome, for illustrations of her democratic government, and may seek instruction from her experiences and vicissitudes.

Geographical advantages of Italy.

In Italy, as in Greece, all the conditions of climate and geographical position promoted the natural development of the Indo-European races who had peopled its favoured land.[1] Its extended peninsula, stretching into the Mediterranean Sea, approached the most renowned regions of the ancient world, in which civilisation and commerce had made the greatest advances. The

[1] For inquiries concerning the races which originally peopled Italy, see Micali, *Hist. des Peuples qui habitaient l'Italie avant les Romains;* Sismondi, *Hist. des Rep. Ital.* Intr.; Mommsen, *Hist. of Rome,* book i. ch. ii. iii. viii. ix. x. The latter writer says, 'The Greek and the Italian are brothers.'

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historic inland sea, which washed its shores, united Europe with Asia and Africa: it brought the East into contact with the West: it was the common highway of the most celebrated nations of antiquity—the Greeks, Phœnicians, Egyptians, and Carthaginians. Commerce and maritime adventure were fostered by such associations as these; and the Italians became a prosperous and progressive people. They were warlike, enterprising, and independent; and, like the Greeks, they cherished a manly spirit of freedom.

Overthrow of monarchies in Italy as in Greece.

Just as in the Greek States, monarchy almost universally gave way to aristocratic or democratic constitutions, so throughout the Italian States, originally settled by Greeks, or deriving their polity from the same source, the like political development was accomplished. Whatever the immediate cause, in particular States—whether the tyranny or the weakness of the king, the ambition of nobles, or the discontents or aspirations of the people—the result was everywhere the same. The Romans, the Sabellians, the Etruscans, and the Apulians, alike cast off their kings, elected annual magistrates,[1] and constituted themselves into city communities, or municipal republics.

Institutions of the monarchy.

Under the monarchy, the social and political institutions of Rome had already been developed; and they determined the character of the republic. The ruling race were hereditary nobles, or patricians, distinguished by their family names, by their dress, and by the images of their ancestors, which resembled the armorial bearings of feudal times. The plebeians were a subject race, excluded from all public functions and privileges,

[1] Mommsen, *Hist. of Rome*, i. 254.

civil and military.[1] The power of the nobles was maintained by large bodies of clients, who formed, as it were, feudal clans. They were served also by great numbers of slaves, and freedmen. Their influence in the State was strengthened by the union of several patrician families, sprung from a common ancestry, into *gentes*, which sometimes comprised four or five thousand men, capable of bearing arms.[2] Families, like that of Fabius, which alone were able to carry on a war, were naturally in the ascendent. The patricians were the State; and in early times that favoured class assumed for themselves alone, the familiar term of *Populus Romanus*.[3] They claimed descent from the founders of the city, and alone assembled in the *comitia curiata*.

The public domains.

Another social inequality was introduced, during the monarchy, in the distribution of the public domains, or *ager publicus*. It was natural that the patricians, with paramount influence, and bearing the chief burthen of the wars, should appropriate to themselves the principal share of the lands acquired by conquest. They secured most of the uncultivated lands, on condition of the payment of a rent in kind, and contrived by purchase, and by force, to displace the smaller proprietors, and enlarge their own estates.[4] Social inequalities were thus increased; and a sense of injustice rankled in the minds of the poorer citizens. The kings

[1] They have been compared with the Anglo-Saxons under the Romans; *Hist. de Jules César*, i. 3. But Niebuhr suggests a closer analogy—that of freemen of a city, and other inhabitants not enjoying the like privileges; *Hist. of Rome*, i. 528.

[2] Livy, ii. 16, 64.

[3] Livy, ii. 56; Niebuhr, *Hist. of Rome*, i. 528, &c.

[4] Appian, i. 7. Niebuhr enters very fully into the conditions under which the public lands were held, ii. 188 *et seq.*; Arnold, *Rome*, i. 157.

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vainly attempted to restrain this abuse; and it was left as a fruitful source of discontent and danger to the republic.

Several classes of Roman society.

With a society so constituted, the institutions were naturally aristocratic. Even the king was elected by an assembly of the *gentes*.[1] But, once elected, he commanded the armies: he was chief pontiff, and first magistrate. The senate was composed entirely of patricians, who alone voted in the assemblies of the people. The kings, however, did not favour their exclusive pretensions: but introduced many plebeians among them, raised freedmen to the privileges of citizens, and associated the plebeians with service in the army. Under the monarchy, also, the citizens were divided into six classes, and these classes again into centuries, according to their property. But the centuries were so arranged, and the voting so contrived, that the first class commanded a majority of the centuries.[2] It is singular that this classification of citizens, according to property, was introduced in Rome by Servius Tullius, at about the same time that a like constitution was designed by Solon, in Athens. In both States, property was made the basis of the franchise, and not birth: but in both alike, the highest families were also the richest, and long maintained their exclusive power.

National religion.

Under the monarchy, also, the national religion was firmly established, which governed every public and private act of the Romans. It was no exalted faith: it kindled no lofty aspirations after virtue: it abounded in superstitions and fabulous traditions: but it consecrated the love of the Romans for their country: it hallowed the relations of the family: it upheld the

[1] Cicero, *De Repub.* ii. 13 *et seq.*

[2] Livy, i. 43.

sanctity of an oath; and it encouraged an earnest sense of duty.[1]

Consuls of the Roman republic.

When the Tarquins were expelled from the throne, an aristocratic republic naturally succeeded. An elective king was replaced by two patrician consuls; and the new constitution was at once completed. The republican constitution differed little from the monarchy. The supreme attributes of royalty devolved upon the consuls, who exercised equal civil and military authority: they held office for a year, and nominated their successors, who were chosen, however, by the people.[2] As first magistrates, they received ambassadors, submitted decrees to the senate, and were charged with the execution of them. They also summoned the comitia, and proposed measures for their acceptance. They exercised authority over all other magistrates, except the tribunes.[3] And until late in the history of the republic, they had the chief command of the armies. The annual election of the highest officers of the State, at once ministered to the ambition of the patricians, and guarded against the assumption of regal powers. The political power of the patricians was unimpaired by the fall of the monarchy: as consuls they exercised the sovereignty of kings; and in keeping alive popular fears of royal usurpation, they were able to overthrow rivals, and to gratify the people.[4] A con-

[1] Mr. Lecky says:—'Ancient Rome produced many heroes, but no saints. Its self-sacrifice was patriotic, not religious. Its religion was neither an independent teacher, nor a source of inspiration, although its rites mingled with, and strengthened some of the best habits of the people.'—*Hist. of European Morals*, i. 177.

[2] Mommsen, *Hist. of Rome*, 261.

[3] Polybius, book vi.

[4] 'It was no easy thing, even for the Romans themselves, to determine with assurance, whether the entire State was to be esteemed an aristo-

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sul could not be deposed, during the term of his office, but was afterwards liable to punishment for any abuse of his powers. On critical occasions, also, the consuls were able to abdicate, for a period of six months, in favour of a dictator, who assumed the plenary authority of a king. To guard against abuse and usurpation, a consul was afterwards restrained from offering himself for re-election within ten years; and although this law was not uniformly observed, its policy was maintained until the later days of the republic. The division of the supreme executive power among two great officers, of equal authority, was another obstacle to usurpation: but it was too often a source of weakness in council, and in the field. The consuls bore themselves simply, as became the magistrates of a republic. Their attendants were not allowed to carry the axe—the emblem of sovereignty—and their sole outward distinction was a purple border to the white *toga* of the Roman citizen. Their state was not maintained by chariots and horses: but, like other citizens, they went everywhere on foot within the city walls.[1]

The priesthood.

Under the monarchy, the king had nominated the priesthood: but under the republic, they were elected by colleges of priests or *pontifices*. The Church, so to speak, thus became separated from the State; and an independent priesthood did not fail to control the authority of the civil government. The *Pontifex maxi-*

cracy, a democracy, or a monarchy. For if they turned their view upon the power of the consuls, the government appeared to be purely monarchical and regal. If, again, the authority of the senate was considered, it then seemed to wear the form of aristocracy. And, lastly, if regard was had to the share which the people possessed in the administration of affairs, it could then scarcely fail to be denominated a popular State.'—Polybius, book vi.

[1] Mommsen, i. 262.

mus exercised great influence in public affairs—chiefly in the interests of the patricians—and the augurs and *pontifices* were able to overrule, by their sacred mysteries, the counsels of statesmen and generals.

The Senate.

Let us now examine the constitution of the Senate—one of the most renowned national councils in the history of the world. It was composed of three hundred members—the most distinguished citizens of Rome. Without following the changes which were made, from time to time, in its constitution and numbers, it is enough to say that it comprised all the eminent men who had served the State as consuls, curule ediles, prætors, or tribunes of the people. But these great magistracies alone could not maintain the senate at its normal number; and the censors were allowed to add to the roll of senators, citizens who had filled offices less exalted, or who had displayed signal bravery on the field of battle. This latter class, however, were not admitted to all senatorial privileges. They could vote: but were bound to silence. The right to guide the deliberations of the senate was reserved to those senators who had the greatest experience in public affairs: but its judgments were pronounced by the equal voice of all.

Its extensive powers.

It was a noble constitution. As the great magistrates of the republic were elected by the people, and became, by virtue of their offices, members of the senate, they were, so far, representatives of the whole commonalty, while their official dignity and experience, and their title to a seat for life, clothed them with the highest civic rank and influence. The number of three hundred was sufficiently large for full debate and de-

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liberation; and not unwieldy when prompt action was demanded.[1]

The greatness of its powers required the highest statesmanship. As a legislature, it decreed laws binding upon the State: it could dispense with the observance of laws in force; and it initiated proposals to be laid by the tribunes before the comitia. As wielding executive powers, it could appoint a dictator to supersede the regular magistracy: it allotted to the consuls their respective provinces: it nominated generals to command the armies of the republic, and recalled them, or continued their commands, at pleasure. It directed the entire policy of the State, resolved upon war, peace, and treaties, founded colonies, regulated the distribution of lands, and administered the finances. In short, this select and exalted body discharged the various functions which in Athens, and other Greek republics, were entrusted to popular assemblies.

And worthily did the senate exercise its transcendent powers. Its members were renowned for eloquence, statesmanship, courage, and military genius. Under its guidance, Rome proceeded from one conquest to another, extending its dominion and influence: the Roman name was at once feared and respected; and the energies of the people were aroused to deeds of heroism and glory.[2]

[1] See some remarkable observations by Comte, upon the noble character of the Roman senate, in the first days of the Republic, its wisdom and vigour; *Philosophie Politique*, v. 269–272. 'Of all principles on which a wisely conservative body, destined to moderate and regulate democratic ascendency, could possibly be constructed, the best seems to be that exemplified in the Roman senate, itself the most consistently prudent and sagacious body that ever administered public affairs.'—Mill, *Repr. Govt.*

[2] In the opinion of Cicero, the Roman constitution attained its per-

Patrician character of the republic.

The most important change effected by the republican constitution was the admission of the great body of the people, or *plebs*, to the public assembly (or *comitia curiata*): but this privilege conferred little political power; for the election of magistrates, and the voting of laws were exercised by the centuries, or citizens bound to military service (*comitia centuriata*), in which the nobler and wealthier classes prevailed. And even the votes of the centuries required confirmation from a convention of patricians. Again, the plebeians were at first excluded from the magistracy, and the priesthood: they were prohibited from contracting marriage with patricians; and though admitted to the senate, they were no match for the predominant patrician interest. A patrician senate, patrician consuls, and magistrates, and a patrician priesthood ruled the State.[1]

Public virtues of the patricians.

The ascendency of the patricians was further secured by the conspicuous public spirit, and capacity of their order. Public life was the natural vocation of the Roman nobles, as of the Greek. Trained from their infancy to public speaking, and to arms, they were prepared to take the lead in the senate, the forum, the courts of justice, and the camp. Their wealth and influence secured to a comparatively small number of families all the great magistracies and commands,

fection when 'the senate possessed the principal weight in the government. Though the people were free, their direct action was less than that of the senate, who, supported by law and custom, and by their own weight and dignity, had the chief share in the administration of public affairs. The consuls, indeed, held their office for one year only: but their power was in fact regal. The votes of the assemblies of the people were of no avail unless ratified by the senate—an arrangement which preserved the authority of the latter, and which they defended with great determination.' —*De Republicâ*, ch. xxxii.

[1] Livy, ii. 44, 60; Diony. Halic. ix. xi.; Mommsen, i. 263–273.

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which their abilities and ambition qualified them to fill. And so remarkable were their accomplishments, that a Roman patrician, returning from the wars, could at once apply himself to civil administration, to the arts of oratory, to study and literary leisure, or to husbandry. The patricians were at once the rulers of the State, and the leaders of Roman society. They were brave, eloquent, capable, earnest and ambitious: they aspired to govern the Romans; and their fellow-citizens recognised their claims, and had confidence in their capacity as leaders.[1]

Public virtues of the old Romans.

Under their rule the Republic was distinguished by the heroic virtues of its most eminent citizens. A succession of Roman worthies who flourished as generals, statesmen, and patriots, made the history of Rome illustrious for all time.

Their ascendency.

But the absolute ascendency of the patricians—however worthy their individual characters—led them to resist, with a high hand, any attempt to invade their privileges; and the half-civilised ethics of the time encouraged them to resort to the most violent measures. Twenty-four years after the foundation of the Republic, Spurius Cassius, while consul, was able to carry an agrarian law: but no sooner had his year of office expired, than he was accused of an attempt to make himself king, and ruthlessly scourged and beheaded for his pretended offence.[2]

The assassination of citizens obnoxious to the

[1] John Stuart Mill observes:—'The governments which have been remarkable in history for sustained mental ability and vigour in the conduct of affairs, have generally been aristocracies. But they have been, without any exception, aristocracies of public functionaries.'—*Repr. Govt.* 112.

[2] Livy, ii. 41; Arnold, *Hist.* i. 163.

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Their haughty bearing towards the plebeians.

senate was frequent; as, for example, of the tribune Genucius and others of his party, and of the rich plebeian Spurius Melius.[1] Senators deemed it no dishonour to wield the assassin's dagger themselves, or to employ their faithful clients in deeds of murder. They invaded the assemblies of the people, and by violence and force interrupted their deliberations, and arrested their lawful resolutions.[2] If laws were passed in opposition to their will, they resisted the execution of them. They insulted the plebeians, turned them out of their houses, molested them in the streets, and carried off their wives and daughters. The scandalous outrage upon Virginia will suffice to illustrate the haughty insolence of the patricians, and their contempt for the law, when their own interests or passions were to be gratified. Their dwellings were fortresses, built on the hills of the city, whence they could sally forth, like the barons of the middle ages, to commit outrages upon their neighbours, and to which they could retire for defence and protection. There they maintained dungeons for insolvent debtors, and for other victims of their merciless power.[3] The wrongs suffered by the plebeians stung them to a deeper sense of the

[1] Livy, ii. 54; *Hist. de Jules César*, i. 52; Arnold, *Hist.* i. 172–3.

[2] Sometimes the tactics of delay were resorted to, as in modern times. Thus the patricians opposed the Publilian law, 471 B.C. The tribes met once in eight days, being the Roman week: no proposal could be made unless two weeks' notice had been given; and if a proposal was not carried, on the same day on which it was made, it could not be renewed until two more weeks had elapsed. By interrupting and delaying the proceedings of the assembly until they were brought to a close by sunset, the patricians contrived to defer the passing of the law for a year; Arnold, *Rome*, i. 175. Similar tactics were resorted to in the discussion of the Icilian and Terentilian laws, 454, 455 B.C.; ibid. 244 *et seq.*

[3] Livy, iii. 19, 33; Arnold, *Rome*, i. 241.

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political evils of the State, and of the necessity of contending for the further extension of popular rights.

Growth of democracy in Rome.

The exclusive privileges of the patricians could not long be maintained. Unjust and invidious in themselves, they gradually yielded to the increasing influence of the commonalty. Land and slaves had originally been the sole sources of wealth: but commerce and merchandise, encouraged by the reduction of port-dues—or, in modern phrase, by free trade—were now advancing a richer class of citizens; and the farming of the public revenues was rapidly creating prodigious fortunes. Such men, indeed, were generally land-owners: they acquired their wealth by the handicraft of slaves, or by sharing the profits of freedmen, to whom they supplied capital. While growing rich by trade, they did not become a distinct commercial class, but still clung to their character as landowners. Like the Greeks, the Romans looked upon commerce and the mechanical arts as fit for none but freedmen and slaves; and such industries were never practised by any higher class. The wealthy classes, already connected with the land, would naturally have arrayed themselves on the side of the patricians: but being denied equal privileges, they espoused the cause of the plebeians. The latter, suffering from interference with their rights over the public lands, and oppressed with debts, were daily growing more discontented with patrician rule. As in Athens, a century before, the distress of the smaller cultivators, and the sufferings of debtors, had precipitated the new constitution of Solon: so now in Rome, the like causes led to the memorable secession of the victorious legions to the

594 B.C.

Mons Sacer,[1] and the new constitution under Manius Valerius Maximus. The pressing grievances of the time were redressed, and securities were devised for the future protection of the commonalty. Tribunes of the people, and ædiles were henceforth elected, to protect the rights and interests of the *plebs*.[2]

New constitution. 496 B.C.

Tribunes of the people.

The tribunes were able to control the consuls in the most important executive acts of the State: they exercised a large criminal jurisdiction, and they called assemblies of the people, which assumed to vote exceptional laws known as *plebiscita*.[3] Not long after the institution of tribunes, the people secured, by the Publilian law, further privileges, in the free election of their tribunes, and in the debates of their assemblies. By the Icilian law the plebeians secured the exclusive possession of the Aventine Hill—an agrarian law which at once gratified their continual craving for land, and provided them with a stronghold, for defence and security. Such extensive powers, ill-defined in themselves, and entrusted to the avowed leaders of the popular party, were, indeed, important concessions to the Roman democracy: but they were calculated to provoke violent dissensions; and mainly contributed to

471 B.C.

454 B.C.

[1] Dr. Arnold says, 'the spot on which this great deliverance had been achieved, became to the Romans what Runnymede is to Englishmen;' *Hist. of Rome*, i. 149.

[2] According to Plutarch, 'at first they were five in number: but five other tribunes were soon added. Their persons were declared sacred;' Plutarch, ii. 481. But, according to Livy and other authorities, there were at first two only, which number was afterwards increased to ten; Livy, ii. 58, iii. 30; Dionysius, x. 30; Cicero, *De Republicâ*, ii. 34.

[3] It appears, however, according to Niebuhr, that a plebiscitum required the previous sanction of the senate and of the assembly of the *Curiæ*.

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that chronic state of civil war, by which the turbulent society of Rome was, for many years, disturbed.

Laws of the Twelve Tables. 451 B.C.

After half a century of anarchy, it was attempted, by the laws of the Twelve Tables, to regulate the conflicting authorities of the State. After fierce contentions between the patrician decemvirs, by whom these laws were framed, and the plebeian party, the powers of the consuls were restrained, and those of the tribunes extended. The latter were now admitted to the senate: but patrician jealousy denied them the right of voting, and confined them to a seat near the door, or, as we should now term it, below the bar. From this humble place, however, they watched the proceedings of this august assembly, and could control, and even arrest its resolutions.[1]

447 B.C.

Further advance of plebeian privileges.

This advance of popular power was speedily followed by more remarkable changes, wrested from the patricians, by the united force of all classes of plebeians. The hateful interdict upon marriages between plebeians and patricians was removed; and the children of such marriages inherited the rank of the father. A few years later, military tribunes were appointed, instead of consuls, with consular powers; and plebeians were thus admitted to the executive functions of the consulate, without being invested with the rank, and religious character, of curule magistrates. This arrangement was continued, not without interruptions, for about fifty years, when the ancient office of consul was reverted to. From this time the plebeians made their way, by degrees, to all the great offices of the State. The consulate was first opened to plebeians by the Licinian laws, Sextius being the first plebeian elected

445 B.C.

420 B.C.

366 B.C.

[1] Livy, iii. 31, 41, 55; Dion. Halic. x. xi. xii.

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to that office. But the great offices of quæstor, censor, and curule edile had been created, and the ancient office of prætor revived, with extensive administrative powers. To these offices the patricians long maintained an exclusive claim; and thus divided the varied authorities of the State amongst themselves. This monopoly of power, however, could not be permanently maintained; and eventually plebeians secured admission to the offices of curule edile, censor, prætor, dictator, and even to the priesthood.[1]

435–300 B.C.

Attempts, indeed, had been made to deny plebeians the full benefit of these concessions. The Pætelian law prohibited canvassing ('*ambitus*') for the consulate. Patricians, by their social influence, by combination among themselves, and by the aid of their troops of clients, could command success: but plebeians could only hope to attain the object of their ambition, by soliciting the support of their fellow-citizens; and this privilege was denied them by the jealousy of the patricians.[2] Other means were also resorted to, for setting aside their claims. But the continued social advancement of the plebeians, in wealth and consideration, gradually overcame every obstacle to the assertion of their political rights. Nor were the patricians united in their opposition to a liberal comprehension of eminent citizens, in the government of the State. There were, indeed, many haughty patricians and senators, constituting what may be called an old Tory party, who resolutely withstood every encroach-

Canvassing forbidden. 357 B.C.

331–305 B.C.

[1] These concessions were mainly secured by the Licinian laws, 376–370 B.C.; the Publilian laws, 339–337 B.C.; and the Ogulnian laws, 300 B.C.

[2] Livy, vii. 15.

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ment of their plebeian rivals. But the more enlightened members of their order, and the majority of the senate, which comprised both orders, favoured the pretensions of the rising class. On their side, the plebeians were associating themselves, more and more, with the interests and policy of the patricians. Their leaders relied upon the support of the old agricultural plebeians, who were themselves a select class, as compared with the mass of the citizens, and other inhabitants of the capital. The union of the wisest patricians with the best classes of plebeians gave strength and vigour to the republic. Such a condition, however, was distasteful at once to the reactionary nobles, and to the lower orders of the people; and tempted ambitious nobles to seek power, by associating themselves with the populace and the extreme popular party.[1] They formed themselves into political clubs, to secure the election of their candidates to the magistracy, and were active in their intrigues against the dominant party. But the steadfast alliance of the senate and the old plebeians generally enabled them to resist such combinations; and for a long period Rome was governed by the soundest portions of Roman society. It was during this period, that Rome achieved the conquest of Italy and of Carthage.

The Hortensian laws. 300–280 B.C.

By the Hortensian laws, another important constitutional change was effected. The senate was deprived of its *veto* upon the *plebiscita* of the people assembled in their tribes; and thus the sovereign legislative rights of the tribes were acknowledged.[2] Henceforth the only veto upon their legislative acts was that

[1] Arnold, *Rome*, ch. xxxii.
[2] Ibid. ii. 383.

of one of the tribunes; and, for this reason, it became an important object for the patricians, and senatorial party, to secure the election of tribunes, upon whom they could rely for opposition to popular laws.

Checks upon the Comitia.

But the patricians had other means of paralysing the influence of the Comitia. The consul could interpose and forbid their meeting, or interrupt their deliberations, by declaring the auguries to be adverse. A timely clap of thunder: strange signs in the heavens: the flight of birds, and other occult observations of the augurs, were rarely wanting to arrest popular agitation.[1]

The Mænian laws.

About the same time the Mænian law deprived the *curiæ* of the right of a *veto* in the election of curule magistrates, the free choice of whom was henceforth vested in the assembly of the tribes. The citizens now elected their magistrates by equal voices, in the *comitia tributa*, or tribes, instead of in the *comitia centuriata*, or centuries, as of old; and these popular assemblies asserted the right of declaring war, of arbitrating in disputes between the governing powers, and even of overruling decrees of the senate itself.[2] The democratic character of these assemblies, however, was kept under safe control. They were convoked by the tribune, who laid before them the purpose for which he had called them, but allowed no discussion, nor any amendment of the vote which he proposed for their adoption.

Extension of popular suffrage.

Indeed, these concessions to the popular power were far from constituting the republic a democracy. The legislative acts of the people were rare, and were

[1] Cicero, *De Divinatione*, ii. 35, 37.

[2] Livy, iii. 31, 53; Dion. Halic. xi. 45

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reserved for occasions of special popular interest; while all the acts of the senate were binding upon the people without their consent. And so great was the authority of the senate, and so multiplied were the executive and administrative powers of the magistrates, that the people, even with their extended privileges, were little concerned in the government of the State. The political rights conceded to them had secured their general contentment; and they acquiesced in the rule of their natural leaders. The tribunes, again, having a veto, alike upon the acts of the senate and of the people, were able to moderate the proceedings of both. The political constitution of Rome had now been brought into harmony with its social forces; and for a century and a half, conflicts, previously so frequent, between different authorities in the State, and various classes of society, were successfully averted.[1]

280 B.C. to 130 B.C.

Redress of grievances. 435–280 B.C.

While these constitutional changes were in progress, other grievances had also been redressed, which contributed to the contentment of the people. By the Licinian and later laws, relief was given to insolvent debtors: the rate of interest was reduced: the personal slavery of debtors was ultimately abolished; and further distributions of the public lands were decreed.

Fusion of the old and the new aristocracy.

Meanwhile, the government was assuming a more orderly and regulated form. The almost regal powers of the consuls and dictator were abridged, and the authority of the senate proportionally enlarged. The wealthier citizens having gained equal rights with the patricians, grew into a new aristocracy, generally acting in concert with their former opponents; and the plebeians, enriched by successive territorial conquests,

[1] Arnold, *Rome*, ii. 387.

were no longer disturbed by agrarian discontents. And at length the union of classes was significantly shown by the admission of the tribunes to all the privileges of the senate. They left their modest seat, just within the door, and sate, as equals, among the noble and illustrious senators. During their year of office, indeed, they were restrained from voting, by their executive functions, like the consuls and prætors: but they shared in the debates, and could demand the resolution of the senate, upon all the affairs of state. On leaving office, they continued senators for life, representing the popular element of the constitution. The office of tribune, however, had nearly always been held by the richer citizens—now allied, in interest, with the patricians.

The struggle of classes.

This lengthened struggle of classes is instructive. We see the exclusiveness of the patricians overcome by the united force of liberal members of the patrician order, of wealthy citizens, and of the general body of plebeians. We see the most influential of the plebeians won over, by reasonable concessions, to the governing class; and political tranquillity ensured by national prosperity. It is a lesson not peculiar to Rome, but has been exemplified in every free State.

Conquest of Italy. 332–265 B.C.

With society thus united, and the constitution strengthened, Rome was able to pursue her career of conquest in Italy, until the once small State of Rome had extended itself from the south of the peninsula to the distant Alps. In these conquests, Rome displayed statesmanship no less than military genius. She aimed at the union of Italy, under her rule: but she did not attempt to subject all the conquered races to one unvarying law. According to the nature of their

Various forms of government established.

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several countries and governments, and their relations to Rome—whether friendly or hostile—they were admitted, from time to time, and in different degrees, to communion with the conquering State. Some were acknowledged as allies: to some were conceded the laws of Rome, concerning commerce and marriage (*jus Quiritium*): others were constituted as *municipia*, or city republics.[1] The relations of the latter to the dominant State were various. In some, the inhabitants were inscribed among the tribes of Rome, and enjoyed all the rights, and were subject to all the obligations of Roman citizens: in others, under the *jus Latii*, the people, with some rights of citizenship, were yet denied the suffrage, unless domiciled in Rome itself. Such *municipia* elected their own magistrates, and retained the privilege of self-government. In another form of *municipium* the people enjoyed the civil laws of Rome, but were without independence or political privileges. And, further, there were prefectures, governed by prefects sent from Rome; and *dedititii*, which had given up their arms, and destroyed their walls, or admitted Roman garrisons.

Roman and Latin colonies.

Lastly, there were colonies, founded upon conquered territories, and guarding frontiers and other military positions. The lands held by them were the rewards of victorious soldiers, and the outlet for discontented citizens, who were ever clamouring for agrarian laws. These colonies were divided into Roman and Latin. Of these, the former were composed of Roman citizens; and their government was formed upon the model of Rome. The latter were allies, rather than subjects of Rome: but they were

[1] Duruy, *Hist. Romaine*, ch. xi.

important parts of the great military organisation, by which Italy was held in subjection. No part of the Roman polity was so effective as that of its colonies, in extending the power and uniting the various forces of the State, for defence, for conquest, and political unity.

Patrician influence maintained.

Throughout these different communities, whatever their political relations to the capital, the rulers of the parent State endeavoured to maintain their dominion by means of the aristocratic families, whom they had found in the ascendant, and by holding out hopes to the inhabitants, of a closer association with the franchises of Rome. Meanwhile, varieties of institutions and franchises served to discourage combinations amongst the subject States against the central power.

Italian discontents.

So great a diversity of political rights, however, was naturally the occasion of jealousies and discontents. To become Roman citizens was the ambition of all Italians, who were denied that privilege; and this sentiment, not responded to with sufficient promptitude by the ruling State, was destined to become the occasion of further hostilities.[1]

Effects of Italian conquest upon society of Rome.

In course of time, a constant extension of territory wrought important changes in the social and political condition of Rome. Large distributions of land, in the conquered territories, had safely disposed of many of the discontented and turbulent citizens: the people had been generally enriched by pecuniary bounties; and fresh outlets had been provided for the ambition of their leaders. Before the first Punic war, Rome had 264 B.C. attained a high pitch of material prosperity and social

[1] Detailed accounts of these various forms of government, and municipal laws, will be found in Livy, xxiii.–xxviii.; Niebuhr, vol. ii.; Arnold, *Hist. of Rome*, ch. xli.; *Hist. de Jules César*, livre i. ch. iii.

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contentment; and her rulers, with consolidated power at home, and a wider range of activity and distinction abroad, had not yet been corrupted by cupidity, or irresponsible foreign rule.

Progressive condition of the Roman republic.

The progress of society, and of the institutions of Rome, until after the conquest of Italy,[1] affords a noble example of the growth and strength of a free people. An insignificant kingdom had expanded into a powerful and prosperous State. Its policy was naturally warlike. Every consul burned to acquire triumphs during his year of office: the citizens were eager for booty, and the partition of lands; and the senate of a warlike people gladly encouraged conquests, which increased the power and glory of the State, and appeased the discontents of its citizens. The frequent division of newly acquired lands tended to improve the social and political condition of Rome. It created a large class of free-holders or yeomen, having a common interest in the public welfare—a safe agricultural democracy, in civil affairs, and a vast array of citizen-soldiers, ever ready for new conquests.

Evils arising out of Italian conquests.

Yet were there evils incident to these successive conquests in Italy, which a wiser economy might have averted. Cities were destroyed, and their inhabitants slain or doomed to slavery. Desolation overtook once prosperous regions. Nor was the ruin of many fair countries repaired by the return of peace. Where colonists were settled upon the conquered lands and tilled the soil, prosperity was revived: but the old Roman custom of retaining vast territories as public domains, was spreading, throughout Italy, the evils

[1] The conquest of Italy may be said to have been completed about 265 B.C., having occupied no less than 120 years.

which had been suffered, from the earliest times, in the vicinity of Rome. Large tracts were let to nobles and wealthy citizens, who cultivated a portion with slave labour, but left the greater part to lie waste and barren. So grave an error was fatal to the future prosperity of Italy: it prevented the general occupation of the soil by thriving and contented citizens; and it provoked renewed demands for agrarian laws, which the Italian conquests had, at first, gone far to satisfy.

The Punic wars.

First Punic war 264–241 B.C.

The conquest of Italy was rapidly succeeded by the Punic and Gaulish wars; and before the new territories had been fully settled, or the relations of their inhabitants to Rome developed, foreign conquests, and desolating wars, upon Italian soil, were effecting further changes in the social and political condition of the State. The distant expeditions, and great naval armaments of the first Punic war, drew heavily upon the resources of the Romans. Thousands of soldiers and sailors lost their lives in battle and shipwreck: the lands which they had cultivated, at home, lay waste, or were tilled by multitudes of slaves, who had been taken prisoners in the war. At the same time, the conquest of Sicily first introduced that scheme of provincial government, and the farming of the revenues of distant provinces, which was destined at once to enrich, and to demoralise the upper classes of Roman society.

Second Punic war 219–202 B.C.

The first Punic war had been waged abroad by sea and land. But the Italian soil was soon to be the prey of the invader. The Romans had no sooner repelled the invasion of the Gauls, than they had to encounter Hannibal and his Carthaginian armies, and to fight for their homes and altars. Defeats and disasters befel the Roman arms: Rome itself was threatened by vic-

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torious enemies: the danger was increased by the revolt of cities, and the defection of allies and colonies, to which they had trusted for military support. But the spirit of the Romans rose with their dangers. The senate, the magistrates, the generals, the soldiers, and the citizens were animated by a common sentiment of patriotism. When Hannibal was at the gates of Rome, the senate sate calmly in the forum, to inspire the citizens with courage, and to give orders for the defence of the city; while thousands of armed citizens rushed to the walls and the citadel, prepared to die for their country.[1] After fearful sufferings and losses, the courage and constancy of the Romans prevailed. Hannibal was driven out of Italy, and pursued into Africa. Carthage was humbled; and victorious Rome was free to pursue her conquests, to subdue other nations, and to unite the civilised world in a great empire.

Roman virtues.

This critical period, in the fortunes of Rome, was illustrious in the domestic history of the republic. Some of the noblest of Roman worthies adorn its annals—Fabius Maximus, Marcellus, Flaminius, and the Scipios. The patriotism of great leaders was not tarnished by selfish ambition: they were conspicuous examples of the virtues of the Roman character: self-denial, and devotion to their country were their highest aims. The traditions of the republic were held in veneration. Reverence for the gods: a holy patriotism:[2] respect for the laws and institutions of the

[1] Polybius, ix. 6; Livy, xxvi. 9. On a former occasion, 390 B.C., the assembled senators had been massacred, in the forum, by the Gauls.

[2] 'Rome was to the entire Roman people, for many generations, as much a religion as Jehovah was to the Jews; nay, much more, for they never fell away from their worship, as the Jews did from theirs. And

State: a devoted sense of duty: deference to the aged: submission to the judgment of wise and good men: truth and loyalty in the relations of private life:—such were the virtues which the best citizens cherished, and which the opinion of society encouraged.[1]

It is grateful to contemplate such a society, before its approaching corruption. This was the early manhood of the Roman race—earnest, vigorous, hopeful—and not yet demoralised by riches, luxury, and self-indulgence.

Influence of the Stoic philosophy.

The character of the best Roman statesmen and generals was formed by the combined influences of patriotism, religion, and philosophy. Their love of country, and their ambition to deserve well of their

the Romans, otherwise a selfish people, with no very remarkable faculties of any kind, except the purely practical, derived nevertheless from this one idea, a certain greatness of soul, which manifests itself in all their history, where that idea is concerned, and nowhere else, and has earned for them the large share of admiration, in other respects not at all deserved, which has been felt for them by most noble-minded persons, from that time to this.' 'That any man, with the smallest pretensions to virtue, could hesitate to sacrifice life, reputation, family, everything valuable to him, to the love of country is a supposition, which this eminent interpreter of Greek and Roman morality (Cicero) cannot entertain for a moment.'—John Stuart Mill, 'Utility of Religion': 'Three Essays,' 108.

[1] In the time of Polybius, the ancient manners of the Romans were not yet corrupted: their social and domestic virtues were conspicuous; and their generals and statesmen were bold, vigorous, wise, and disinterested; *Hist.* ix. 6. Cicero bears witness to the same honourable characteristics of the Romans, in the best period of the Commonwealth, *De Republicâ*; Hampton, the translator of Polybius, thus describes the period of his history, as presenting 'a government, arrived at perfect growth, and flourishing in the fairest form: a steady, deep, extensive, and far-seeing policy: a people joined together by great and generous sentiments, even more than by the ties of common interest: a sovereign power, exerted solely to maintain the general good: a liberty restrained by reason, and submissive to the authority of laws' (Pref. ix. Edition, 1756).

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fellow-citizens, inspired them to achieve heroic deeds. Their religion, notwithstanding its superstitions and pious frauds, raised them above mere worldly aims, and ennobled them with aspirations to emulate the ideal attributes of their gods. And, whatever was wanting in their Pagan faith, was supplied by the moral tenets of the Stoics. The Stoic creed was well suited to the stern, hard temperament of the Romans. It braced them in the resolute purposes of their lives: it encouraged simplicity of manners: it taught them to despise luxury and indulgence: it trained them to virtues, higher than any to be found in the teaching of their religion, or the examples of their gods: it incited them to daring achievements and sublime sacrifices.

The Stoics and Puritans compared.

In many aspects, the Roman Stoics suggest a comparison with the Puritans of a later age. As Stoicism had attached a severer moral code to Paganism, so Calvinism imparted a more serious spirit to the Christian faith. The tenets of Zeno and of Calvin, alike encouraged a stern morality, an inflexible purpose, a high ideal of virtue.[1] The tenets of the one were moral only: the tenets of the other were religious: but they both aimed at the same high standard of discipline and self-denial, the same devotion of man to his noblest destinies. Hence, there was much of the Puritan in the Roman Stoic: there was much of the Stoic in the Puritan of the sixteenth and seventeenth centuries. They were alike in their virtues and in their failings. Both were steadfast in a good cause: but they were

[1] 'In the Roman Empire, almost every great character, almost every effort in the cause of liberty, emanated from the ranks of Stoicism, while Epicureanism was continually identified with corruption and with tyranny.'—Lecky, *Hist. of European Morals*, i. 134.

also self-willed and obstinate. Their manners were simple: but their temper was haughty and morose. Deeply impressed with their own virtues, they were censorious in their judgment of others. Both were narrow and inexpansive in their opinions and sympathies: but the Stoics, deriving their inspiration from philosophy, were free from the religious fanaticism of the Puritans.

But whatever the affinities of their creeds and characters, their political destinies were widely different. It was the mission of the Roman statesmen of the Stoic school to resist innovations in the laws and manners of their country: they were the Conservatives of their age. It was the mission of the Puritans to struggle for liberties in Church and State, against the established powers of their own times and countries.

Faults of the Roman character.

Yet, while dwelling upon the virtues of the Romans of this period, we must not overlook their faults. To their enemies they were cruel and merciless: to their allies they were selfish and treacherous: they had no pity upon conquered races: they were haughty and oppressive even to their own countrymen; and they were harsh and exacting in their families and households. It was held to be the duty of every Roman to exalt the dominion of the State; and no sense of justice, no respect for the rights of others, was suffered to arrest the march of conquest, or to temper the rule of the conquerors. Nor were the Romans free from more sordid vices. Their greed of wealth was notorious. They grasped at the public lands: they were eager for plunder in war: they were rapacious in the provinces: they racked the poor with usury: they

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coveted the gains, while they affected to despise the pursuit of trade and speculation; and they practised unseemly thrift.

Public life in Rome compared with Athens.

From this period, oratory, which had been practised from the earliest times of the Republic, was about to attain its highest development. The public life of Rome resembled that of Athens, in many of its conditions. In both these free States, war and oratory were the chief claims to political power. A great general became the natural leader of the people: a great orator directed the councils of the State, and stirred up the passions and sentiments of its citizens. Many Greek and Roman worthies ruled by the double claim of warlike prowess and civic eloquence: but in times of peace, the latter most swayed the destinies of the commonwealth. We have surveyed the public life of Athens: let us now look upon the public life of the Roman republic. The Roman statesman had opportunities as ample as the Athenian, for the exercise of his oratory; and these were multiplied as the State advanced in greatness. In the senate, he discussed affairs of State: he addressed men, at once the ablest and most experienced—men who had commanded armies, and filled the highest magistracies; patricians of historic name and dignity; renowned and popular citizens. The world has seen no worthier audience for high debate. From the walls of this august assembly, the orator went forth to the forum. Here he addressed the assembled citizens—senators, soldiers, and the people. His voice was raised to sway an eager and impassioned multitude: to soothe their discontents: to animate their courage: to foment or quell seditions: to stir up the people against the

senate, or to win them over to its side: to provoke them to war, or to counsel peace: to plead the cause of the poor against the rich: to scourge the oppressor: to vindicate freedom: to flatter, threaten, and persuade.

Courts of justice.

Nor were these the only occasions for his eloquence. The courts of justice were open to him. The judicature of Rome, if less democratic than that of Athens, was no less popular; and the prætor and a numerous body of *judices* bore a marked resemblance to the judge and jury of our own country. State trials were held in the forum—a place consecrated by the traditions of Roman history, adorned by temples of the gods, and by statues of Roman heroes, and under the shadow of the Capitol. The court sate in the open air, and was surrounded by an eager multitude, surging even to the housetops—excited, clamorous, and sometimes threatening. The advocate was escorted to the forum by troops of clients, friends, and partisans. With such popular encouragement, he was not restricted to arguments founded on reason and justice: but was free to make the most stirring appeals to popular passions and prejudices, to excite pity, and to sue for mercy. Nor was the pleading of causes confined, as in modern times, to professional advocates. Patricians appeared on behalf of their clients: generals and statesmen contended before the courts, as in the senate. Cato the Censor, Scipio the younger, Lælius, Marc Antony,[1] Sulpicius, Hortensius, Cicero, Julius Cæsar: such were the men whose eloquence dominated in the forum. The issues tried were often as momentous to the State, as the de-

[1] Grandfather of the Triumvir.

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crees of the senate, or the votes of the Comitia. The conspiracy of Catiline, the oppression and malversations of the Sicilian prætor Verres,[1] the electoral corruption of Murena, concerned the whole commonwealth; and the orations which have been spared to us, bear witness to the eloquence which such great occasions called forth.[2] To plead a popular cause was one of the surest passports to the highest honours of the State.[3]

Eloquence and freedom.

It is in free States only that eloquence can flourish: it forms part of the life of an enfranchised people. It attained perfection in the republics of Greece and Rome: it has been conspicuous in France, in the days of her freedom; and it is still the great political force of England.[4]

[1] Mr. Forsyth truly says:—'Of all the trials of antiquity, this bears the nearest resemblance to the impeachment of Warren Hastings;' *Hortensius*, 157. And Edmund Burke, in his zeal and eloquence, emulated the fame of Cicero.

[2] Cicero, *Orationes; de Oratore.* The constitution and procedure of the Roman courts are discussed in Niebuhr, *Hist. of Rome*, and other histories; and Mr. Forsyth gives a popular and spirited sketch of them, and of Roman oratory in *Hortensius the Advocate*, ch. iii.–v. See also Smith, *Dict. of Greek and Roman Antiquities*, 'Basilica,' 'Forum,' 'Judices.'

[3] Until late in the days of the republic, the speeches of advocates were without limit; but Pompey introduced the Athenian method of a *clepsydra*, or water-glass, for measuring the prescribed length of their addresses; Forsyth, *Hortensius*, 123.

[4] Political and forensic eloquence seems not to have been yet fully developed in America, notwithstanding her freedom.

CHAPTER V.

ROME.

EFFECTS OF FOREIGN CONQUESTS UPON THE REPUBLIC—PATRICIAN REACTION—SOCIAL CHANGES—CORRUPTION—DECLINE OF RELIGION—ABSENCE OF A MIDDLE CLASS—TIBERIUS AND CAIUS GRACCHUS—MARIUS — LIVIUS DRUSUS — ITALIAN ENFRANCHISEMENT—PUBLIUS RUFUS—SULLA—POMPEY—JULIUS CÆSAR—OCTAVIUS CÆSAR—TRANSITION FROM THE REPUBLIC TO THE EMPIRE—REVIEW OF THE INSTITUTIONS AND SOCIETY OF THE REPUBLIC—THE EMPIRE.

Effects of conquests upon the republic. 200–133 B.C.

THIS sketch of public life in Rome has anticipated some later periods of its history: but we must now return to the times succeeding the Punic wars. There now came a period of social and political deterioration. Roman conquests were continued beyond the bounds of Italy. Neither seas nor mountains could arrest the dominion of Rome. Sicily, Spain, Carthage, Greece, Gaul and Asia Minor, were overrun by Roman conquerors. From a State, Rome was rapidly growing into an Empire, and conquests which, at one time, had contributed to the virtues and welfare of its citizens, were now becoming the causes of corruption and decay.

Political reaction of the patricians.

While the people were intent upon wars, and the enjoyment of the spoil, the patrician and new aristocratic families were assuming a monopoly of power. They secured for themselves all the great offices and military commands, and appropriated all the honours of

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Roman greatness, while they contrived to escape from most of the public burthens. They were constantly adding to their territorial possessions, by purchase or by driving out the freeholders; and were assuming new social distinctions. The franchise was narrowed; and the favoured body of citizens claimed peculiar privileges and exemptions. A democratic party, opposed to the rule of an oligarchy, had been overcome by the remarkable achievements, and conspicuous merits of the aristocratic rulers of the commonwealth. The glories of Rome were identified with patrician generals and statesmen; and national pride and patriotism consolidated their power.

Consequences of standing armies.

While these encroachments were being made upon the free constitution of the republic, foreign conquests were engendering other evils of the gravest character. In the Italian wars, a consul levied his army of citizen-soldiers, who soon returned to the plough, and resumed their place among their fellow-citizens. The Roman legions and their generals were ever under the eye of the senate. But in distant and protracted campaigns, the troops assumed the character of standing armies. The citizen was lost in the soldier, who looked up to his general rather than to the State; and the leader of victorious armies—accustomed to conquests and command—was beyond the control of the senate. And when conquests had been achieved, distant provinces were to be governed; and the prætors and proconsuls wielded royal powers over subject races. Many were distinguished by virtues and moderation, becoming the older type of Romans: but pride, cupidity, and oppression were encouraged by absolute rule; and military governors generally returned to Rome, haughty, am-

And of provincial rule.

bitious, opulent, and demoralised. Farmers of the revenues had long since been known for their invidious wealth; and now that their operations were extended over a wide empire, their excessive gains and exactions became at once a reproach to Roman administration, and a danger to the State. With dominion, foreign commerce was also extended, and created a wealthy class of capitalists — contractors, bankers, money-lenders, and speculators in land, merchandise and slaves.

Social changes in Rome.

Meanwhile, serious changes were being developed in the social condition of Rome. This memorable city, which had once been the centre of a small agricultural State, was becoming the capital of a great empire. The yeomen of the Campagna were outnumbered by the mixed populace of a densely-peopled city. First there were the clients of the great families. From the earliest times, as we have seen, a relation, almost feudal in its character, had been recognised between the powerful nobles and the poorer citizens. On one side were given protection and friendly offices: on the other respect and faithful service, when occasion required. In course of time freedmen became the most numerous class of clients. Such men were specially bound to their patrons; and still betrayed much of the character of slaves. Their ranks were further recruited by dependents of various kinds, and many nations, whom the increasing wealth and luxury of Roman society were attracting to the capital. These numerous clients now became like clans, and served the ambition of their chiefs, in the street and in the forum. But below them was the rabble of the city: immigrants from other parts of Italy: Greeks, Asiatics, slaves, beggars,

Clients.

The populace.

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and criminals. The Roman citizen was lost, in the midst of this incongruous multitude.

Growth of corruption.

What then had Roman society become? At its head were ambitious and wealthy nobles, commanding vast means of corruption: beneath them was a wretched populace without patriotism or virtue, and open to the most vulgar seductions of self-interest and pleasure. Their wants were appeased by a profuse distribution of grain from the provinces, below its cost price; and their amusements ministered to by the constant multiplication of games and festivals, the cost of which was defrayed by the ædiles, and other elected magistrates. Who could aspire to such offices unless they were rich and liberal? Theatrical entertainments were provided for the people by the ædiles. Wrestling and athletic sports were succeeded by the baiting of wild beasts from Africa; and these again by the revolting combats of gladiators.[1] The multitude craved for new excitements, and those provided for them became more and more brutalising. Such was the demoralisation of the time, that even the administration of justice was tainted with corruption.[2]

Public amusements.

Orderly government disturbed by factions and tumults. 234–149 B.C.

While the patricians were using every form of corruption to maintain their ascendency, demagogues were learning to appeal to the passions and prejudices of the people. Orderly government was gradually giving way to faction and tumults. And in a constitution which permitted laws to be passed by popular acclamation, and appeals to be made from the senate to a public

[1] The first exhibition of gladiators was in the year 264 B.C., as part of a funeral solemnity. Similar exhibitions afterwards formed part of other funerals; and they were gradually introduced as public sports, for the entertainment of the people.

[2] See Cicero's first oration against Verres.

assembly of the people, what opportunities were not afforded for disorder!

Cato the Censor.

In vain the elder Cato protested against these growing evils. Some partial reforms were due to his boldness and public virtue: but a corrupt society was the cause of the political disorganisation of his time, and was beyond a legislative remedy. In the words of Dr. Merivale, 'with the death of Cato the Censor the last link was snapped which connected the existing generation of Roman statesmen with the traditions of simplicity and moderation derived from the early commonwealth.'[1]

149 B.C.

Increase of luxury.

The simple manners and austerity of the ancient Romans were rapidly giving way to ostentatious luxury and vice. Before their foreign conquests, the Romans, distinguished as they were for a genius in war and government, were generally without cultivation and refinement. In literature and the arts they were mere barbarians compared with the Greeks, whom they were destined to conquer. The more educated had long admired the unapproachable genius of the Greeks; and when Greece fell under the Roman yoke, her philosophy, her literature, her arts, her very habits, became the fashion among her conquerors. They had much to learn: but there was danger in the learning. The glories of Greece had passed away: her freedom, her valour, her patriotism had been trodden down by invading armies. Her philosophers had nearly overthrown the Pagan divinities, without raising a new faith: her culture had declined with her freedom; and her sons were now a degenerate race.[2]

Greek arts and refinements.

[1] *Fall of the Roman Republic*, Preface.

[2] Montesquieu ascribes to Epicurus the corruption of Roman, as well

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Decline of Paganism.

No one can affect to lament the decline of Paganism. So monstrous a faith could not long impose upon the higher intellects of any civilised people. It had been held in light esteem among the Greeks, since the times of Plato and Aristotle; and with advancing civilisation, the ancient faith was less revered among the cultivated Romans. Even that faith, however, had afforded some security for morals; and by the Romans especially, the national religion was associated with traditions of patriotism, and with public and domestic virtues. They cherished the memory of their god-king Romulus, and idolised their Eternal City. But the conquerors of the world witnessed, with contempt or disgust, the absurd superstitions of various nations; and learned to interpret them by the light of Greek scepticism. The national religion declined at the very time that the greatest inroads were being made upon Roman morals. Wealth, suddenly acquired by men devoid of culture and moral training, was full of temptation and peril: the restraints of an orderly society were relaxed by the influx of strangers; and frivolous and pleasure-seeking Greeks, and debased Asiatics completed the demoralisation of the Romans.

Want of a middle class.

Other causes contributed to the disorganisation of Roman society. The aversion of the Romans to trade and handicrafts, and the universal prevalence of slave labour, discouraged the natural growth of a middle class in their society. The place of prosperous merchants, tradesmen and artificers was filled by freedmen and slaves, who enriched their employers, but acquired no independent position for themselves. The indus-

as Greek morality; but it was due to many causes beyond the tenets of a single philosopher.

tries which, in modern States, have created powerful classes, between the rich and the poor, merely swelled the fortunes of employers, and multiplied the numbers of the employed. The upper and the lower classes were left to struggle against each other, without the intervention of an intermediate class, to moderate the strife, siding now with one party, and now with another.

The public domains.

Nor was it in the city only that these causes were in operation, to perpetuate the hard lines between the rich and the poor. The greater part of the public domains had been let out to nobles and powerful citizens, at nominal rents, and were cultivated by slaves, whilst vast numbers of the smaller freeholders had been destroyed by the incessant wars of the republic. Instead of farmers and yeomen, to constitute an agricultural middle class, the bailiff of the absentee landlord drove his slaves into the field, to till the soil: the harvest was gathered in due season, but its profits left no traces of wealth where it had grown. There were no contented peasantry, interested in the welfare of the farm, and bound by ties of kindliness and interest to their employers. The wealth of the landowners was coveted: their privileges were denounced as a wrong to the community: but throughout those parts of the public domains, which had been thus appropriated by the rich, there was no agricultural class but their own, to unite in their defence. Frequent efforts were made to restrain these abuses, and the Licinian law had grappled boldly with the unjust distribution of the public lands:[1] but it had been frustrated by neglect, and by the continual encroachments of the rich.

370 B.C.

When agrarian discontents arose, the landowners of

[1] Livy, vi. 21, 35, *et seq.*

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the public domains were brought into immediate conflict with the needy and aggressive populace. There was no powerful class of independent cultivators between them, to break the shock. At the same time, the want of other productive industries, among the citizens, made the occupation of land nearly their only means of support. Hence the continual demand for agrarian laws, during the entire history of Rome. Without trades or handicrafts, land was a necessary of life; and as large territories belonged to the State, claims for a redistribution of the soil were difficult to satisfy, or to silence.

Agrarian discontents.

This absence of a sufficient middle class could not fail to affect the course of Roman politics. The collisions of classes were more violent: disorders were aggravated; and the balance and proportion of a well-ordered society were wanting, to moderate the strife of hostile interests.

Dependence and corruption of the poor.

This condition of society had another disastrous effect upon the political life of Rome. The poorer class of citizens, who, under different conditions, would have attained independence and competency, by their own industry, were the humble clients of rich men, suing for favours, and even subsistence, from their patrons, and following them blindly, in every party contest. This was the class, whose poverty and dependence naturally exposed them to the seductions of bribery, whose wants were supplied by distributions of corn, whose idle tastes were gratified by games, and bloody spectacles of wild beasts and gladiators, and whose cupidity was inflamed by constant agitations for agrarian laws. The class which ought to have been a source of strength

and stability, was the cause of demoralisation, disorders, and danger to the State.

Debtors and creditors.

Another dangerous evil in Roman society, and a constant source of discontent, was found in the relations of debtors and creditors. Multitudes of the poorer citizens were reduced to debt by military service, and by the want of lucrative industries; and the laws for the recovery of debts, which had been made by the rich for their own protection, were of galling severity. The rate of interest was oppressive; and a debtor unable to discharge his debt, became the slave of his creditor. By the laws of the Twelve Tables the rate of interest had been reduced to ten per cent.: other laws were passed, from time to time, to appease the discontents of debtors: but such was the condition of Roman society, that debtors continued to be a considerable class, sullenly discontented with the rich, and swelling the ranks of the turbulent.

451 B.C.

Demoralisation of slavery.

Society was further endangered by the constant multiplication of slaves, resulting from conquests, and a merciless slave-trade. In the city, slaves were employed in trades and handicrafts; and in the country in husbandry; and as free Romans despised useful industry, all the manual labour of society was performed by slaves. Slave labour was marked by all its worst accompaniments—the brand, the shackle, the scourge, and the prison-barrack: there was neither rest nor hope for the slave; and the burthen of his life was too heavy to be borne. Hence arose frequent disorders and insurrections throughout Italy; and in Sicily serious servile wars. Everywhere resistance was overcome, with revolting cruelties: but the social danger con-

135–132 B.C.

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tinued, as a permanent disturbance of the economy of a free State.

Resistance to abuses.

In every free country, efforts are continually made to reform acknowledged abuses; and such attempts, more or less judicious, but nearly always unsuccessful, form a considerable part of Roman history, during the last hundred and fifty years of the republic.

Governors of provinces.

One of the most flagrant evils was the impunity of rapacious and oppressive governors of provinces. It was vain to appeal to a patrician senate, which 'stood by its order;' and in 149 B.C., on the proposal of Lucius Calpurnius Piso, a judicial committee[1] of the senate was appointed to hear complaints from the provinces.

Undue influence of the nobles.

Again it was attempted (139–131 B.C.) to restrain the undue influence of the aristocracy in the comitia, by vote

The ballot.

by ballot. The young nobles seeking office naturally relied upon the support of their numerous family clients: but they also canvassed for votes, in the streets, shaking hands familiarly with all classes of citizens, like modern British candidates, and securing their support by profuse personal bribery. How far the ballot served to check either undue influence or corruption, may be an interesting inquiry for Englishmen of the present day, who have recently adopted the same experiment. But whatever its effect, another abuse was beginning to prevail, which made all attempts at electoral reform utterly hopeless. So long as qualified citizens alone were appealed to, there was some security for public order, if not for reasonable and honest votes: but nobles and demagogues were beginning to disregard the comitia, and to address themselves to motley

Appeals to the populace.

[1] *Quæstio ordinaria.*

multitudes gathered together in the streets—slaves, foreigners, and the dregs of the people. These irregular assemblages, known as *conciones*, without any pretence of authority, were often able to settle important matters of policy, by tumultuous acclamations, which neither the magistrates nor the senate ventured to resist. Such mob-rule as this was not democracy, but tumult and anarchy.

Tiberius Gracchus 133 B.C.

The evils of the Roman constitution and society were exemplified by the exploits of the ill-fated Gracchi. Tiberius Gracchus—himself of a noble and distinguished family—was elected tribune of the people, and at once resolved to redress the grievances of the farmers, by a redistribution of the public lands. The position of a tribune was that of the leader of a popular opposition, and he owed his election to his promises of an agrarian law, which were placarded upon the walls, porticoes, and tombs, throughout the city. His great aim was to enforce the observance of previous laws, to correct the grave abuses of the system under which the public lands were held, and to raise up a new class of small proprietors and cultivators of the soil, who would have constituted an industrious and stable middle class, to stand between the haughty nobles and the hungry populace. He proposed to revive the Licinian law, and to provide that no proprietor should hold more than 500 acres for himself and 250 for each of his sons: he offered compensation to those whose interests were affected, and he assigned thirty acres each, to large numbers of citizens and allies. In the judgment of high authorities, his scheme was wise and equitable:[1]

[1] Plutarch says:—'There never was a milder law enacted against so much injustice and oppression. For they who deserved to have been

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but it was condemned by the landowners, as confiscation. He proposed his law to the comitia: but his colleague in the tribunate, Marcus Octavius, prevented it, by his veto, from being put to the vote. Gracchus retaliated by impeding all public administration, and sealing up the treasure-chest, which, in those days, was the most effectual mode of stopping the supplies. Again his law—now increased in severity against the landowners—was submitted to the people, and was a second time arrested by the veto of his colleague. It was then discussed, without result, in the Senate. A third time Gracchus appealed to the people, and, first, to secure himself against another veto, he invited them to depose his colleague. Such an act was wholly beyond their powers: but they set him aside, by acclamation. The agrarian law was then passed; and Gracchus himself, his brother, and his father-in-law, Appius Claudius, were appointed commissioners to carry it into effect. Here was a law carried, in revolutionary fashion, against the senate and the patrician party: but they were unable to arrest its execution. The popular tribune, in defiance of the law, offered himself for re-election; but his opponents mustered in sufficient force to resist him: the assembly was twice broken up in disorder; and no tribunes were elected. And now the nobles and senators wreaked their vengeance upon the author of the agrarian law. They
132 B.C. accused him of aiming at royal power—the greatest crime known to the Romans—and arming themselves, like a mob, with bludgeons, they rushed from the

punished for infringing the rights of the community, and fined for holding the lands contrary to law, were to receive compensation for giving up their groundless claims, and restoring the estates to such of the citizens as were to be relieved;' Life of Tib. Gracchus.

senate-house and beat out his brains, on the Capitol.[1] Three hundred of his supposed adherents fell with him. Such was the fate of a Roman reformer, who had threatened the vested interests of the nobles. It is said to have been the first sedition since the expulsion of the Tarquins, in which the blood of citizens had been shed;[2] but henceforth every political movement was marked by violence, and stained with bloodshed.

Commencement of anarchy.

Here was the commencement of anarchy, and of civil war between the senate and the people. The constitution was at fault in permitting such a law to be proposed, on behalf of the State, to a mere crowd of citizens: Gracchus was turbulent and revolutionary; and the senate ferocious and brutal.

Caius Gracchus. 123 B.C.

Such a collision between the aristocratic and popular parties could not thus be brought to a close. Nine years later, Caius Gracchus was elected to the tribunate, burning to reform the abuses of the State, and to avenge his brother's death. With many of the qualities of a great statesman—eloquence, an earnest purpose, courage, and a clear insight into the wrongs under which his country was suffering—his own passionate temper, and the fierce excitement of the times, soon hurled him to his ruin.

His first aim was to gain over the people, to his side, by those perilous means too well known to Roman magistrates. The public granaries were enlarged; and abundant supplies of corn were distributed monthly to the citizens, at half their natural price. This bounty being distributed in Rome itself, the citizens from the

[1] Before the statues of the seven kings at the Temple of Fidelity, on the slope of the Capitol.

[2] Plutarch (Tib. Gracchus).

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country were attracted to the capital, and swelled his followers in the street and in the forum. He is said to have been the first magistrate who introduced this pernicious and dangerous custom, which was destined to pauperise the people, and to become the source of political demoralisation and disorders. The poorer citizens, already indisposed to work, were encouraged in habits of idleness, and accustomed to look for sustenance and amusement, to wealthy and ambitious citizens, who sought their favour. Crowds of indigent persons were attracted to the city; and an idle and demoralised populace was fostered, for the service of political partisans and demagogues. Citizens entitled to the franchise were already exempted from taxation—a privilege the very reverse of the modern ideal of a franchise—and were henceforth to be fed, and fêted with shows and entertainments. The citizens revelled in these privileges, while all the burthens of the State were borne by the provinces, and distant subjects of the republic.

Change in the voting of the comitia.

He next strengthened himself, in the comitia, by an alteration in the method of voting. Since the time of the elder Cato, the five highest classes, in rating, in each century had voted in succession, and generally determined the vote of the entire assembly: but he arranged that the centuries should vote in such order as should be determined by lot, and so checked the paramount influence of the richer classes.

His democratic measures.

Some of his measures were no less beneficial than popular. He founded colonies, not only in Italy but at Carthage, and elsewhere beyond the sea: thus finding for an increasing population, that outlet which emigration has provided for other European States, in modern

times. He abridged the period of military service; and made great changes in the administration of justice. While he withdrew many capital offences from the cognisance of the popular tribunals, he transferred much of the jurisdiction of the senate to courts constituted from the equestrian order. At the same time, he encroached upon the administrative functions of the senate; and abased that august body, while he exalted the authority of the comitia. He even proposed a radical change in the constitution of the senate itself, by doubling its numbers, and decreeing that its new members should be elected from the equestrian order, by the comitia. This change, however, does not appear to have been carried into effect. It involved the important principle of representation, which was wanting in all the institutions of antiquity. Nor were these the only expedients for conciliating the equestrian order, which comprised the greater part of the new aristocracy. He also increased their personal privileges; and bribed them by imposing taxes upon the recently-acquired province of Asia, and farming the revenues to equestrian capitalists. So much favour did he show to the equestrian order, that he was said to have made the republic 'double-headed.' The jealousies of the two ruling orders were exasperated by the increased influence of the new men; and seriously contributed to the disorders of later times. Caius Gracchus also aimed at the union of Roman and Italian citizens in a common State: but this great work of comprehension was left to be accomplished, at a later period, by other statesmen. In a word, it was the policy of Caius Gracchus to lower the patricians, to gain over the new aristocracy to the popular side, to diminish the power and enlarge

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the constitution of the senate, and to increase the authority and active interposition of the people, in all the affairs of State.

His deference to the people.

Hitherto, orators in the forum, in addressing the people, had turned towards the senate-house, and the comitium, where the patricians were assembled: but Caius is said to have shown his deference to the plebeians, by turning round to them, where they clustered behind the rostra. And this democratic example was henceforth followed by other Roman orators.[1] Doubtless, his immediate object was to acquire domination for himself: but the tendency of his measures was clearly democratic. His largesses to the people were a dangerous form of communism; and the weakening of the senate, and the enlargement of the powers of the comitia, were effective instruments in the hands of a demagogue. The populace of Rome continued to be a peril to the State, not only throughout the remaining years of the republic, but even during the empire.

His overthrow and death.

His own personal designs were favoured by a recent law which permitted his re-election to the office of tribune; and he was elected a second time. But on offering himself a third time, he found his enemies too strong for him. They had not been idle, during his tribunate, but had laboured to gain the adherence of the people, and recover the alliance of the equestrians. Gracchus was defeated, and a quarrel arising between himself and the senate, concerning the colonisation of Carthage, the senators were prompt in their revenge. Gracchus and his followers were proclaimed

[1] Plutarch (Caius Gracchus). Cicero and Varro, however, attribute the introduction of this practice to Caius Licinius.

as insurgents, and speedily routed and slain by the nobles, assisted by a body of Cretan archers. Caius Gracchus, like his brother, fell under the vengeance of the party he had outraged; and thousands of his followers, who had escaped from the fray, were afterwards strangled in prison. It was one of the worst characteristics of Roman politics, that the victory of one party was stained by the proscription of the other; and this bloody policy assumed vaster proportions, in later years.

Proscription of his party.

Both the Gracchi had perished in the popular cause; and, at a later period, a grateful people erected statues and altars, on the spots where they had fallen, and offered sacrifices in honour of their public virtues. Their distinguished mother, Cornelia, like a true Roman matron, gloried in the memory of her patriot sons; saying, 'They perished in the temples and groves of the gods. They deserved to fall in those sacred places, for they dedicated their lives to the noblest object—the happiness of the people.'

The memory of the Gracchi.

The patricians now recovered their ascendency, but they could only hope to retain it by doing homage, like Gracchus, to the people. They were able to reverse the policy, and abrogate most of the popular measures of the Gracchi. Their scheme of government was reactionary, and oligarchic: but they were divided among themselves. The greater number were narrow and old-fashioned in their views—opposed not only to political change, but to social and intellectual progress. They spurned the culture of the Greeks, and all foreign arts and manners. They were the old Tory party of the Romans. Another section of the patricians, and of the equestrian order, favoured a more liberal State

Patrician advances to the people.

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policy, welcomed Greek philosophy and literature, and cherished new ideas in religion and speculative thought. The rivalry of these parties, and the ambition of men aspiring to the magistracy, drove them to the use of all popular arts. It was in the forum, and not in the senate, that they sought for influence and power. They flattered and bribed the democracy; and many of the candidates for popular favour were themselves incapable, self-seeking, and corrupt. The senate had lost respect as well as power; and the State was exposed, with weakened authority, to the double danger of democracy and military dictation. The people assumed to nominate generals; and generals, with popular support, became masters of the commonwealth.

Marius.

Of the latter danger, Marius was a conspicuous example—to be succeeded by other ambitious soldiers

107 B.C.

who brought ruin upon the republic. He was elected consul, and invested by the people with the first command in the African war. Having conquered Jugurtha, he was re-elected consul in five successive years,[1] contrary to law, and appointed by the people commander of the forces in Gaul, to repair the reverses sustained by Roman arms. Victorious over the Teutones and the Cimbri, he returned to Rome. The Roman legions had been assuming, more and more, the character of standing armies; and Marius, by voluntary enlistments, by a reorganisation of his forces, and changes of discipline, had made them less than ever an army of citizens. Crowds of soldiers had flocked to his standards, who were not citizens of Rome: they lived upon their pay and plunder: they were soldiers by profession: they

[1] He was consul 107 B.C., and five times consecutively, 104–100 B.C. His seventh consulate was in 86 B.C., after an interval of thirteen years.

had no land to return to, after the war: but looked to their general for rewards, and future provision. The commander of such an army had Rome at his feet: but he disbanded it—an example too rarely followed, after this period. He was, however, followed by multitudes of his soldiers, eager to share his future fortunes, and secure their own part of the spoil. To them, and to the people he appealed, not as a general, but as a popular reformer; and following in the footsteps of the Gracchi, he became leader of the democratic party, in opposition to the senate and the patricians. For a sixth time he was chosen consul: while two demagogues were associated with him—Glaucia as prætor, and Saturninus as tribune of the people. His policy was, in the main, that of Caius Gracchus. He proposed to gratify his soldiers by extensive grants of land in Africa; and to appease that perpetual craving for land, which ever agitated the Romans, by founding new colonies beyond the Alps. As this colonisation was not confined to Roman citizens, but embraced the Italian allies, it was popular to a class whose growing discontents were dangerous to the State. To propitiate the equestrians, their judicial privileges were to be extended; and to assuage the hunger of the mob, he fixed a still lower price, in the distribution of grain. When these laws were submitted to the comitia, attempts were made by the senatorial party to defeat them, and to disperse the assembly by force: but the soldiers of Marius came to the rescue. There was a battle in the forum: the soldiers and populace prevailed; and the Appuleian laws were passed.

His popular measures.

100 B.C.

The Appuleian laws.

About the same time, the tribune Domitius obtained for the people the right of electing the chief pontiff,

The Pontificate. 103 B.C.

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which had hitherto been exercised by the patricians alone. With a superstitious people swayed by signs, portents, and sacrifices, this control over the pontificate was a signal gain to the democracy.

Submission of Marius to the senate.

But the triumph of the popular party was short-lived. These lawless proceedings alarmed the patricians and equestrians alike, while dissensions arose between Marius and his colleagues. The senate resolved to put down the popular movement; and arming themselves and their followers, called upon Marius, as consul, to assist them. Strange to say, he responded to this call; and sword in hand, routed his late friends, and slew Saturninus and Glaucia, and other popular leaders of his own party. But Marius himself was lost. Distrusted and hated by both the parties, whom he had outraged, in turn, he retired from Rome, and left the senators to wreak their vengeance upon those who, under his guidance, had favoured the popular cause.

Recovery of power by the senate.

The senate now recovered much of its former power; and in order to restrain the hasty legislation of the comitia, it made binding a former usage, which required an interval of seven days between the proposal and voting of any law; and further prohibited the comprehension—or, as we should say, 'tacking'—of several different objects in the same law.

Livius Drusus.

The fate of reformers was not encouraging: but no sooner had Marius failed, than he was succeeded by Livius Drusus, a high-minded statesman of noble birth, who honestly sought to reform abuses. His first attack was directed against the equestrian order. Their courts had abused the judicial functions lately entrusted to them; and he proposed to restore them to the senate: while he enlarged that body, by the addition of 300

Livian laws. 91 B.C.

equestrians. Assignments of land, and distributions of corn were essential to popular support; and he offered them freely. And further, he proposed to extend the franchise of Roman citizens to the Italian allies. He was only able to carry these laws by violating the recent law against the tacking of dissimilar provisions; and the senate annulled them as illegal. But, at Rome, it was not enough to defeat a reformer, and his measures: he must be punished and put out of the way; and so Drusus was doomed to fall by the hand of an assassin. Another reformer had fallen, like the Gracchi, by the hands of the patrician party.

Enfranchisement of Italian allies.

This failure of the Livian laws was followed by events momentous in the future history of Rome. The enfranchisement of the Italian allies could no longer be effectually resisted. The favoured citizens of a small municipal State assumed to govern the whole of Italy. They declared war, and called upon the Italians to share in all its burthens: they administered the government and finances of the State for their own benefit: they appropriated to themselves the glories and spoil of conquest: they divided among their leaders the great magistracies, and the command of armies and of provinces; and they provided their poor with corn, for which the whole empire was ransacked. But in none of these things had the Italians any voice or influence. They had the onerous duties of citizens, without their rights. It was as if London should claim the right of governing England. Every attempt to do justice to the Italians had hitherto been defeated by the narrow jealousies of all classes of Romans, who were reluctant to share their exclusive rights with strangers and rivals. To restrict the charmed circle of citizenship was the

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aim of the Romans, who had even gone so far as to prohibit the residence of all persons except citizens in Rome. There was no hope of friendly concessions; and at length the Italians determined to extort the franchise by force of arms. The revolt of Fregellæ, thirty-five years before, had shown the spirit by which the people of Italy were animated; and now, when the hopes which Drusus had raised were disappointed, a widespread insurrection was provoked. The object of the insurgents was plainly declared: for they offered to lay down their arms on condition of being admitted as citizens. Their offer was rejected: but the first year of the war was disastrous to the Roman arms; and in order to avert the combination of the whole of Italy, the rights of citizenship, with some invidious limitations, were conceded to all the Italian communities, which had not hitherto joined in the revolt. After two more years of strenuous war, the insurrection was crushed; and the insurgents were still excluded from the franchise.

125 B.C.

91 B.C.

State of Rome after the Italian war.

The war was nearly at an end: but the domestic condition of Rome was worse than ever. Proscription had infuriated party strife: Rome was full of disbanded soldiers; and great losses had been sustained by the recent war in Italy, which brought creditors and debtors into violent conflict. In the midst of these troubles, there arose another reformer, the tribune Publius Sulpicius Rufus. He sought to purify the senate by the exclusion of insolvent senators: to extend all the rights of citizenship to the new Italian citizens; and to give to freedmen the right of voting in all the tribes. His laws were passed, in the forum, in the midst of tumult. The consul Sulla, who had aided the senate in resisting

Publius Sulpicius Rufus, the Reformer.

these reforms, now retired from Rome, and rejoined his army, which, having quelled the Italian insurrection, was preparing for a campaign against Mithridates. Sulpicius, distrusting the designs of the unfriendly consul, obtained a decree from the people to supersede him in his command, and to appoint Marius—who had done good service in the Italian war—to conduct the Eastern expedition. This resolution was a death-blow to Roman liberty. Sulla defied his rival, and marched, with his victorious army, to Rome; and, easily overcoming the resistance of Marius and Sulpicius, he made himself master of the city. The former escaped: the latter was overtaken and slain.

Sulla becomes master of Rome.

Having proscribed, at his own will and pleasure, the leaders of the popular party, he passed several laws of a reactionary character. The senate having been greatly reduced by war and proscription, he appointed no less than 300 new senators—all from the conservative, or anti-revolutionary party. He restored the old system of voting, introduced by Servius Tullius, which gave nearly exclusive power to the wealthy classes; and he restrained the tribunes from proposing any law to the comitia, until it had first been approved by the senate.[1]

His reactionary policy.

Having accomplished these constitutional changes, he sailed for the East, with his army. The popular party were quick to take advantage of his absence. The consul Cinna proposed to reverse his policy: to recall from banishment the leaders he had proscribed; and to admit to equal privileges the new Italian citizens, and

His policy reversed by the consul Cinna.

[1] The fullest narratives of these events, and of the succeeding civil wars of Rome, are to be found in Appian, *Rom. Hist.* vol. ii. book i.–v.; Plutarch's Lives of Marius, Sulla, Pompey, Cæsar, &c.; and in Dr. Merivale's excellent history of the fall of the Roman republic.

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freedmen. He invited the new citizens to come to his assistance; and they crowded into Rome. Both parties rushed, with swords drawn, into the forum; and, instead of orderly deliberation, there was battle and massacre. The senatorial party prevailed, and, after great slaughter, drove Cinna and his followers out of the city. The senate decreed his banishment, and deposition from the consulate: but he appealed to the Italians, and to the army which was still before Nola—the last of the Italian cities which held out against Rome. He soon gathered bands of armed insurgents and soldiers; and, joined by Marius, who had drawn together another army, he marched upon Rome. The capital was invested. In vain the senate appealed to Strabo, the general of another army: in vain it decreed citizenship to all the Italians who had lately laid down their arms: sufficient succour was not forthcoming. After grievous sufferings from pestilence and famine, the gates of the city were thrown open to the invaders; and Cinna and Marius took possession of the capital. A proscription followed—the first of a deadly series of proscriptions—unparalleled in the annals of Rome, and probably of any other country, until the French revolution. To prevent the escape of its victims, the city gates were closed; and with maddened fury, the obnoxious patricians and senators, and their adherents, were slain. Ghastly heads were exposed in the forum; and headless trunks were dragged, with indignity, through the streets. Unburied corpses sickened the survivors of this hideous massacre. The property of the victims was confiscated and sold. Proscription and terror had now found a settled place in the government of Rome; and were henceforth the acknowledged instrument of

Proscription under Marius.

parties, throughout the remaining days of the republic and of the empire.

Cinna and Marius consuls. 86 B.C.

The authors of this monstrous butchery were elected consuls, and the brutal Marius ruled for the seventh time. He did not long survive his iniquities, but died in fevered madness. Cinna alone continued undisputed master of Rome, regarding neither the senate nor the people. Four times did he elect himself consul, nominating also all the other magistrates. He gave the Italians, and the freedmen, the complete franchise; and he brought rejoicing to the debtors, by cancelling about three-fourths of their debts.

Cinna consul.

Return of Sulla.

And so the revolution prospered. But at length the war against Mithridates was brought to a close, and Sulla announced his return to Rome. Cinna resolved to give him battle, before he reached the Italian shores, but was slain in a mutiny of his own troops at Ancona. Sulla landed, and Italy was desolated with civil war. The revolutionary party, in possession of the government, raised armies to defeat the leader of the reaction, in the field; and continued the proscription of the foremost nobles and senators of his party. Sulla rallied round him the chiefs of the senatorial party, recruited his victorious army among the Italians, defeated his enemies, one after another, and at length took possession of Rome. The State was no longer governed either by the senate, or by the people, but by the sword.

Sulla dictator. 82 B.C.

Sulla proposed himself to the senate as dictator, 'for the making of laws, and for the government of the commonwealth;' and the senate was obliged to confer upon him this absolute power, independent of senate, magistrates, and comitia. The senatorial party

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had again triumphed: but their power was wielded by Sulla alone. Yet he gratified their revenge; and the revolutionists were now proscribed with no less savagery, than that with which they had recently pursued their foes. Lists of the proscribed were made out; and Sulla announced that he could think of no more names at present, but might probably remember more. And for six months he and his myrmidons continued to remember new victims to their vengeance and rapacity. Civil wars, military rule, executions and massacres—such were the laws of Rome! The property of the vanquished party was confiscated, while the followers of Sulla were enriched. His soldiers were rewarded with grants of land. Where Italian communities had espoused the revolutionary cause, they were punished and despoiled: where they had supported Sulla, their rights as Roman citizens were confirmed. The freedmen were deprived of the privileges which Cinna had given them.

His reactionary measures.

Sulla had the boldness to discontinue the distribution of corn to the multitude: he abolished the pernicious system of farming the revenues; and he stripped the equestrian order of all the privileges which Caius Gracchus had conferred upon them. To the senate he gave the sole right of initiating legislation, and extended its powers of administration and of judicature. He added 300 members to the senate, who were elected by the comitia: thus filling up the vacancies caused by proscriptions, and at the same time enlarging the senate from its accustomed number of about 300, to upwards of 500. The constitution of the senate was further changed by recruiting its ranks from the quæstors only, twenty in number, who were also annually elected

The senate recruited.

by the comitia. Hence the senate, which had always had the elements of representation, through the elected magistracies, now became a representative assembly, in a fuller sense than any deliberative body to be found in the history of ancient States. But as the great officers of State from whom it was replenished were members of the patrician families, the aristocratic character of the assembly was constantly maintained. The heads of many of the old families, indeed, had perished in the late proscriptions: but their places were taken by other patricians, and by the richest and most powerful members of the new aristocracy.

Novi homines.

These *novi homines*, though constantly increasing in influence, and often conspicuous for their talents, were still regarded by the old families with lofty contempt and jealousy. They contested for offices and political power with the patricians, who had learned to regard themselves as entitled to exclusive dominion in the State. There was room, however, for both these sections of the oligarchy; and whatever their rivalry, they shared the spoils of proconsulates, and ruled together in the senate and in the forum. But the older nobles, however thinned by wars and proscription, and ruined by confiscations, contrived to maintain their ascendency, and continued to be the foremost men in the State. Apart from political rivalry, the social jealousy with which the patricians regarded the *novi homines* was but a natural sentiment, familiar to all societies. Men proud of their ancestry and their order, cherished by their equals, and respected by their clients and followers, resented the approaches of less favoured rivals, whose personal merits were their only credentials. The manners and tastes of the *novi homines*

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were repugnant to the exclusively patrician society. Abilities and accomplishments availed them little: for great nobles, when they passed beyond their own charmed circle, more often affected the society of vulgar flatterers and buffoons, than of cultivated men, who excelled them in everything but birth. The sympathies and antipathies of society were the same in ancient Rome, as they are in France, in England, and even in America, in our own times.[1]

Other measures of Sulla.

From the comitia Sulla did not venture expressly to withdraw their constitutional rights of legislation: but practically they were no longer consulted, except to ratify some decrees of the Senate. They retained, however, their rights of electing magistrates; and their numbers were now swollen by the Italian citizens, whose privileges were confirmed. The municipal government of the Italian cities was also reorganised. The powers of the tribunes of the people were circumscribed, and submitted to the overruling authority of the senate.

The higher magistracies were also reorganised; and in particular the consuls, henceforth to hold office for two years, instead of one, had their political and military functions carefully defined. Considerable amendments were made in the civil and criminal laws, and in the constitution of the courts; care being taken to confide the administration of justice, in most causes, to senators, and not to equestrians, who, under the laws of Gracchus, had enjoyed the chief share in the judicature. He again deprived the people of the right of appointment to the Sacred College of Pontiffs, and restored it to the nobles. The entire policy of the dictator, in

[1] No society is more exclusive than the 'coterie,' or Knickerbocker party, in New York, who claim descent from the early settlers.

short, may be described as one of conservative reaction. In three years, his work was done; and he retired from power, resuming his simple rank of Roman citizen. There was greatness in his power, and dignity in his moderation: but his name is branded with the infamy of his merciless proscriptions. 79 B.C.

Rome now a military oligarchy.

The government of Rome was now an oligarchy, without vital power, or any of the elements of duration. It was exposed at once to military dictation, and to dangerous social disorders. The democratic party had been overcome by force, but they were not destroyed; and families which had suffered from proscription hoped to recover their estates, and restore the honours and fortunes of their houses. The equestrians resented the loss of their privileges, and means of acquiring wealth: the people clamoured for cheap bread.

No longer a contest of classes.

Henceforward, the political contests of Rome were not those of classes—of plebeians against patricians, or of equestrians against their haughty rivals of the old families—but of political parties and ambitious leaders. The democracy, indeed, was ever a social danger: but its political perils were latent, until aroused by the appeals of high-born demagogues. Every ambitious leader, in his turn, sought the support of the people. The State was no longer to be governed by sage counsels in the senate, or even by popular acclamations in the comitia: but by clamours and violence in the streets. Sometimes the populace prevailed; and sometimes a conquering army.

The two parties.

The oligarchy had no bold and able leaders. Its chiefs were Pompey and Crassus: but they were ever ready to intrigue with its enemies. The democracy was moved by men of dangerous power, ambition, and

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restless energy. Foremost among them were Lepidus, Cotta, and the youthful Julius Cæsar. Lepidus raised a revolt against the senate, and threatened the capital with his forces: but was routed. Pompey had aided in suppressing this revolt; and claimed, as his reward, the command of the armies in Spain. Being still in command of an army, which he refused to disband, he was able to extort from the senate a mission, which made him more than ever its master. Six years later, he returned with his victorious Spanish legions to the capital.

Pompey.

77 B.C.

71 B.C.

The Oligarchy.

During his absence in Spain, the oligarchy had retained its ascendency: all the high offices and magistracies had been held by members of a few great families; and their anti-popular policy had been unshaken: yet they had been pressed by many troubles. At home they had with difficulty suppressed the revolt of Spartacus, and destroyed his bands of slaves and robbers: they had been forced to resume the distribution of grain to the people: they had suffered from rude assaults upon the venality and injustice of the senatorial courts: the corruption of patrician proconsuls had been exposed; and the judicial tribunals had become the arena for impassioned oratory, and political agitation. The elections were disgraced by shameless bribery and violence. Abroad they had striven in vain against the hordes of pirates who preyed upon the commerce of the Mediterranean, and their arms had suffered reverses in the East.

Pompey and the democracy.

The oligarchy had been discredited, and weakened: but were still able to hold out against the popular party, when the return of Pompey entirely changed the situation of affairs. His ambition was still unsatisfied: he sought for his soldiers an allotment of land, and for

himself a triumph, the consulate, and the command of the armies of the East. Apprehending opposition from the senate, he threw himself, at once, into the arms of the democratic party; and was joined by Crassus, the general of the army which had lately conquered Spartacus. The two most dangerous elements in the State—the military and the democratic—were now united against the senate. The oligarchic constitution of Sulla was speedily overthrown. The populace was fed and pampered: the power of the tribunes was restored: the equestrians recovered much of their judicial power, and the farming of the revenues. The censorship was revived; and the first act of the new censors was to remove from the senate the most obnoxious members of the oligarchic party. While this revolution was proceeding, the city was surrounded by the armies of Pompey and Crassus. But when the senate had been coerced, the democratic party no longer desired the presence of a military power, by whom they could be themselves overborne; and they secured the disbanding of the forces. Pompey retired for awhile; but renewed disasters in the East, and fresh exploits of the pirates, whose depredations were producing scarcity at Rome, revived his ambition. He was appointed by the people to the command of the forces in the East, and of the Mediterranean, with plenary powers, by land and sea, for foreign conquest, and for the suppression of piracy.

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Overthrow of the constitution of Sulla.

He went forth and conquered. In his absence, Rome was rife with intrigues and conspiracies. The ambitious Cæsar was bidding for popularity with costly games: Crassus was striving for it with his great wealth, and by his influence with the monied classes: Cicero was winning it with his eloquence. The two former were

Cæsar, Crassus and Cicero. 67 B.C.

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plotting at once to overthrow the senate, and to counteract the interest of Pompey. Cæsar secured by a popular vote his nomination as chief of the Sacred College. The popular leader, loose in his morals, and a notorious scoffer at the national faith, thus became supreme pontiff, and director of the State worship. He and Crassus were compromised by the conspiracy of Catiline. But Cicero, by his activity, as consul, in the discovery and suppression of that movement, became alienated from the popular party. Catiline and his confederates were destroyed, and the popular party was, for a time, discredited and overcome.

Cato the younger. 67 B.C.

The leader of the senatorial party was Marcus Porcius Cato, grandson of the great censor Cato. With many of the great qualities of a Roman worthy—courage, patriotism, and eloquence—his faults and eccentricities went far to deprive him of his proper influence. He was born a hundred years too late; and was now out of harmony with his time. Though not himself of old patrician blood, his principles were haughtily oligarchical. In philosophy he was an austere Stoic: in manners a stern Roman of the antique type: in politics, a firm supporter of the senate and the patricians, against the popular party: in public life, a formalist, a pedant, and a bore. Even to his own party, he seemed old-fashioned: but he served their purpose: to his rivals and opponents he was an object of ridicule, rather than of respect or apprehension.[1] But with far greater powers, he would have been no match for his crafty adversaries, who had armies and the populace on their side.

After five years of victories, Pompey returned to

[1] Cicero said of him: 'He speaks as a citizen of Plato's republic, not as living amidst the dregs of Romulus.'

Italy. A second time, Rome was at his feet, if he had resolved to assert his power: but he was irresolute and infirm of purpose: he was more vain than ambitious: he was too good a soldier to revolt against the State, and too good a Roman to destroy the republic. He disbanded his army at Brundusium (Brindisi), and came to the capital, to be slighted by the senate, and coldly treated by the people. Such was then the state of parties, and such the condition of society, that no man, whatever his claims and public services, could assert an ascendency in the councils of the State, without the aid of an army. Inflated by vanity and self-confidence, Pompey had ventured to rely upon his own personal influence, and to disdain the support of his legions: but Julius Cæsar—a far deeper and more ambitious politician than himself—knew well the need of armies in Roman politics, and was already harbouring the design of uniting military ascendency with democratic influence.

Return of Pompey.

Having hitherto figured as an able and eloquent leader of the populace, Cæsar had lately given promise, in Spain, of his future glories as a soldier. When Pompey returned from the East, Cæsar also appeared in the capital. Rebuffed by the senate, Pompey was easily persuaded, by his subtle rival, to ally himself with the popular party. The conditions of the alliance were such as to ruin the authority of the senate, and to pave the way for Cæsar's future greatness. What the senate had refused to Pompey—grants of lands to his soldiers, and a confirmation of all the acts of his administration in the East—were now to be conceded to him by the people. He had also sought a second consulate: but this honour would have made him too

Alliance of Pompey and Cæsar.

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powerful for his allies, and Cæsar secured it for himself. As consul, he carried the demands of Pompey by a popular vote, against all the opposition of the senate, and appointed that general and Crassus, with others, to superintend the allotment of lands to the soldiers. He passed a variety of popular laws, in the comitia, in defiance of the senate; and during his consulate, the people became the supreme power in the State. To make the senate amenable to public opinion, and to give force to the resolutions of the people, he published a daily report of the proceedings in the senate and the comitia,[1] and in order to control the legislation of the senate, and assert the authority of the consul, he was forward in addressing questions to the senators, whenever any measure was proposed.[2] When the senate resisted his proposals, he appealed to the comitia. When Cato obstructed them by talking against time, until the close of a sitting, he sent the obstinate senator to prison.[3]

Cæsar's popular measures.

Cæsar's military commands.

Cæsar obtained for himself, also by the vote of the people, the command of cisalpine Gaul, for a period of five years. This government comprised the north of Italy, with all its legions, from the Alps to the Rubicon; and secured to Cæsar at once the domination of Rome, and opportunities of foreign conquest. This union of the commands of transalpine and cisalpine Gaul secured his ascendency in the State. The one

[1] Suetonius (Cæsar), 20; *Hist. de Jules César*, i. 375.

[2] Livy, ix. 8.

[3] These were favourite tactics with Cato. He had thus deprived Cæsar of his triumph (Plutarch, v. 80). At another time, being limited to a speech of two hours in the rostrum, he persisted in speaking until he was dragged down. Nor was he silenced even then: but continued to address the people until turned out of the forum, and afterwards on his way to prison.—Ibid. 91.

gave him the continued command of an army, in a great foreign war: the other made him master of Italy and of Rome. The new alliance was cemented by the marriage of Pompey to Cæsar's daughter Julia; and while Cæsar was at the head of his armies, his colleagues, Pompey and Crassus, aided by the demagogue Clodius, were watching over the interests of the party at Rome, thwarting the senate, and propitiating the multitude.[1] It went ill with their opponents in the senate. Cato was appointed to a foreign mission, and Cicero banished from the capital.

Victories of Cæsar.

And now the transcendent genius of Cæsar, as a general, and as an administrator, was revealed. His conquests in Gaul, in Belgium and Britain, extended the dominion of Rome over Europe, while his administration of the conquered provinces laid the foundations of European civilisation, and eventually of European liberties.

Anarchy in Rome.

Meanwhile, Rome itself was in a state of increasing anarchy. The senate was powerless: Pompey unequal to the direction of the tumultuous party, of which he was the leader: Clodius busy and mischievous: the agitation of meaner demagogues restless and unscrupulous. The populace were supplied gratuitously with corn: the rabble and the slaves were organised into bands, ready to do the bidding of their chiefs—shouting in the forum and fighting in the streets. The confusion was increased by a quarrel between Pompey and Clodius. Pompey was losing influence at Rome,

[1] Among the measures of Clodius was one for the revival of political clubs, which had been already twice suppressed as dangerous to the public peace. They were composed of the lowest classes of the people, and slaves; and their organisation assumed a military character.

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while Cæsar was growing more powerful every day, not only by his victories, but by lavish bribes, games, and largesses, in the capital.

The triumvirate of Pompey, Cæsar and Crassus. 60 B.C.

Pompey, seeing that he could only recover his influence by a military command, and jealous of Cæsar's prowess, vainly sought a proconsular commission for securing increased supplies of corn, throughout the Roman provinces. So far from acceding to his wishes, the senate, encouraged by the dissensions of the popular party, was preparing to overthrow the triumvirs, and to recall Cæsar. But that bold and wary strategist outwitted his enemies, strengthened the ties which bound his colleagues to himself, and restored the ascendency of his party. The triumvirs came to terms, and divided amongst themselves all the power of the State. To Cæsar himself, the command in Gaul was extended for another term of five years: to Pompey was given the proconsulate of Spain; and to Crassus that of Syria, for the same term. Cæsar was in no haste to relinquish his schemes of transalpine conquest;[1] and while he gave great powers to his colleagues, he relied, with fearless confidence, upon his own superiority over Pompey, and upon the fidelity of Crassus. To overawe the senate, Pompey retained his legions in Italy, and administered the government of Spain by his lieutenants. The senate was no longer consulted: but the will of the triumvirs was carried out, sometimes by a popular vote, but more often by their own directions. Cicero had been recalled from his banishment, fright-

[1] Montesquieu says:—'Il n'y a point d'état qui menace si fort les autres d'une conquête, que celui qui est dans les horreurs de la guerre civile.' (*Des Romains*, 426.) This is a wonderful observation to have made before the French revolution; and his reasons and examples are no less remarkable.

ened, and bought over: Cato had been allowed to return, and vainly declaim against his masters.

The patrician party

The senate was overcome, but the patrician party were not subdued. They could not cope with an armed force: but they were active at the elections, where their wealth exercised great influence over citizens, now practised in the most shameless corruption: they were bold and outspoken in the courts; and bitter and sarcastic in pamphlets and lampoons. On the other side, the democratic mob were turbulent and riotous; and, with all his force, Pompey saw the capital, over which he was supposed to rule, in chronic anarchy. The popular Clodius was killed, on the Appian Way, by Milo, the senatorial candidate for the consulate; and, in revenge, the mob burned down the senate-house.

Pompey dictator. 52 B.C.

For some time, Pompey had been aiming at increased power; and now, having subdued the tumults by force, he insisted upon his nomination as dictator. He passed new laws in restraint of electoral abuses and corruption: restrained freedom of speech in the courts; and otherwise sought to cripple his opponents. In a few months he resigned his dictatorship, but continued to serve as a consul.

Rivalry of Pompey and Cæsar.

Events were now hurrying on, which were to precipitate the fall of the republic. Crassus lost his life in a disastrous campaign in the East; and the two great rivals were left to contend for the mastery. Pompey, ever jealous and distrustful of his absent colleague, and himself invested with civil and military authority in the capital, now began to show ominous signs of hostility to Cæsar. The death of Julia had broken the tie which had bound them together; and they were henceforth to strive for dominion. Cæsar being the

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popular leader of the democracy, Pompey was naturally attracted to the senate and the patrician party, upon whom he had lately trampled. He needed their legal authority: they required his military power; and thus their union was effected. It was the design of the new confederates to recall Cæsar from his command, and to deprive him of the consulate, which had been promised him. But Cæsar, who had now completed his conquests across the Alps, had returned, with some of his legions, into Italy, and was watching and counteracting, from Ravenna, the machinations of his foes. To a proposal in the Senate for his recall, it was adroitly urged by his spokesman, Curio, that both himself and Pompey should be called upon to lay down their arms, at the same time. On such conditions, Cæsar avowed his willingness to resign; and this subtle counterplot prevailed.

Cæsar crosses the Rubicon.

Pompey, who had sought the ruin of his rival, found himself also deposed by the vote of his obsequious senate. He refused to resign his command, and prepared for war. Cæsar, on his side, having made renewed overtures for peace, which were rejected, collected his forces, and crossing the memorable Rubicon—the boundary of his own province—marched upon Rome.

49 B.C.

At his approach, the capital was abandoned, with all the State treasures; and Pompey and the leading sena-

48 B.C.

tors were driven out of Italy. He pursued them, across the sea, into Macedon, and routed and destroyed the enemy's forces at Pharsalus. Pompey fled to Egypt, where he was treacherously slain, on landing, by one

And becomes master of Rome.

of his own officers. Cæsar followed up the Pompeian forces, in whatever region they were to be found, and after four years of victory, had destroyed or driven

into exile, all the leaders of that party; and was absolute master of Rome.

His extensive powers.

It was no longer the domination of a party that was at issue. Society was disorganised, and a vast civil war had placed Cæsar at the head of the State. Leader of the democratic party, he was now superior to all parties, as well as to all authorities. There had been former dictators, and generals of victorious armies, who had ruled the republic. For a time, Marius, Cinna, Sulla, and Pompey had held absolute sway over Rome: but now all the disorders of society, all the elements of political anarchy—the impotence of the senate, the ruin of the nobility, the savage lawlessness of the mob, and the command of a great army—combined to invest Cæsar with the permanent government of the State. As dictator, consul, and imperator, he henceforth presided over the destinies of the great empire, which, during the course of five centuries, the republic had conquered. In name, the republic continued: in fact, the empire of the Cæsars was now founded by the greatest soldier and statesman of antiquity. While respecting the republican sentiments and traditions of the Romans, and keeping alive their time-honoured institutions and magistracies, he centred in his own hands all the authority of the State, civil, judicial, military, and religious. First magistrate, commander-in-chief, and chief pontiff, he held all the reins of power in his grasp and reigned supreme. It was his aim to reconstruct the entire framework of the State: to reorganise its administration; and to regenerate society. His genius and energies were unbounded; and he established a rule, at once imperial and democratic, which lasted for four centuries, and laid deep, through-

His policy.

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out Europe, the foundations of future civilisation and liberty.

His constitutional and remedial laws.

Still recognising the privileges of the citizens, in making constitutional laws, he claimed for himself the right to issue decrees, having all the power of law, so long as he continued in power. He recruited the reduced ranks of the patricians, by new families ennobled by himself: he enlarged the senate to 900, selected from his own friends and followers of all classes, and afterwards recruited, by the annual addition of the quæstors, over whose election he exercised entire control. The senate was his own creature: as tribune, he could put a veto upon its laws: as prince, or leader of the senate, he directed its deliberations: as censor, he deprived obnoxious members of their privileges. He used the outward authority of the senate: but he trusted it with no independent power. He administered the finances, upon an improved system: he appointed governors and generals: he constituted himself the supreme court of judicial appeal: he superintended the public buildings, and regulated the police. As chief pontiff, he ministered and interpreted the religion of the State, and took care that all auguries and omens were propitious to his schemes. By restricting the distribution of corn to the indigent, he reduced it to a reasonable form of outdoor relief to the poor of the capital. By emigration, he relieved the city of great numbers of the idle and dangerous population; and by public improvements, he found employment for others. By sumptuary laws, he vainly attempted to restrain the luxury and extravagance of the rich, while he afforded relief to insolvent debtors. But the policy which was most fruitful in future times, was the extension of

municipal government to the towns of Italy, and the Roman provinces. Unity and equality were given to Roman citizens, throughout the wide empire. He favoured foreigners, and even introduced some of them into the senate. He founded colonies at Carthage and Corinth. He projected a new code of laws, the execution of which was reserved for Justinian: he commenced an extended survey of the Roman dominions: he reformed the calendar; and he founded a free public library. CHAP. V.

He achieved a noble work: but he had overthrown an ancient and famous republic; and in the eyes of republicans he was an usurper. For this usurpation, he paid the forfeit of his life:[1] but his work continued; and an empire was eventually founded, at once military and democratic. The usurper slain. 44 B.C.

Disorders and civil wars were renewed after Cæsar's death; and the proscriptions of the triumvirs—Octavius, Lepidus, and Marc Antony—if less savage and indiscriminate than those of Marius and Sulla, were more cold-blooded, calculating, and selfish. The history of Roman parties is a disgraceful chapter in the annals of the human race. Anarchy after Cæsar's death.

The last friends of the republic fell at Philippi; and

[1] Of the death of Cæsar, Montesquieu says:—'Il y avoit un certain droit des gens, une opinion établie dans toutes les républiques de Grèce et d'Italie, qui faisoit regarder comme un homme vertueux l'assassin de celui qui avoit usurpé la souveraine puissance. A Rome, surtout depuis l'expulsion des rois, la loi étoit précise, les exemples reçus: la république armoit le bras de chaque citoyen, le faisoit magistrat pour le moment, et l'avouait pour sa défense.'—*Grandeur et Décadence des Romains*, ch. xi. Montesquieu himself justifies the assassin:—'En effet, le crime de César, qui vivoit dans un gouvernement libre, n'étoit-il pas hors d'état d'être puni autrement que par un assassinat? Et demander pourquoi on ne l'avoit poursuivi par la force ouverte, ou par les loix, n'étoit-ce pas demander raison de ses crimes.'—Ibid.

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Octavius the heir of Cæsar.

Octavius, the heir of Cæsar, under that great ruler's will, finally secured his inheritance, by the battle of Actium. This cautious and politic ruler, warned by the fate of the great founder of his family, and alive to the republican traditions of the people he was called upon to govern, gradually extended his power by moderation, and outward deference to constitutional usage, and the popular will. He contented himself, for several years, with the familiar and time-honoured title of consul; and even this modest office he affected to resign. The permanent command of the army entitled him to the rank of imperator, which had distinguished the great Julius. He was proconsul of all the Roman provinces. Accepting the powers formerly exercised by the censors, he reconstituted the senate, so as to secure its fidelity to himself, and he ennobled new families to support his power. Nominated prince of the senate, he introduced all new laws, directed the councils of that body, and exercised its authority. Avoiding regal state and titles, he accepted the venerable and ennobling name of Augustus. As chief pontiff he guided the national faith and worship, and strengthened his hands by all the arts of supreme spiritual power. And to associate himself with the people, he assumed the functions of tribune—thus wielding the popular assemblies, as well as the senate. Not contented with the legislative authority of the senate and the comitia, of which he was master, he enlarged his jurisdiction by edicts, rescripts, and constitutions. Uniting, in his own person, all the magistracies and constitutional functions of the State, he continued to court popularity, as if he had yet to win power. He distributed four times the customary allowance of grain, was bountiful in his charities,

Consolidation of his power.

profuse in providing games and spectacles for the multitude, and pious in raising temples to Roman divinities and heroes.

Transition from the republic to the empire.

His respect for the constitutional traditions of the republic ensured a safe and almost imperceptible transition from one form of government to another; and the like policy was long continued by his successors. Sustaining the dignity and nominal authority of the senate, which he again reduced to 600, he made it the ostensible instrument of his own power. The monarch willed, but effect was given to his resolutions by decrees of the senate, which were published daily in its *acta diurna*, or 'Votes and Proceedings.'[1] To conciliate and reward the senators, he multiplied offices, distinctions, and privileges. The son of a senator was allowed to sit with his father in the senate-house, and hence the office of senator grew to be hereditary. To the senate so much outward respect continued to be paid, that for centuries it assumed the right of confirming the successors of Augustus as emperors. But, under the empire, this memorable assembly was ultimately stripped of its ancient independence and power, overpowered by force, undermined by corruption, dominated by arbitrary power; and, no longer animated by the spirit of conquest and glory, it sank with the liberties of the people. No deliberative body can enjoy more than the shadow of greatness in a State, which has lost its freedom. Acknowledging the popular rights of the comitia, Augustus kept them inert, until it served his purpose to call them into activity; when he readily commanded their suffrages by the voting-papers of Italian citizens,

[1] It is not certain whether there were separate 'votes' for the senate, or whether they were embraced in an official gazette or 'Moniteur.'

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which he had ready to his hand. And by degrees, these popular assemblies—which, however controlled, continued to be troublesome, if not dangerous—were suffered to fall into disuse. The time-honoured consulate was maintained with a show of power, as a homage to popular traditions; and while stripped of all real authority, the consuls were invested with exalted dignity and public respect.[1]

Growth of a bureaucracy.

The administration of the overgrown capital was entrusted to a prefect of the city—itself an ancient title—and to a number of municipal officers appointed and paid by himself. Gradually a numerous official body, or bureaucracy, grew up round the throne, giving an interest in the State to crowds of active spirits, and imparting method and permanence to the administrative system. But above all these means of power, and security to the new monarchy, was the army. We have seen how the old citizen armies of the republic had gradually given way to legions of professional soldiers; and now a standing army was organised, with as much system as in any modern European State. The person of the emperor was protected by a strong body-guard; and the peace of the capital was maintained by a picked garrison. The streets of the city were watched by a regular police force.

A standing army.

Imperial taxation.

These costly establishments were maintained by a comprehensive scheme of direct and indirect taxation, in which we may find examples of most of the resources of modern finance;[2] and again, the collection of these

[1] Citizens meeting a consul in the street were expected to dismount from their chariots or horses, as a mark of respect, which is probably the origin of a similar homage since paid to the Pope.

[2] Pitt has generally had the credit of devising the obnoxious window tax: but under Augustus and his successors, not only windows, but doors

imposts provided employment for multitudes of functionaries—agents and supporters of the empire.

Homage paid by emperors to freedom.

Great was the power of the Roman emperors: but for more than two centuries, they continued to respect constitutional forms, and to do homage to the traditions of freedom. The shadow of the republic was thrown over the empire, until it sank, at length, under military despotism.

Causes of the fall of the republic.

The narrative of these events sufficiently discloses the causes to which the fall of the Roman republic is to be ascribed. The ruin of the State could scarcely have been averted by a safer and more politic constitution. Its conquests had demoralised the people, and created armies to dominate over the civil power. The city itself was changed by the comprehension of Italian citizens—Latins, Tuscans, Umbrians. There was no longer any unity of sentiment or interests in this mixed population. Every new city, embraced in the Roman franchise, had its powerful factions: ambitious leaders led entire cities and nations to vote for them and their friends; and the assemblies and comitia degenerated into political conspiracies.[1]

Such were the immediate causes of the overthrow of the republican constitution, and the establishment of a military empire. But we must not overlook the political and social conditions of Rome, which rendered its institutions unsafe, and its society unsuited to the successful working of democracy.

It was the boast of Cicero that the Roman 'consti-

and door-posts were taxed. The succession duty was also familiar to the Romans, eighteen centuries before our own statesmen, Pitt and Gladstone, applied it to ourselves.

[1] See Montesquieu, *Grandeur et décadence des Romains*, ch. ix.

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tution was not the result of one man's genius, but of many: neither did it come into existence in one man's life, but it has been built up in the course of centuries, and by the efforts of many generations.'[1] But time and the slow growth of the constitution failed to correct the most conspicuous defects of the Roman government.

Defects of the Roman government.

Rome never a pure democracy.

The Roman republic was never a democracy, like that of Athens. The citizens, indeed, had a voice in the election of magistrates, and in the making of laws: but their legislative powers were rarely brought into action. In Athens, the citizens were so practised in State affairs, that they were able to discuss them with much of the calmness and judgment of a senate. In Rome, they were only consulted when popular grievances were to be redressed, or popular privileges asserted. They were appealed to by democratic leaders, at times of tumultuous excitement: they assembled in vast numbers:[2] they were addressed with passionate vehemence; and they were incapable of deliberation. The restraints upon their power, and the opposition of the patricians and the senate, still further aroused their passions. So far the pure democracy of Athens was less dangerous than the restricted democracy of Rome. In both, there were conflicts between the rich and the poor: but in the one, the majority triumphed in a constitutional and legitimate form: in the other, they could rarely hope to prevail over their powerful opponents, without threats and tumult. A perpetual collision of forces seemed to be the law of the Roman commonwealth.

[1] *De Republicâ*, b. ii. ch. 1.

[2] It appeared by the Census of 86 B.C. that there were 394,337 Roman citizens. In 70 B.C. this number had increased to 463,000: but of these the larger proportion resided at too great a distance to attend the Comitia.

Even the judicature of Rome provoked collisions between the magistrates and the people. At Athens, the popular dicasteries heard and determined the causes brought before them. At Rome, citizens accused of crimes were tried by the magistrates: but, if condemned, they had a right of appeal to the people; and it was not until the sentence had been affirmed by three public assemblies, that they could suffer the punishment due to their crimes.[1] This attempt to reconcile a magisterial with a popular judicature, resulted in the failure of both. The Athenian judicature was faulty, by reason of the undue number of its judges: the Roman judicature was still more faulty, inasmuch as trials, already conducted by magistrates, were afterwards discussed in large popular assemblies, where passions, prejudices, and the rivalry of parties and classes, prevailed over considerations of justice. A criminal trial thus became the occasion for popular excitement, and an irritating conflict of authorities.

Conflicts of judicature.

It was in this fitful fashion that democracy played its part, in the institutions of Rome. But the real and constant power of the State was vested, throughout its history, in an oligarchy. In the earlier times of the republic, the nobles ruled by right of birth: in later times, the old and the new aristocracy governed by union, and the force of wealth. They held all the highest offices of State—they were consuls, generals, proconsuls, and prætors—and they filled the senate. At this period Rome had, in truth, become a plutocracy. It was this oligarchy of wealth which plundered Roman provinces, and corrupted Roman citizens. They banded

Irregular forces of democracy.

[1] Mommsen, *Hist. of Rome*, i. 451.

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together in dangerous factions—now plotting with reactionary senators, and now courting the populace: they pursued their rivals with proscription and confiscation: they led victorious armies to overawe their own countrymen; and they usurped, again and again, the supreme power of the State. It was their unbridled ambition, more than any other cause, which brought ruin upon the republic.

How far democracy contributed to the fall of the republic.

We cannot, therefore, point to democracy as the principal cause of the fall of the Roman republic: but it was a constant source of disorder, and of danger to the State. Ill regulated, misled, corrupted and debased, it was a disturbing force in Roman politics, and contributed to that series of revolutions and civil wars, which destroyed the liberties of the commonwealth. Rome was governed by the oligarchy, as magistrates and senators: but these owed their power to the choice of the people. On one side was the ruling class—rich, ambitious and unscrupulous: on the other, a promiscuous mass of citizens, who conferred great offices upon their masters, without responsibility for their choice, or control over their administration. Political power was divorced from its source, directly the people had declared their election of a magistrate. The candidates had everything to gain from the people—power, wealth, and honours—the people perceived no gain for themselves, save in the liberality of the candidates. Hence arose that scandalous corruption, which demoralised the people, and perverted the free institutions of the republic.

Disorders quelled by the sword.

Nor were these the only abuses of democracy. Candidates relied not only upon the corrupt votes of citizens, in the comitia: but upon intimidation, and

threatening demonstrations of physical force. A party conflict, which divided the populace of a great capital into hostile forces, assumed the proportions of a civil war. To quell such disorders, and to save the State from revolution, generals interposed with their disciplined armies; and military usurpation naturally succeeded to popular tumults. It had become a question whether the civil power should be overcome by mobs or by soldiers; and the stronger and safer force prevailed. Anarchy was repressed by the sword. In this way, the growing abuses of democracy precipitated the advent of military despotism, which successive conquests, under ambitious generals, and vast standing armies, otherwise rendered inevitable.

Faults in Roman institutions.

Bearing these disturbing causes in view, it may not be without instruction to speculate how far changes in the constitutional laws and government might have mitigated some of the worst disorders of the republic. In default of representation, no better constitution of the senate could have been devised. It comprised the men who had already been chosen to high magistracies, and who had done conspicuous services to the State. But, instead of being brought into close relations with the people, it was placed in a position of constant antagonism to the tribunes and the comitia. Its constitution was not unlike that of the House of Lords, being composed of men of high birth, great wealth, and eminent public services: but it stood alone, in presence of the people. And what would be the position of the House of Lords, if it were a single chamber invested with paramount legislative and administrative powers, and were left to bear the brunt of vast meetings in Hyde Park, and tumultuous assemblages in Palace

Position of the senate.

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Yard, without the support of another Chamber, representing the people, and moderating and directing the political sentiments of the commonalty? Such were, in truth, the relations of the senate to the people of Rome.

Irregular action of the comitia.

An appeal to the whole body of citizens was naturally the earliest form of freedom: but it was obviously unsuited to any but the smallest States. Yet this form of government, as we have seen, continued throughout the history of the republic. The inevitable results were disorder and anarchy. The senate and the people were constantly in conflict. Nor were the constitutional powers of the senate and of the comitia well defined. There were two popular assemblies—the centuries and the tribes. Each of these assemblies claimed an equal right of making laws, being composed of the same body of citizens differently classed and distributed. If a new law was proposed by a consul or prætor, he convened the centuries: if by a tribune, he assembled the tribes. The vote of either was equally binding upon the State: but neither could properly pass a law which had not received the prior sanction of the senate. A scheme so anomalous as this for distributing the legislative powers between the senate and the people could only result in collision and popular encroachments. When the powers of the more popular assembly of the tribes were enlarged,[1] the anomaly of two coordinate bodies of citizens was, in some measure, corrected: but conflicts between the people and the senate became even more direct and dangerous.

With the lights of modern experience, we are naturally led to consider how far a system of popular repre-

[1] See *supra*, p. 151.

sentation would have brought these conflicting forces into harmony. By such a remedial measure, the force of the people would have become less dangerous, while the senate would have been strengthened by its moral support. The responsibilities of the senate would have been increased; and the political alienation of classes replaced by mutual confidence. The varied forces and interests of society would have been consolidated. The wealthy aristocracy would still have ruled the State: but they would have shared their power with other classes of citizens; and the policy of the State would have been determined, not by irregular conflicts, but by timely concessions to popular demands. Representation is the only safeguard against anarchy, in democratic constitutions.[1] In Rome representation was peculiarly needed, as it offered the only means by which large bodies of citizens, enjoying the Roman franchise, but living at a distance from the capital, could have exercised their political rights. Without it, the citizens of Rome itself usurped all their powers; and Roman citizenship, outside the walls of the capital, was but a barren honour.

Need of representation.

Again, the attributes of the senate were far too extended and too ill-defined for the safe and effective government of a State. Its proper province was that of legislation: yet it shared its powers, as we have seen, in a very uncertain and irregular fashion, with the people. It exercised wide executive and administrative functions: but these again were divided between the senate and the consuls and other magistrates—the

Attributes of the senate.

[1] Mr. Freeman says:—'In Italy a representative system would have delivered Rome from the fearful choice which she had to make between anarchy and despotism.'—*Hist. of Fed. Govt.* 67.

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former being permanent, and the latter elected by the people. Encroachments and collisions were the necessary consequences of such divided authority. And these evils were aggravated by changes in the constitutional position of these magistrates themselves. One of the best securities to the commonwealth had been found in the number of important magistracies, with independent and well-defined authority. The executive power of the State had been divided, with careful limitations, among numerous magistrates, annually chosen, who checked and controlled one another; and it was one of the most significant symptoms of the approaching downfall of the republic, when men like Marius, Sulla, Pompey and Cæsar united in their own persons extraordinary, and in some measure permanent, powers.[1]

Concentration of powers originally divided.

Need of a division of powers.

How many of the disastrous evils lately recounted might not have been averted, if the executive and administrative functions of the senate had been entrusted to a council, independent of, yet responsible to, the senate! The union of civil and military authority in the annual consuls was another serious error. The civil power should always have been distinct and supreme. A president of the republic, elected either by the senate or by the people, for a term of years, and an executive council, controlled by the senate, might have brought into harmonious action the patricians and the democracy, the senate and the comitia, the conquering armies and the civil power. No such remedial measures were attempted; and the Roman State fell before a military autocracy, under which all the social evils of the republic were continued and aggravated.

[1] Montesquieu, *Grandeur et décadence des Romains*, ch. xi.

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Social causes of political failure.

But we must look beyond the political institutions of Rome, and seek in her social condition, the primary causes of the fall of the republic. The evils of Roman society have been already pointed out; and their connection with the failure of free institutions is obvious. There was no union of the different classes of society in common interests and sympathies; nor any adequate gradation of classes, to balance their relative forces. Without a middle class, industrious, orderly, progressive and contented, society was broadly divided into the rich and the poor. And in the later days of the republic, both were corrupted. The rich became more covetous and grasping. In amassing wealth, they had no scruples of honour or conscience. They plundered enemies: they wrung iniquitous exactions from provinces committed to their care: they appropriated the public lands: they traded upon the revenues of the State. In the selfish pursuit of power and wealth, they forgot the patriotism of the old Romans. At the same time, their morals had become depraved. The Roman character was more prone to coarse indulgences, than to refined enjoyments; and when luxury invaded the homes of the wealthy, it made them gluttonous and sensual, instead of teaching them to seek after a higher ideal of life, in which pleasure was to be sought in cultivation of taste, and refinement of manners.[1] Such were the wealthy upper classes, who governed Rome; and under any form of government—whether monarchy, aristocracy, or democracy—corrupt rulers have ever brought ruin upon a State.

The poorer classes were no less demoralised, as

[1] Burke could not have said of the Romans, 'vice itself lost half its evil, by losing all its grossness.'—*Reflections on the Rev. in France.*

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citizens, and depositaries of political power. Pauperised by bounties of grain:[1] corrupted by bribery: debased by barbarous and brutal entertainments: tainted with the vices of slavery: without regulated industry: disunited by the confusion of many nationalities; and unsettled by incessant wars and revolutions, they were wanting in all the elements of a sound democracy.

Demoralisation of the poor.

Demoralisation of the people under the empire.

The causes which had overthrown the republic, prepared the Romans for submission to the tyranny of the worst of their emperors. Their public virtues had given way to rapacity and greed: power had become their only law: their spirit had been broken by successive proscriptions; and their private virtue had succumbed to luxury and sensual indulgence. In the oppression of their own slaves, they had become familiarised with merciless abuses of power; and in the barbarous combats of gladiators and wild beasts, they had been trained to cruelty and a thirst for blood.

Domination of the army.

Nor, indeed, did the imperial polity allow of popular influences in the government of the State. When once the empire of the Cæsars had been established, there was an end of tumults and insurrections: the turbulent populace, which had for centuries disturbed the peace of the capital, was subdued: the democracy was overcome. Henceforth Rome was governed by the army, which made and unmade emperors:[2] there was no

[1] 'It was said that he first ruined the Roman people who first gave them treats and gratuities. Coriolanus, who deprecated the increasing influence and boldness of the populace, especially condemned the distribution of grain, in imitation of the democratic States of Greece, as encouraging the insolence of the rabble.'—Plutarch, ii. 191–193.

[2] *E.g.* Nero, Galba, Otho, Vitellius, Vespasian.

longer any thought of the people, as the source of power.[1] The plebeians looked up to the Cæsars as the embodiment of popular power;[2] and while the army was faithful, the discontents of the people were without danger.

Intellectual development of the Augustan age.

The political demoralisation of the last days of the republic had been so deplorable: its civil wars, its proscriptions, its intrigues, its outrages upon law and order so disastrous: that the domestic peace of the empire, at first, afforded a propitious relief from the disorders of freedom. The genius of Roman poets, philosophers, and historians, which ages of freedom had fostered, found repose and encouragement under the shelter of the empire; and made famous, for all time, the Augustan age of Roman literature.

Freedom of thought under the empire.

In the midst of the political gloom of the empire, there was yet one bright spot. Freedom of thought was recognised, to a degree unknown in the despotic States of modern Europe. Education was absolutely free: the youth of Rome was trained, by its own independent teachers, in languages, composition, philosophy, and rhetoric: their studies were controlled neither by priest nor magistrate; and long after the accomplishments of public life had lost their significance, oratory continued to be the foremost study of the Romans. Eloquence could no longer sway the senate, nor bring powerful offenders to justice: but it was freely exercised in dissertations upon philosophy and morals, upon theories of government, upon liberty, and even upon

[1] . . . . 'Nam qui dabat olim
Imperium, fasces, legiones, omnia, nunc se
Continet, atque duas tantum res anxius optat,
Panem et Circenses.'—JUVENAL, x. 81.

[2] Quinet says, 'Le peuple couronné:' but that would seem far too philosophical a view for them to conceive.

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tyrannicide. Writing was no less free; and without the aid of printing, the circulation of popular works was curiously extensive. Neither the political nor social condition of the Romans was likely to favour compositions, of which their rulers had cause to be jealous: but wit and satire, poetry and annals of the past, might safely be tolerated, even by despots.

Demoralisation of the Romans.

But the imperial rule was fraught with evil to the moral and intellectual character of the Romans. With a complete prostration of political freedom, the upper classes of Rome were debauched by vice, luxury, indolence and frivolity, the populace debased by corruption and evil examples. Not only culture, but civilisation, gradually decayed: even the traditional courage and military prowess of the Romans perished with their liberties; and the proud conquerors of the world were enslaved by barbarians, whom they had despised. The ruin of Roman civilisation precipitated Europe into darkness, which was to be shortly penetrated by the light of Christianity. The extended conquests of the Romans, united by their administration, their laws and their language, prepared the way for the development of the new religious communion; and, when Rome had ceased to be the capital of a great empire, it became the spiritual metropolis of the Western Church of Christendom.

CHAPTER VI.

THE DARK AGES AND THE REVIVAL.

THE DARK AGES—THE FEUDAL SYSTEM—EXTINCTION OF FREEDOM—CAUSES OF SOCIAL AND POLITICAL IMPROVEMENT—TEUTONIC CUSTOMS—TRADITIONS OF ROME—CHRISTIANITY AND THE CHURCH—CHIVALRY—THE CRUSADES—GROWTH OF TOWNS—DECAY OF FEUDALISM—REVIVAL OF LEARNING AND THE ARTS—SCIENTIFIC DISCOVERIES—REPRESSION OF THOUGHT BY THE CHURCH—THE REFORMATION.

THE fall of the Western empire caused a general disorganisation of government and of society throughout Europe. The civilisation of antiquity was overthrown, and laws and institutions which the statesmanship of ages had built up, gave way to brute force and plunder. No polity was known but that of conquest; and society was divided into the conquerors and the conquered. On one side were the lords of the soil, by right of conquest: on the other, serfs and husbandmen governed by the sword. The rulers were rude and unlettered warriors, whom the culture of Greece and Rome had never reached, and upon whom the light of modern civilisation had not yet dawned: while the civilised races were trodden down, and the arts and acquirements of their ancestors were forgotten.

Disorganisation of society after the fall of the Western empire.

The conquering races having taken possession of the chosen lands,[1] and parcelled them out, by right

Barbarian conquests.

[1] In some cases they were contented with one-third of the lands: in others, with two-thirds: but there were successive invasions by fresh

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of conquest, their leaders established themselves as kings, princes, and nobles, and thus laid the foundations of the feudal system. Even when the first violence of conquest and settlement was exhausted, the new social order was incompatible with freedom. At this period—as throughout the history of the world—invaders were gradually drawn into closer relations with the conquered races; until, at length, they were fused into one people. But in a society composed of kings, feudal lords, vassals, and serfs, the very elements of freedom were wanting. And, even under conditions less adverse to freedom, the ignorance of the people was alone sufficient to ensure their subjection.[1]

The dark ages.

Roman civilisation had already declined under the empire; and successive invasions of barbarian hordes had completed its ruin. The fairest lands of Europe were laid waste by fire and sword. At one time, the natives were overcome by their fierce invaders: at another, fresh hordes poured in upon them; and their country was desolated by the wars of the rival tribes, contending for conquest and a division of the spoil. By the general laws of antiquity, the conquered became the captives and slaves of the conquerors. The clouds of night seemed gathering over Europe. These evil times have since been fitly known as the dark ages. Not learning only, but the arts, commerce, and industry were overshadowed by their darkness. A new society, and a new civilisation had now to be built up, on the ruins of the ancient world.

Europe lay under the rule of force. What the

hordes, whose needs were to be satisfied; and conquerors were only restrained in the settlement of lands by their numbers, and their means of occupation.

[1] See Sismondi, *Hist. de la Chute de l'Empire Romain*, ch. v.–viii.

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lords of the soil had won by the sword, they held by the sword. They raised fortified castles, which frowned upon their neighbours from hill and crag: they armed their retainers to the teeth, and sallied forth on their stout war-horses, to do battle with their rivals, or to scour the plains for booty. Society was prostrate before the sword and buckler, the spear and the cross-bow. Law and right were determined by the will of the strongest. Every baron was absolute within his own domain; and his unchecked power, his warlike habits, and his uncultured nature, combined to make him proud and arbitrary. A tyrant ruled over every village. The narrow bounds of these local tyrannies straitened the yoke of the serfs, constrained the free intercourse of the people, perpetuated their ignorance and dependence, and checked their social improvement.[1] And this was the government which prevailed over the greater part of Europe for many centuries.[2]

The feudal system.

But this general prostration of the people of Europe was gradually lightened by the operation of several causes which contributed to the ultimate regeneration of society, and the advancement of freedom. These causes are to be sought in the free institutions of the conquerors themselves: in the traditional laws and

Causes of social and political improvement.

[1] According to M. Guizot, 'Sous quelque point de vue que vous considériez le progrès de la société, vous rencontrez le régime féodal comme obstacle;' *Hist. de la Civ.* 108; sixth edition. I cannot accept the opinion of Mr. Motley (*Hist. of the Un. Netherlands*, iii. 513), that during the course of the fourteen centuries since the fall of the Roman empire, the progress, however concealed or impeded, has been towards democracy. During the dark ages, not only democracy, but freedom, appears to me to have been extinguished.

[2] It attained maturity in the tenth century; and declined from the fifteenth to the seventeenth century, when it gradually gave way to monarchy (Guizot, *Hist. de la Civ.* 66).

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customs of Rome: in the influence of Christianity and the Catholic Church; and in the increasing enlightenment and general expansion of mediæval society.

Teutonic customs.

The Teutonic invaders—barbarians, indeed, as measured by the standards of Roman civilisation—had, for ages, enjoyed a rude freedom in their own lands, which had survived the liberties of Rome herself. They were brave, and they were free. Their manners and customs had been extolled by Julius Cæsar,[1] and by Tacitus.[2] They elected their patriarchal kings: they chose their chiefs or leaders in war, for their valour: the power of their kings was limited; and their chiefs ruled by example rather than by authority.[3] Their councils were public and popular, like those of the ancient Greeks. The king and chiefs met the warriors and the assembled people, addressed them in words of persuasion—not of command—and sought their approbation, like the orators of a free State. Tacitus describes such an assembly almost in the words of Homer.[4] And as the early Greeks advanced from such customs as these, to the most democratic governments of antiquity; so the Teutons, reared in freedom, were destined, in future ages, to be the foremost champions of European liberties.

[1] *De Bello Gallico.* [2] *De Moribus Germanorum.*

[3] 'Reges ex nobilitate; duces ex virtute sumunt. Nec regibus infinita aut libera potestas: et duces exemplo potius quam imperio: si prompti, si conspicui, si ante aciem agant, admiratione præsunt.'—Tacitus, *De Mor. Germ.* ch. vii.

[4] 'De minoribus rebus principes consultant, de majoribus omnes.'—Tacitus, *De Mor. Germ.* xi. And again:—'Ut turbæ placuit, considunt armati. Silentium per sacerdotes, quibus tum et coercendi jus est, imperatur. Mox rex vel princeps, prout ætas cuique, prout nobilitas, prout decus bellorum, prout facundia est, audiuntur, auctoritate suadendi magis quam jubendi potestate. Si displicuit sententia, fremitu aspernantur: sin placuit, frameas concutiunt.'—Ibid.

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Introduced into Italy and elsewhere.

Whatever the relations between the conquerors and the conquered, the Teutonic and other northern races carried with them into their adopted countries the cherished customs of their ancestors.[1] Thus we find the Lombards, long after they had settled in the plains of Italy, electing their king,[2] who, like his German ancestors, consulted his assembled people at Pavia, Milan, and elsewhere. And their prescriptive laws were transcribed into Teutonic Latin, and ratified by the king and people.[3] The Burgundians, the Visigoths, the Saxons, and other tribes, also collected their laws, in their new homes.[4] And it was the custom of these northern races to determine by what laws they would be ruled: whether by those of their ancestors, or by some other code. The Lombards had no less than six bodies of law; and every man was entitled to declare by which of these he would be judged.[5]

Comparison of Greek and Teutonic customs.

Wherever the Teutonic races settled themselves, their customs continued to offer a singular resemblance to those of the early Greeks. Their kings were patriarchal: descended from the gods: chiefs in war: supreme in the judgment seat: they assembled the chiefs and people in public council, to determine questions of peace and war. As in Greece, the chiefs had

[1] Italy was overrun by the Ostrogoths and Lombards: Gaul by the Franks: England by the Danes and Anglo-Saxons: Spain by the Visigoths: Africa by the Vandals.

[2] 'Le royaume des Lombards étoit électif. De dix-huit rois qui avoient précédé Rotharis, on n'en voit que trois ou quatre qui aient succédé à leurs pères.'—Sismondi, *Hist. des Rép. Ital.* i. 66.

[3] Gibbon, *Rome*, v. 354 (ch. xlv.)

[4] Montesquieu, *Esprit des Loix*; Guizot, *Hist. de la Civ.* 75; Sismondi, *Hist. des Rép. Ital.* i. 17, 66.

[5] Sismondi, *Hist. des Rép. Ital.* i. 71. Montesquieu and Sismondi agree that the Lombard laws were the most enlightened of all the barbarian codes.

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gradually encroached upon the prerogatives of kings, and established aristocracies: so the Teuton chiefs increased their possessions and their military power, equipped troops of cavalry for the field, and became more powerful than their kings. But while the Greek chiefs generally deposed their kings, the Teuton barons were content to restrain their prerogatives, and to found a proud feudal nobility, almost independent of the crown, and exercising sovereignty in their own domains. The smallness of the Greek States forbade such a division of power, between the king and his nobles: there was no room for both: but the extent of European kingdoms favoured a constitution, in which the king could assemble the nobles under his banner, to maintain the honour and unity of the State, while they owed him an allegiance, little more than nominal, in time of peace.

Relations of chiefs and vassals.

The people were without liberty: but there were no despotic monarchies;[1] and a rude spirit of independence marked the warlike vassals of kings and feudal lords. And in this spirit lay the seeds of future freedom. Partly from the traditions of the Teutonic race; and partly from the natural relations of chiefs and vassals, it became a feudal custom for the chiefs to assemble their vassals, to consult them as to their wars and other enterprises, and to demand their aid, in armed men, horses, equipments, forage, and other subsidies. Such assemblies grew into settled institutions, and ultimately assumed the form of parliaments.

The next cause of ultimate social improvement, during the middle ages, was the continued influence of the traditional laws and customs of ancient Rome. Muni-

[1] Gervinus says that in no Teutonic State has a military despotism been endured.—*Intro. to Hist of Nineteenth Century*, p. 57.

cipal institutions were a distinctive characteristic of the Roman polity. In Italy, towns had been the centres of government and of society: the land being cultivated by their inhabitants, who prized the privileges of citizenship, no less than their proprietary rights as land-owners. The same customs extended to the more distant dominions of the empire; and municipal towns had been founded in Gaul, in Spain, and other parts of Europe, which continued to flourish under the empire. Their privileges, indeed, had suffered from the Imperial rule; and invasions and conquests had ruined them: but the traditions of municipal self-government long survived these ancient institutions. In the South of Europe, they were cherished until the revival of popular franchises in the Italian republics of the middle ages. Further north, the like traditions occasionally prevailed, as in Trèves, Cologne, Tournai, Amiens, Arras, and Cambrai.[1]

Traditional institutions of Rome.

The feudal system was fatal to municipal institutions. The conquerors had seized upon the most fertile lands —generally the property of citizens: they dwelt in the midst of their own territories, and despised the cities and their inhabitants, whom they had despoiled. Hitherto dominion had been the privilege of the towns: now it was held with a strong hand by the country. At the same time, the dissolution of society caused by the breaking up of the Roman empire, and barbarian conquests, had destroyed the commerce and industry of the towns. The ruin of these prosperous communities closed, for a time, the most hopeful sources of civilisation and freedom: but their slow revival, under new influences, was destined, in the course of ages, to shake

Feudalism ruinous to towns.

[1] See Thierry, *Hist. de la Gaule*, i. 53, 124, &c.]

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and, at length, to contribute to the overthrow of, the feudal system itself.

Traditions of Rome favoured great monarchies.

Another tradition of the empire was not without influence upon the political destinies of mediæval Europe. The invading hordes had originally settled upon the conquered lands, in great multitudes; and the vast plains of Europe facilitated their occupation of wide territories. But these were further extended by successive conquests. All races were familiar with the greatness and the power of Roman dominion: all had learned to revere the sacred dignity of the Roman emperor. This tradition fired Gothic kings with ambition; ensured the support of their barons in schemes of territorial conquest; and obtained the ready acquiescence of the subjects of many lands, in the growth of new empires. Such schemes, indeed, need little encouragement from traditions: human nature has supplied ample inducements to conquest, in all ages and countries: yet it cannot be doubted that Imperial traditions formed one of the causes of the development of European monarchies, and of the great empires of Charlemagne, Charles V. and Napoleon.

Roman laws.

There were also the traditions of Roman laws and administration, which were never wholly lost, and which eventually formed the basis of the laws of the greater part of Europe. If not, in themselves, favourable to liberty, yet as the laws of an advanced society, and of accomplished jurists, they upheld principles of equity when force prevailed over justice and right; and they contributed to the revival of civilisation in Europe. And, further, their study produced a new race of jurists, whose place in society was independent of that of the feudal barons, and of churchmen. They

Jurists.

formed a cultivated upper class, or new aristocracy, apart from the territorial nobles, and the princes of the Church. They were the only class whose intellectual training qualified them to withstand the barons, by appeals to the law, and to cope with the subtle and practised minds of ecclesiastics. By their studies, and the practice of their profession, they were led to logical methods of reasoning, unknown to the theologians of the middle ages. While churchmen, and society which followed their guidance, trusted, for the proof of facts, to miracles, to supernatural agency, to cruel ordeals, and to wager of battle, the jurists were introducing rational rules of evidence, and seeking truth in the sworn testimony of credible witnesses, and in a philosophical scrutiny of natural causes and probabilities. Such habits of thought, wholly alien to those of their own times, assisted in the development of original inquiry, and in releasing society from the intellectual bondage of the Church.[1] They acquired great influence, especially in Italy and France; and without contending for popular rights, they were a counterpoise to the power of kings and nobles, and of the Church; and contributed to the support of free institutions. An enlightened class naturally becomes a guide to public opinion, and is a restraint upon the abuses of absolute power.

Christianity and the Catholic Church.

But a greater cause than any of these, was working to mitigate the evils of foreign conquest, and to improve the condition of the people, under the feudal system. That cause is to be found in the influence of Christianity and the Catholic Church. The fall of the Roman republic, and the establishment of a military

[1] See Thierry, *Hist. de la Gaule*, i. 255 *et seq.*

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empire, had augured ill for the liberties of Europe: but at that very time, the rise of a new faith was destined to exalt the moral and intellectual condition of mankind, and to institute principles of charity and social rights, unknown to Pagans, and leading to wider freedom and equality among men.

Precepts of Christianity.

The precepts of Christianity are purely spiritual and moral: they were not designed, by Christ himself, to affect the political relations of men. It was only by exalting and purifying the moral principles of society, by overcoming the natural selfishness of the human heart, by enforcing the sacred duties of charity to all men, and by raising a just conception of the equal claims of mankind, upon the mercy and beneficence of their Creator, that the Christian faith could temper the government of States.[1]

Some of the precepts of Christ and his apostles have, indeed, been pressed into the service of political controversy. On one side they have been held to favour the doctrine of passive obedience, and the divine right of kings:[2] on the other, to uphold the principles

[1] 'Le christianisme ne s'est nullement adressé à l'état social: il a annoncé hautement qu'il n'y toucherait pas: il a ordonné à l'esclave d'obéir au maître: il n'a attaqué aucun des grands maux, aucune des grandes injustices de la société d'alors. Qui niera pourtant que le christianisme n'ait été dès lors une grande crise de la civilisation? Parcequ'il a changé l'homme intérieur, ses croyances, ses sentiments, parcequ'il a régénéré l'homme moral, l'homme intellectuel.'—Guizot, *Civilisation en Europe*, p. 17.

[2] The following are among the most familiar examples:—'Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God: whosoever, therefore, resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation.'—Romans, xiii. 1–8. 'Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work.'—Titus, iii. 1. 'Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the king, as

of 'liberty, equality, and fraternity,'[1] and even of the community of goods, or communism.[2] But these precepts were addressed to a spiritual brotherhood, united by the bonds of a holy faith, and not to citizens, for their guidance in temporal affairs. They taught the highest principles of duty and charity, of justice, of mercy and forbearance, of self-denial, of peace and good-will towards men. They breathed the spirit of freedom and equality among their fellow-creatures. In the sight of God, and in the kingdom of heaven, all men were equal. God was no respecter of

supreme; or unto governors as unto them that are sent by him for the punishment of evil-doers and for the praise of them that do well.'—1 Epistle of Peter, ii. 13, 14. 'Honour all men, love the brotherhood: fear God: honour the king.'—1 Epistle of Peter, ii. 17. 'And they asked Him, is it lawful for us to give tribute unto Cæsar or no? and He said, render unto Cæsar the things which are Cæsar's, and unto God the things which be God's.'—Luke xx. 21 and following verses. 'For this cause pay ye tribute also: for they are God's ministers attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due: custom to whom custom: fear to whom fear: honour to whom honour.'—Romans, xiii. 6 and following verses. 'Servants, be subject to your masters, with all fear; not only to the good and gentle, but also to the froward.'—1 Epistle of St. Peter, ii. 18.

[1] The following well-known passages, among others, are relied on by this school:

'And there was strife among them, which should be greatest, and He said unto them, the kings of the Gentiles exercise lordship over them; they that exercise authority upon them are called benefactors. But ye shall not be so: but he that is greatest among you, let him be as the younger: and he that is chief as he that doth serve.'—Luke, xxii. 24, 25, 26. 'But be ye not called Rabbi: for one is your Master, even Christ: and all ye are brethren. But he that is greatest among you shall be your servant. And whosoever shall exalt himself shall be abased: and he that humbleth himself shall be exalted.'—Matthew. xxiii. 8, 11.

[2] 'And all that believed were together, and had all things in common; and sold their possessions and goods, and parted them to all men, as every man had need.'—Acts, ii. 44, 45. 'Neither said any of them that ought of the things which he possessed, was his own: but they held all things in common.'—Ibid. iv. 32.

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persons. If these ennobling principles had taken possession of the souls of Christians, and had become the settled rule of their relations to one another, society would have been so regenerated as to leave little need of political maxims for its guidance. Rulers would have respected the rights and interests of their subjects: subjects would have observed their duties to their rulers, and to one another: freedom and equity would have prevailed upon earth. How far the Christian practice fell short of this high ideal, the bloody annals of Christendom bear mournful witness. But whatever its shortcomings, we may, at least, console ourselves with the assurance, that the moral tone of Christian society surpassed, beyond comparison, that of the best periods of Pagan faith and philosophy.

Spread of Christianity.

The humble disciples of Christ outlived their early persecutions. Their pure and spiritual faith appealed to the reason and conscience of mankind: its divine promises were not confined to any race or country, but embraced the entire family of man.[1] It gave the warrant of divine revelation to the immortality of the soul, and to future rewards and punishments, which had been merely the speculations of pagan philosophers. It promised, in a sinful age, the forgiveness of sin. Its professors were distinguished for the blameless purity of their lives, and were an example to the corrupt pagan world.[2] They were, at first, without political aims.

[1] 'The promise of divine favour, instead of being partially confined to the posterity of Abraham, was universally proposed to the freeman and the slave, to the Greek and to the barbarian, to the Jew and to the Gentile.'—Gibbon, *Rome*, ii. 157.

[2] For an account of the Christian communion about 200 A.D., see Tertullian's *Apology of the Christians, against the accusation of the Gentiles*

To worship God, to lead a holy life, and to practise charity among men, were their ideals of the Christian faith. But when their communion had advanced in numbers and influence, they proceeded to organise the government of the Church, and to engraft upon it the polity of a State. They spread and multiplied: they founded powerful churches: they overcame declining paganism: they converted the Roman empire; and, 388 A.D. to crown their triumphs, they converted the northern conquerors of the empire itself.[1]

Corruptions of Christian churches.

But in the course of four centuries, great changes had occurred in the character of the Christian faith, and in its ecclesiastical organisation. The primitive purity of the faith itself was corrupted by the worship of saints and martyrs, and by superstitious ceremonies, borrowed from the pagans. Too pure for the corrupt age, and superstitious races, which it had overcome, it had been so far debased as to approach the lower ideal of its pagan and barbarous converts. There was little to repel a pagan from the services of a Christian church. The Christian worship was celebrated in pagan temples: priests ministered at the altars of the Church, with the pomp and mystery of pagan sacrifices: images and relics were adored like pagan idols; and votive offerings, upon the walls of Christian churches, betrayed the grovelling superstitions of the worshippers. Tutelary saints took the place of mythological divinities.[2]

[1] Milman, *Hist. of Latin Christianity*, b. iii. ch. 2.

[2] 'Is not the worship of saints and angels now, in all respects, the same that the worship of demons was in former times? The deified men of the Christians are substituted for the deified men of the heathens.'—Bishop Newton. See also Milman, *Hist. of Christianity*, b. iii. ch. 7; *Hist. of Latin Christianity*, b. iii. ch. 7.

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Church government.

The early Christian churches had been founded upon principles of freedom. Their bishops had been elected by the congregations, and their modest jurisdiction had been mainly spiritual. Provincial synods formed a popular element in the constitution of the Church. Such an ecclesiastical polity, if continued, might have advanced popular rights, and the liberties of Europe. But the bishops soon enlarged their own powers, and limited those of the people, while they became subject themselves to metropolitan bishops or primates. The Church was divided into the two distinct orders of clergy and laity, of whom the former was continually enlarging its authority and pretensions. The union of churches was growing closer, until finally the Greek and Roman branches of the Catholic Church comprised the great body of the faithful. The Church revenues, derived from tithes and oblations, and afterwards from lands, were ever increasing. The growing power of bishops and priests was further promoted by the wreck of the Roman empire. In the decay of old authorities, they were prompt to take the lead, in guiding and governing the people. Where towns had been ruined, and municipalities overthrown, bishops founded their sees, and assumed the first place in temporal, as well as in spiritual affairs. When lands were parcelled out among the conquerors, the bishops secured for themselves, and for the Church, an ample share of the spoil. They associated themselves with feudalism, and enjoyed its temporalities, as lords of the soil, barons, and princes. They did not shrink from becoming owners of serfs, like their temporal compeers; and if, in the words of St. Paul, they accounted them 'the Lord's freemen,'[1]

[1] 1 Corinthians, vii. 21, 22.

yet were they contented to leave them the slaves of man. The Roman pontiff grew in power, until he was the spiritual head of the Western Church, the vicegerent of Christ upon earth, and a temporal sovereign —ambitious, worldly, aggressive, intriguing, and imperious.

The Roman pontiff.

Such being the state of Christianity and the Church, during the dark ages, what promise did they give of aiding in the social and political improvement of the people? Christianity itself, however corrupted, must ever be a fruitful source of moral and social good: of charity, of humanity, and of unselfishness. In the worst times, its votaries have cherished a higher ideal of life and duty than Pagans. But the character it had assumed, at this period, was adverse to its proper influence. Its superstitions were debasing to the human mind: its belief was a credulous love of the marvellous and supernatural: its devotion an abject prostration of the soul: its ideal of Christian virtue, ascetism and penance: its divinity, a tissue of scholastic dogmas: its spiritual inspiration not that of the gospels, but of the priesthood: its charity, not the toleration of error, but the relentless persecution of free religious thought. Such a faith was incompatible with a free spirit in man: it favoured ignorance: it discouraged self-respect and moral confidence: it was fitter for slaves than for freemen.

Influence of the Church of Rome upon freedom.

The faith of the Pagans had left them free to aspire to the highest ideal of manhood. The gloomy fanatics of Christendom, instead of preaching that men, created in the image of God, should strive to become worthy of the beneficence of their Creator, taught them to believe that they were as worms on the face of the

The ascetic spirit.

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earth, without power to exalt themselves, by the endowments which God had given them. Conceived in sin, and by nature desperately wicked, they were doomed to everlasting torments, unless they could win the mercy of their Creator, by humbling themselves in sackcloth and ashes. They never heard of the dignity of man, nor of the high purposes of his creation: but only of his depravity and helplessness.[1] A belief in such doctrines as these, depressed the spirit, and paralysed the religious and moral feelings of many generations. The higher motives of human action—the love of God, a pious obedience to his will, a pure spirit of holiness, and even the moral guidance of the conscience—yielded to craven fears, and pitiful mortifications of the flesh. It was not until a truer perception of the Christian faith prevailed, that any progress was possible in civilisation and freedom.

Teaching of the Church adverse to freedom.

The teaching of the Church was also directly adverse to freedom. All the early fathers condemned resistance to the civil power, as a deadly sin. No tyranny, or oppression, no outrages upon humanity, were held to justify subjects in forcibly protecting themselves against the injustice of their rulers. In pagan times, resistance to tyrants had been extolled as one of the highest duties of the patriot: in the earlier ages of Christendom, it was branded as infamous. The Church gave immunity to princes, and rivetted the chains of their subjects.[2]

The Church and civilisation.

Yet it cannot be doubted that the ministrations of the Church, beyond their spiritual uses, were conducive

[1] 'The sense of human dignity was the chief moral agent of antiquity, and the sense of sin, of mediævalism.'—Lecky, *Hist. of Rationalism*, ii. 223.

[2] See Lecky, *Rationalism in Europe*, ii. 149 *et seq.*

to civilisation. In the midst of the humble dwellings of the peasantry, churches arose in which they could admire structures excelling in beauty their own rude conceptions of art. Religion was the dominant influence in these dark ages, and it gave the first encouragement to the arts, in church architecture and decoration. In these churches, the people were assembled for worship and instruction; and were trained to association with their neighbours, for the high and holy purposes of their common faith. Whatever the errors and superstitions of the time, Christian teaching could not fail to exercise a salutary influence over the minds of men. And, further, the councils and administration of the Church, succeeding the organisation of the empire, tended to associate the people of different States, to encourage international relations, and to introduce the obligations of civilised life into the customs of semi-barbarous nations. What Rome had done with her civil and military administration, the Church now effected with her varied and wide-spread ecclesiastical institutions.

The priesthood.

From the faith of the dark ages, let us turn to its priesthood. How far did the priests of this period encourage the ignorance of their flocks? In teaching a corrupted faith, in withholding the Scriptures from the people, in denouncing profane learning, in assuming excessive powers over the souls of the faithful, and in repressing private judgment, they ministered to ignorance, and intellectual prostration. That, in an age of darkness, there were multitudes of ignorant priests is certain: they knew little but the traditions of their own Church: their narrow creed comprised all knowledge necessary for mankind. But there were many

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whose special education for the priesthood raised them far above the standard of the laity. Such men were familiar with Greek history, with Roman polity, and Hebrew revelation. What baron was the intellectual equal of a polished churchman? But it was no part of their mission to teach the people. They pursued learning in the cloister, or the study, and their writings were in Latin. They extended the influence of the Church: they exalted the power of the priesthood; and they followed their own lofty ambition: but they made no effort to dispel popular ignorance. And as yet the darkness of the age was too deep for enlightenment.

Their moral influence.

But the moral influence of the Church, in these evil times, was most salutary. The feudal power was founded on birth, territorial possessions, and military prowess. Churchmen exercised a moral power, derived from the spiritual mission of the Church, independent of feudalism, and superior to it. It was their office to enforce moral obligations upon warlike barons, and turbulent soldiers; and to protect the people from oppression and wrong. They set up a moral law against the rule of force. And they spoke with the voice of a Church whose dominions were wider than the empire itself.[1]

The priesthood and the poor.

The Church also assumed relations to the poor, that had been unknown in the pagan world. The clergy visited the sick: they dispensed charities, with a liberal hand; and they were friends and comforters of the afflicted. Feelings of tenderness and humanity were fostered, in an age of violence. Numbers of the clergy being drawn from the ranks of the peasantry, were

[1] Strangely enough, Comte is one of the strongest defenders of the clergy. *Philos. Pos.* v. 329, 331, 339, 345, 367, 452, &c.; Macaulay, *Hist.* i. 22, 23; Lecky, *Hist. of Rationalism*, i. 302.

acquainted with their wants, and sympathised with their sufferings. They stood between the rich and the poor, as a middle class; and in every village formed a valuable and improving element of society. By their education and piety, they aided in raising the standard of society; they elevated the humble classes from which they sprang; and they served as mediators between the rude and ignorant lords of the soil, and their helpless peasantry. Again, in order to secure the best instruments of her policy, the Church promoted the ablest men to the highest offices; and the raising of humble priests to the dignities of the Church, in which churchmen became the equals of princes, encouraged the aspirations of the lowly, and introduced a degree of equality into the relations of society.[1] These dignities being personal and not hereditary, formed some counterpoise to the hereditary feudal lordships; and the celibacy of the clergy prevented the growth of ecclesiastical families, enriched by the property of the Church.

Aristocracy and the Church.

In later times, the ambitious pretensions of the Holy See occasionally imposed a check upon the absolute rights of kings. The Pope arrogated to himself the right of deposing temporal sovereigns, in the name of God; and to increase his power, he was constrained to seek the aid of the people, on whose behalf he assumed to declare the will of the Almighty. Any pretensions which impaired the absolutism of rulers were so far favourable to liberty: but the Pope was contending for ecclesiastical domination, not for civil freedom; and if

Relations of the Church to kings.

[1] 'L'égalité commence à pénétrer par l'église au sein du gouvernement, et celui qui eût végété comme serf dans un éternel esclavage, se place comme prêtre au milieu des nobles, et va souvent s'asseoir au-dessus des rois.'—De Tocqueville, Introduction, p. 2.

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the latter cause sometimes profited by his intervention, it was because kings were weakened—not because the Church was the apostle of liberty.

Doctrines of Schoolmen.

In the writings of theologians and schoolmen, indeed, are to be found opinions favourable to liberty, and even to democracy:[1] but they were speculations of the cloister, and bore no fruits in the policy of the Church. On the contrary, except when the ambition of Churchmen conflicted with that of princes, their influence was ever on the side of the temporal power.

Six centuries of darkness. 400–1000 A.D.

For six centuries, Europe continued in intellectual darkness. Whatever the moral influence of the Church, and whatever the attainments and capacity of her foremost churchmen, she had contributed little to the general enlightenment of the people. Her learning, her science, and her philosophy were purely theological. Every inquiry and speculation was circumscribed by her tenets and traditions. Freedom of thought was repressed in secular studies, as in religion. The human mind was held in leading strings by the Church. The ignorance of this period, however, cannot be charged mainly on the Church. The education of the people would have been beyond her resources. Even under the favourable conditions of modern society, we see how obstinately ignorance, error, and prejudice maintain their ground against enlightenment. Schools, compulsory

[1] John of Salisbury wrote in the twelfth century:—'There is no man who loves not liberty, who wishes not strength to defend it.' 'Slavery is the image of death, and liberty is the safety of life.' Joan. Sarisb. Polycraticus, viii. 5. Thomas Aquinas wrote:—'The power of making laws belongs to the whole people, or to him who represents them;' and, again, 'All should have a part in the government,' 'Omnes aliquam partem habeant in principatu;' *Summa Theologia*, lib. i. 2. Many similar examples will be found in *La Chaire française au Moyen-âge*, par M. Lecoy de la Marche, 8vo. Paris, 1868.

education, preaching from thousands of pulpits, the multiplication of books and newspapers, a marvellous intercourse between nations, and the freest spirit of inquiry, have failed to dispel the ignorance of great masses of the people. In the dark ages, the obstacles to enlightenment were nearly insuperable, and among them must be reckoned the narrow spirit of the Church herself. Few candid thinkers, beyond the reach of theological influence, will now question that the teaching of the Church arrested the development of thought and discovery.[1]

Spiritual and secular power of the Church.

The spiritual and secular power of the Church, apart from the ignorance to which it ministered, was a severe check to European liberties. Her rule weighed heavily upon the minds and consciences of men. It was supreme in religion, in domestic life, and in the State. In religion it forbad freedom of thought, under the penalties of death and torture: in domestic life, it pursued and watched the faithful in every act, from birth unto death: in the State, it claimed supremacy over kings and rulers, and swayed their policy in the interests of Rome, rather than for the good of their country. And by what an executive force was this great power administered! A vast army of priests held possession of Europe: superior to laymen in learning: under the strictest discipline: owing allegi-

[1] Lord Bacon, in the *Novum Organum*, pronounced it one of the principal causes of the intellectual torpor of the middle ages; Aph. 78–92. Lecky, *Hist. of Rationalism*, ch. iii., and especially p. 288 *et seq.* Draper, *Conflict between Religion and Science*, ch. ii., x. &c. Lewes, *Hist. of Philosophy*, ii. 5. The latter author says 'the Church, both by instinct and by precept, was opposed to science and literature.'

But Guizot, despite his protestantism, contends that 'l'influence de l'église a plus developpé que comprimé, plus étendu que resserré;' *Hist. de la Civil.* 153. Comte also takes a similar view; *Phil. Pos.* v. 452.

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ance to a foreign sovereign: separated by their sacred office, and by celibacy, from their fellow-countrymen: leagued together by the straitest ties of duty, ambition, and faith: speaking the one universal language: ever striving to exalt the dignity and power of the Church, and to subjugate the wills of men; and repressing every aspiration for freedom.

Growing refinement of the barons.

While such was the state of the Church, and of society, many civilising influences were advancing the enlightenment of Europe. The feudal lords, less occupied with arms, were more disposed to cultivate the arts of peace. As an aristocracy, they were helping to refine society. Poetic recitals had been the first literature of the Greeks; and they were the first intellectual diversion of the Teutons and Celts. From the earliest times, bards and scalds had been the delight of the northern races;[1] and these were succeeded by the

Minstrelsy.

minstrels and troubadours of the middle ages. The festive halls of the barons were enlivened by the songs of minstrels; and the imagination was awakened by poetic tales of love and valour. Such entertainments were congenial to both sexes; and high-born ladies encouraged the humble minstrels with their gracious smiles. In the domestic circle of the feudal castle, women held a worthy place; and the sentiment of devotion to the fair sex was refined and idealised by poetry.[2]

[1] 'Celebrant carminibus antiquis (quod unum apud illos memoriæ et annalium genus est) Tuistonem deum . . . Fuisse apud eos et Herculem memorant; primumque omnium virorum fortium ituri in prælia canunt.'—Tacitus, *De Mor. Germ.* c. 2.

[2] Bishop Percy's *Essay on Ancient English Minstrels*; Michelet, *Hist. de France*, i. 157, 470; *Hist. Lit. des Troubadours*, 1774; Sir Walter Scott's *Anne of Gierstein*, note to ch. xi.

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Chivalry.

But the institution of chivalry—the great theme of poetry and song—was the chief source of refinement to the feudal lords. Knights, consecrated by the Church to deeds of piety and valour, dedicated themselves to the service of God and the ladies: they swore to speak the truth: to maintain the right: to shield the oppressed: to observe courtesy; and to seek dangers. And loyally did they fulfil their mission. Higher sentiments of honour and loftier aims were now cherished by the young nobles. Their valour and prowess were displayed in picturesque tournaments, which, unlike the more barbarous games of ancient Greece, were graced by the presence of the fair sex. The victor received his prize from the hand of the fairest and noblest lady of the company. A generous emulation was encouraged, in valour and in courtesy: the ideal of woman was exalted; and intercourse between knights of many lands was improving to the mind and manners of society. With all its worldly lustre, chivalry was true to its association with piety; and knights returning from pilgrimages to the Holy Land, or other pious adventures, brought with them the resources and cultivation of foreign travel.[1]

To have taught rude barons honour, courtesy, and good manners, was no small service to society. Honour became, as it were, a social religion, refining the conscience, and exalting the sense of moral duty: courtesy encouraged gentleness in their relations with neighbours and dependents; and good manners—justly reckoned among the fine arts—in rearing a race of well-bred gentlemen, forwarded the civilisation of Europe. The softer climate of the South being especially favour-

[1] Gibbon, *Rome*, vii. 199; Sharon Turner, *Hist. of Eng.* ch. xiii. &c.

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able to the cultivation of graceful manners, Italy and France took the lead in this attractive art, and have not yet been overtaken by the hardier nations of the North.[1]

The Crusades. 1095 A.D.

When feudal society was under the inspiring influence of chivalry, the pious and warlike passions of Europe were appealed to by the memorable Crusades. The flower of the princes and nobles of Europe flocked to the standards of the Crusaders. If these holy wars were fanatical and impolitic, the sentiments which inspired them were far worthier than the savage feuds and brutal plunder, for which the barons of old had been wont to draw their swords. An exalted enthusiasm took possession of Christendom: churchmen and laity vied with one another in zeal and sacrifices. All classes were fired by the same passionate ardour: in a fanatical age, the minds of men were raised above fanaticism, by lofty sentiments of honour and duty, and by visions of glory. The spirit of the Crusaders was chivalrous and heroic. The torpor of the dark ages was awakened to great interests and engrossing sympathies. Society was stirred with new thoughts and aspiration.

Their influence upon European enlightenment.

For the first time, all Europe was inspired by the same sentiments, and united in a common cause. Nations, previously strangers to one another, fought side by side against the Saracens. Narrow local ex-

[1] A difference of manners may even be noticed in the north and south of Italy, of France, and of Great Britain. Among other reasons for this difference, it may be suggested that in cold climates, men are more quick and hurried in their movements, and consequently less graceful; their muscles are rigid, and their limbs lend themselves less naturally to easy postures. A certain measure of indolence is an ingredient in good manners; and among ourselves, it may be observed that the best manners are to be found among those whose occupations make least demands upon their activity.

periences and habits were enlarged by international intercourse. A new world was opened to the Crusaders: they were brought into contact with two civilisations, more ancient and more advanced than their own—the Byzantine Greek, and the Saracen. They found much to learn and to imitate. The narrow bounds of theological teaching were extended, and they began to judge of life and the world for themselves.[1] As succeeding generations extended their knowledge of distant realms, new routes were opened for commercial enterprise, and new industries introduced into Europe. The supply of vast armies, in the East, also gave a prodigious impulse to navigation and foreign commerce. In this respect no country profited so much as Italy: her geographical position, and her long-established communications with the East, naturally gave her the principal share of these commercial advantages. While other nations were impoverished, Italy was enriched: and the encouragement given to her industry, and her wide intercourse with other nations, rapidly advanced the development of Italian society.

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For two centuries, these destructive wars continued; and they were among the main causes of the ruin of the feudal system. Generation after generation was decimated by their ravages; and the estates of the barons were wasted by costly expeditions. During their long absences, the feudal yoke had become lighter; and society had advanced in industry and prosperity. While the barons were impoverished,

Their effect upon feudalism.

[1] 'Les esprits sont infiniment plus libres: les croyances religieuses ne sont plus l'unique sphère dans laquelle s'exerce l'esprit humain: sans les abandonner, il commence à ne s'y point renfermer, à se porter ailleurs.' —Guizot, *Hist. de la Civ.* 211.

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their neighbours had risen in wealth and independence. Their habits of life were also changed. They had become accustomed to foreign luxuries, the indulgence of which further contributed to their ruin, while it encouraged commerce and manufactures. Their rude hospitality and hosts of retainers were diminished in favour of costly ornaments, jewelry, and apparel. But while their tastes were more refined, their courage and manliness were not less conspicuous. They were still animated by the spirit of chivalry: but they had acquired the cultivation of a more advanced society. Their manners were more polished: youths of gentle birth learned grace and courtesy, as well as the arts of war and horsemanship, in their households. And this was the brave and courteous race, from whom have sprung the nobles and gentlemen of modern Europe.

And upon the enfranchisement of communes.

These social changes, in weakening the aristocracy, increased, on one side, the power of monarchs, and on the other the freedom of the people. But, above all, they led to the enfranchisement of the rising communes. Hence the rise of new municipalities in Italy, Germany, Flanders, and elsewhere, which advanced the liberties of Europe.[1] The period of feudalism, picturesque and poetical in many of its aspects, was yet incompatible with freedom; and its decline ushered in the birth of a new era of social and political enfranchisement.

The towns which had suffered decay from invasions

[1] Gibbon, *Rom. Emp.* vii. 349; Michelet, *Hist. de France*, ii. ch. 3, 4; Hallam, *Middle Ages*, ii. 454 *et seq.*; Sharon Turner, *Hist of England*, ch. ix. x.; Guizot, *Hist. de la Civ.* 8me leçon; Hume, *Essays*: *of Refinement in the Arts*; Adam Smith, *Wealth of Nations*, b. iii. ch. 3; Robertson, *Charles V.*, sect. i.

Revival of towns.

and civil wars, upon the fall of the Roman empire, had still been repressed by the feudal polity. The inhabitants were poor tradesmen and mechanics, and the serfs of the neighbouring barons: they were liable to heavy exactions, and were often a prey to violence and plunder. But they enjoyed more productive industries than the peasantry, and readier means of association. Hence their social advancement was far more rapid than that of the agricultural serfs. The municipal traditions of Rome had survived, and were confirmed by the free customs of the Teutons.[1] The bishops gave importance to the cities in which they dwelt, and befriended the citizens with counsel and protection, in their contests with their feudal lords. From the eighth century, in many of the cities and towns, the burghers assembled annually to elect their magistrates; and the forms of free municipal government were established. But they were still defenceless against their feudal superiors; and the greater their riches, the more frequent and irritating became the exactions and oppression which they suffered.

Their struggle against the barons.

They had seen in the barons themselves frequent examples of resistance to feudal claims; and they were often driven, by intolerable wrong, to resist their lords. But it was not until the eleventh century, that they were strong enough to make an effectual struggle for their liberties. Many of the towns were then fortified, and their inhabitants trained to arms. The rebellions of single towns had usually been crushed: now they became general, through the greater part of Europe—

[1] 'I observe that recent writers are dissatisfied with the historical theory which attributes the municipal institutions of mediæval Europe to an exclusively Roman origin, and that they are seeking to take into account the usages inherited from the conquerors of the empire.'—Maine, *Village Communities*, p. 117.

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partly by concert and example, but mainly by reason of oppressions common to them all, and the general elevation of the power and pretensions of the urban communities. The struggle thus commenced, continued, in various forms, for more than two centuries. The towns gradually obtained from the crown, and from other feudal superiors, charters of enfranchisement, which secured them the rights of maintaining fortified walls, of raising a militia, of municipal self-government, and of the personal freedom of the inhabitants from villeinage. Kings favoured the enfranchisement of towns, in order to weaken their turbulent nobles; and the Crusades, by diverting the forces of princes and barons to distant lands, and by the ruin of many of the feudal families, greatly promoted the development of municipal liberties.

Their political influence.

As the industry of towns secured protection, their wealth and importance were increased; and the burghers henceforth became a political element in the society of States. At first their influence was merely local: but as the industrial population became enriched by commerce and manufactures, and magistrates, churchmen, lawyers, physicians and men of letters improved the character of urban society, they acquired a more extended political power.[1] In Italy, Switzerland, Germany, and Flanders,[2] some of the principal towns grew into sovereign or municipal republics: but generally they merely served as a controlling power over the barons. And here a contrast between the society of towns and feudalism is to be observed.

[1] Guizot, *Hist. de la Civ.* 7me leçon; Comte, *Phil. Pos.* v. 468, vi. 56–61, 80; Sismondi, *Rép. Ital.* Intr.; Adam Smith, *Wealth of Nations*, b. iii. ch. 3.

[2] See chapters vii., viii., ix., x.

Hereditary rights had been the foundation of the mediæval polity: but such rights were, at first, unknown in the towns. Commerce and manufactures could not be retained in the same families, until wealth had been long accumulated. A rivalry arose between the wealth and intelligence of the towns, and the birth and territorial possessions of the feudal lords. In Italy the cities also became the homes of the nobles and landed proprietors, as they are at the present day;[1] and they were the first to assert their liberties. The learned professions were also personal, and not hereditary; and if they were more generally practised by members of the same families, than at a later period, professional distinctions were due to the personal talents and character of the man himself, and not to his ancestry. Hence the hereditary principle was generally weakened by the increasing influence of the towns. Everywhere the great cities became the centres of civilisation and freedom. Their example was more slowly followed by rural communities: but in the twelfth and thirteenth centuries, the cultivators of the soil began to be enfranchised from serfdom, in the greater part of Europe.

Decay of feudalism.

As in the Greek States, the dominion of the nobles gave way before the increasing enlightenment and power of the middle and lower classes, enriched by commerce and maritime enterprise: so the rule of the feudal nobles was gradually shaken by the like causes. As towns and cities increased in power, and the infantry of the burghers proved itself a match for the mounted retainers of the feudal lords, the democratic elements of society were able to combat the aristocracy. At the close of the fifteenth century, the feudal dominion had

[1] Gallenga, *Italy Revisited*, ii. 88, 247.

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been weakened and broken, throughout the greater part of Europe, as well by the rivalry of the towns, as by the lawless violence, and intestine wars of the barons, by the general growth and expansion of society, and by other causes already noticed. But again the political development of the Greeks differed from that of Teutonic societies. With the former, the democracy overthrew the nobles, and ruled in their place. With the latter, the democracy asserted its independence, protected itself against oppression, and claimed a certain share of political power. As kings and people alike were jealous of the nobles, they often made common cause against them. The towns being alienated from the barons by oppression, and feudal disputes, naturally leaned towards the kings, from whom they received encouragement in their industry and arts. And as the power of the nobles was broken, the prerogatives of the crown were restored and extended. Kings became more absolute; and the people more free. Instead of the democracies of small States, the mixed constitutions of great monarchies grew up. The towns were generally too far apart to allow of effective union: they could not overpower either kings or nobles: but they were able to maintain their own municipal liberties, often to share in the general councils of the State, and generally to control the policy of their rulers.

Imperial and free cities of Germany.

Sometimes there were alliances among Italian cities;[1] and in Switzerland a league of towns and rural cantons grew into a state,[2] but Germany affords the most remarkable example of municipal confederations, associated with the general government of an empire. So early as the tenth century, several German cities

[1] Chapter vii.

[2] Chapters viii., ix.

had already acquired privileges, and were growing in prosperity and strength. Some were under the direct jurisdiction of the emperor himself, and were governed in his name by the bishop: others were subject to the dukes and counts of the empire. The former being at a greater distance from their ruler, and less exposed to his jealousy and exactions, generally secured a larger share of freedom and political privilege. The citizens were divided into guilds or companies, according to their several trades; and elected councils and magistrates, subject to the supreme authority of the emperor or feudal lord. As the citizens grew richer and more powerful, they gradually acquired a greater measure of independence, and assumed more extended powers of self-government; and in the thirteenth century, those which were under feudal lords, cast off their yoke and placed themselves, like the imperial cities, immediately under the emperor himself. The imperial government being weak and distracted, so far from repressing their liberties, showed favour to the free cities, and sought their political support. Accordingly we find their representatives associated with the electors and princes in the diet of the empire, towards the end of that century. 1291 A.D. They had advanced from dependents of bishops and feudal lords to be the equals of princes: they enjoyed a free constitution, a popular magistracy, and great material prosperity. They also became the intellectual centres of Germany, and were active in the promotion of the arts, learning, and cultivation.

Their contests with the barons.

These cities were far wiser than their Italian contemporaries. They did not wage wars with one another, nor engage in senseless feuds and factions. But they had other enemies, with whom they knew how to con-

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tend. From every crag and hill-top frowned a castle, from which robber barons and robber bishops made descents upon the citizens, as they passed, with their merchandise, along the roads and rivers. More serious quarrels also broke out between them, sometimes caused by outrages of the barons, sometimes provoked by the cities themselves, which led to bloody conflicts. In Italy, the cities endeavoured to disarm the barons by enrolling them as citizens: in Germany, they received the vassals and serfs of the feudal lords with open arms, but defied their masters, or entered into alliances with them for mutual defence. Such being the relations of nearly all the free cities to their dangerous neighbours, they entered into leagues for mutual defence.

The Hanseatic League.

Thus, in the thirteenth century, the Hanse towns formed an alliance, called the Hanseatic League. In 1300, this league comprised no less than sixty cities, democratic in their internal government, and confederated for commercial privileges and mutual advantage. They also allied themselves with great numbers of cities in England, in France, in the Netherlands, in Spain and in Italy.[1]

The Rhenish League. 1255 A.D.

A number of cities not less considerable, near the Rhine, entered into another great confederation, known as the Rhenish League. They were led by three ecclesiastical electors, and became an important political force in the councils of the empire. In 1370, this league entered into a confederacy with the cities of Swabia, and united in opposition to the German princes. The German free cities were, indeed, overshadowed by the power of emperors, princes, barons and the

[1] Juste, *Hist. de la Belgique*, i. 226; De Tocqueville, *L'Ancien Régime*, 333; Robertson, *Charles V.*, sect. i.

Church: but they enjoyed valuable local franchises: they were a great power for the protection of commerce, and they had a voice in the government of the State.

Growth of European constitutions.

With the growth of municipal liberties, European monarchies gradually assumed a more constitutional character. Kings, nobles, and people exercised social and political power in different degrees: but no single estate could establish its absolute supremacy. The vast territorial possessions of kings and nobles could alone have enabled them to resist the domination of city democracies, even if the latter could have united their forces; and they were powerfully supported by the spiritual influence of the Church. The intellectual resources of churchmen were allied to the temporal forces of kings and barons, in repressing popular aspirations. And as yet the intelligence of the people had not been awakened by those great religious and intellectual movements, which were about to arouse society from its lethargy of many ages. But popular rights and franchises were acknowledged as part of the institutions of every European State.

Revival of learning.

The various social and political changes which we have recounted could not have arisen without a considerable advancement of society, in knowledge and enlightenment. This progress commenced from the eighth century, when Europe was recovering from barbaric invasions: but it was slow and, for some ages, scarcely perceptible. It was due partly to the natural revival of a disorganised society, and partly to external influences affecting the intellectual development of Europe.

Schools and universities.

The ignorance which prevailed in the eighth century may be estimated by the fact that Charlemagne found no provision for learning, throughout his wide

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dominions. To supply this need, he ordained that bishops and monasteries should maintain schools, in connection with their churches and establishments. He invited learned foreigners,[1] to assist in the revival of letters; and by their aid he established schools in several of the cities of his empire. The same enlightened policy was continued by his successors: schools increased in number and importance: learned men were attracted to the service of public instruction; and early in the twelfth century some of the principal schools attained the distinction of universities. Theology and the civil law were their chief studies, classical literature being generally discouraged as pagan, and science being narrowed to the dogmatic conceptions of the Church. But they taught the current learning and philosophy of the age: they trained multitudes of young men to a standard of knowledge, which would have been otherwise beyond their reach; and they assembled numbers of learned men, who formed centres of enlightenment and cultivation. Here was the first step towards the revival of learning.

Monasteries.

Among the causes of intellectual advancement, the influence of monasteries must not be overlooked. However gross the abuses of these institutions, especially in later times, their literary services are entitled to acknowledgment. Designed for religious purposes, the cultivation of secular learning formed no part of the scheme of their foundation. But men who chose the monastic life, and were willing to seclude themselves from the world and society, had more inclination

[1] It is greatly to the credit of the North that the three most learned men were Alcuin from England, Clement from Ireland, and Theodulf from Germany.

and more opportunities for study than their busier brethren. And while the ignorance of the secular clergy was notorious, many members of the religious orders were distinguished for their learning. The monasteries, being sacred from the lawless violence of the times, afforded protection to the manuscripts which had been preserved from former ages, and to the writings of the learned monks themselves. Accordingly most of the works of antiquity, which have reached us, were thus preserved. But so little did the monks value these treasures, that to their shame it must be said, they did not scruple to erase the priceless compositions of Homer, Livy, Polybius, Cicero, or Plautus, in order to transcribe the acts of Church councils, local chronicles, theological treatises, and litanies. The palimpsests, which have been deciphered by modern scholars, bear witness to the scandalous indifference of the monks to classical learning. Nay, they even sold fragments of the defaced parchments, to ignorant devotees, as charms. It was natural that their own writings should be mainly devoted to theology: but we learn a considerable part of the history of their times, from their curious chronicles. We may lament that they did no more for the instruction of mankind: but the spirit of their age was adverse to secular learning, or original thought.

Ancient civilisation.

The civilisation of the ancient world had been lost to the Western Empire: but there remained the civilisation of the Byzantine Empire, of Asia, of Egypt, and of Arabia.

Byzantine civilisation.

Constantinople had inherited the Imperial glories of Rome. As the capital of the Eastern Empire, she had been spared the ruin which had befallen the

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metropolis of the West. Her splendours had escaped the ravages of barbarian hordes; and though some of her provinces were laid waste by the Vandals and Persians, she long secured her imperial dominion. Her ancient civilisation was thus maintained, while the whole fabric of European society lay in ruins. It stood as a light to lighten the darkness of Europe. But it was assuming new forms and colouring. Originally more Greek than Roman, in its type, it gradually acquired an Oriental character. Eastern and pagan customs flourished together with Christian usages. The emperor, surrounded by the pomp and magnificence of an Eastern potentate, and wearing a Persian tiara, presided over the savage and brutal sports of the amphitheatre, and was approached with Oriental prostrations. Yet, with such surroundings, was he a Christian, disputing with doctors of the Church, and scourging heretics. This was not a form of civilisation which promised much intellectual aid to Europe. But Byzantine society, however demoralised by Eastern and pagan associations, was rich, luxurious, and cultivated. Its tastes gave encouragement to art and literature. Byzantine architecture, blending Greek with Eastern forms, captivated the mixed races of the East and South. The
532 A.D. Christian Church of St. Sophia was fitted to become, in later times, the renowned mosque of the Moslems; while it afforded examples of church architecture to Sicily and Italy. The luxuriant fancy of the East abounded in artistic works, in gold, silver, gems, mosaic, ivory, marble, and textile fabrics, which, finding their way into Italy and the South of Europe, contributed to the revival of mediæval art.

The literary resources of Constantinople ought to

have made her the intellectual mistress of the world: but they were wasted and misapplied. She had inherited the priceless treasures of Greek and Roman genius: but they lay buried, like the relics of Herculaneum and Pompeii. They were preserved, and transcribed, for the use of later ages, but they inspired no intellectual revival. Pagan philosophy was proscribed by Christian theologians; and classical learning was overshadowed by the dogmatic teaching of the fathers. The original literature of the Byzantine Empire was worthless: but the Pandects of Justinian founded a code of laws for Europe; and the Greek and Roman manuscripts, which had been neglected in the East, were destined to awaken the slumbering intellect of Italy and the West.

Saracen civilisation.

The civilisation of the conquering Arabs, or Saracens, who, in the seventh century, overran Syria, Jerusalem, and Africa, and continued their conquests until they became masters of the Byzantine Empire, was yet more Eastern. It embraced the traditional knowledge of Asia and of Egypt. Its intellectual activity forms one of the most singular phases in the history of human progress. The cultivation of the Saracens was no less remarkable than their military prowess and religious conquests. The khalifs of Bagdad founded schools of mathematics, arithmetic, astronomy, medicine, surgery, and general learning: they assembled philosophers and learned men from all regions—Greeks, Egyptians, Persians, and Jews—: they established libraries: they endeavoured to collect the scattered relics of ancient philosophy and learning: they pursued their researches through every school of science; and they seemed to emulate the traditional

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renown of the Alexandrian Museum, and the Egyptian Ptolemies.

Its introduction into Europe.

The conquests of the Saracens brought their strange culture into the very heart of Europe. In the eighth century they invaded Spain, and founded an Eastern civilisation in a Western State. Here the Moorish khalifs of Cordova became the rivals of the Arab khalifs of Bagdad. At a time when profane learning was ignored elsewhere, they were patrons of science, learning, and the arts: they founded schools and universities: they encouraged every branch of scientific research: and their court was the centre of an intellectual society. Their splendid palaces still remain as monuments of their magnificence and taste. Their civilisation was several centuries in advance of that of Europe. Had their culture been that of Christian princes and churchmen, it would have quickened the intellectual growth of every European people, and precipitated the tardy revival of later times. But the learned and accomplished Moors wrote in a foreign tongue, and professed a religion which was repugnant to every Christian. Hence, their influence was comparatively limited: it failed to penetrate Europe like the Italian revival of the fifteenth century: but it assuredly contributed to the general stock of European knowledge. Some of the science of the Moors was wholly lost, but what was spared, stimulated the scientific researches of Christian students; and their arts, and their lighter literature, spread into the south of France, Sicily and Italy, and thence to other countries.[1]

[1] Gibbon, *Rome*, vi. 318 *et seq.*; Sismondi, *Hist. de la chute de l'Empire Rom.* ch. xiii. 14; Milman, *Latin Christianity*, b. iv. ch. i. ii.; Hallam, *Middle Ages*, ch. vi.; Sprenger, *Life of Mohammed*; Muir, *Life*

In the ninth century, the Saracens conquered Sicily, and established themselves in Naples, and in Piedmont:[1] and everywhere they left traces of their architecture and their arts. Saracenic forms followed the Byzantine, and helped to mould the church architecture of mediæval Europe.

Influence of the Jews in promoting the civilisation of Europe.

With the Saracens, the Jews are naturally associated. They had been among the early teachers of the Arabs;[2] and they shared the learned labours, and the unhappy fate of the Spanish Moors. Exiles from their own land, and despised, outraged, and persecuted in every other, this gifted race were among the foremost agents of European civilisation. They cultivated science: they spread a knowledge of Saracen and Eastern learning wherever they sojourned: they practised medicine; and, above all, they promoted commerce, and instructed princes and merchants, in the conduct of financial operations. Passing from one country to another, and maintaining a wide intercourse with their brethren in many lands, they aided the great international enterprises, which at once enriched and enlightened the citizens of mediæval States.[3]

The schoolmen.

From the concurrent operation of these various causes, the intellectual enlightenment of Europe slowly advanced; and in the twelfth century showed signs of a still wider development. The universities had

of Mahomet; Deutsch, the *Talmud*; Bosworth Smith, *Lectures*, 156 *et seq.*; Freeman, *Hist. and Conquests of the Saracens*. Dr. Draper gives very interesting and popular views of Arab learning, literature, and arts, in the East and in the West; *Intellectual Development of Europe*, i. 325 *et seq.*; ibid. ii. 27 *et seq.*; *Conflict between Religion and Science*, by the same author.

[1] Sismondi, *Hist. des Rép. It.* i. 35.

[2] Sprenger, *Life of Mohammed*, i. 17–34; Milman, *Latin Christianity*, b. iv. ch. i.

[3] Lecky, *Rationalism in Europe*, ii. 302–311.

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now risen to eminence, and were active in the cultivation of the prevailing studies of the time. These were divinity, the civil law, logic, and metaphysics. The two latter, under the general term of scholastic philosophy, engrossed the minds of the learned for more than two centuries. The logic of Aristotle, and the metaphysics of Augustine, served as the basis of the philosophy of the schoolmen. Its pursuit quickened the intellect, and practised the dialectic skill of its professors. Like the Greek sophists, they cultivated a rare subtlety and acuteness in reasoning: but they added nothing to the treasury of human knowledge. Their studies, however, accelerated the intellectual development of their age. They aroused the inert intelligence of their contemporaries: they popularised the discussion of abstruse moral problems; and, above all, they raised doubts concerning the received tenets of the Church. In the ardour of their dialectic controversies, they learned to exercise a right of private judgment, which neither churchmen nor laymen had hitherto ventured to assert; and they raised religious doubts which tended to promote schisms in the Church of Rome.[1] The Church, alive to these dangers, sternly repressed the new spirit of free inquiry. In earlier times, liberty of thought had been repressed by the ignorance of the people, the exclusive spirit of theology, and ecclesiastical censures: now it was to be crushed with all the powers and terrors of the Church.[2]

At this period, another significant evidence of in-

[1] Sharon Turner, *Hist. of England*, i. 24, &c.; Buhle, *Hist. de la Philosophie Moderne*; Hallam, *Middle Ages*, ch. ix. part ii.

[2] See *infra*, p. 265.

tellectual growth was beginning to disclose itself, in the improvement, and more general use, of distinctive national languages. The Latin tongue, corrupted by the monks, and adapted to ecclesiastical uses, was ill suited to the purposes of social life, or original literature; and as cultivation advanced, modern languages formed themselves out of the Latin and other roots.

Growth of European languages.

The growth of European languages, and the disuse of the Latin tongue, impaired the influence of the Church, and favoured freedom of thought and political liberty. Released from the trammels of the ancient and sacred tongue, men revelled in their national and familiar speech: the free intercourse of society was promoted: thoughts were interchanged, without the stamp of authority; and new varieties of national literature gave expression to the sentiments and aspirations of kindred peoples. Diversity of language was a necessary prelude to civil and religious liberty in Europe.

Classical learning.

The Byzantine Greeks had already revived the learning of ancient Greece and Rome, and after the fall of Constantinople, they spread it more widely throughout Europe. The controversies of the schoolmen made known the philosophy of the ancients; and a study of classical models, advancing with the new literature, stimulated the genius, and cultivated the taste of its votaries. The Western revival of learning made fruitful the seeds of ancient culture, which had been lying buried and barren for centuries. Dante, Petrarch, and Boccaccio, were inspired with its genius, and revived its spirit. The civilisation of antiquity was at length recovered, and became a new revelation to the middle ages. At the same time, the free spirit of the ancients, their history, and their philosophy, encouraged political

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aspirations, which the mediæval polity of Europe, in Church and State, had hitherto repressed. In religion, in politics, and in philosophical speculations, the minds of men were awakened to freedom.

Revival of learning. Fifteenth century.

These various influences wrought a memorable change in the intellectual and social condition of Europe. In the fourteenth and fifteenth centuries, the intellectual revival, which had given signs of life two centuries before, and which neither the Church nor feudalism had been able to repress, at length revealed itself in every department of human thought and inquiry. In science, and philosophy, in learning, in poetry, in the unfolding of the Scriptures, in their original tongues, in the cultivation of the immortal classics, in the study of the Roman law, in painting, sculpture, and architecture, in useful discoveries and inventions, the enfranchised intellect of man made greater advances than in the preceding thousand years of ignorance and fanaticism. Italy was the leader of this marvellous movement. She inherited the genius and traditions of a remote Roman ancestry: she was the first to recover long lost liberties: her society, concentrated in large towns, was more advanced than in other States: her language more beautiful and finished: her intercourse with foreign lands more extended. Her fair land was the home of the ambitious, stirring Papacy which was striving to rule the whole world. Foremost in social and political progress, she was first in intellectual development. But she was quickly followed by France, Spain, England, Flanders, and Germany.

Its emancipation of the intellect.

The spirit of this revival, whether in philosophy, in learning, or in art, was emancipation from the narrow traditions of the dark ages. Inspiration was sought in the

great models of antiquity, not in the cramped examples of mediæval thought.[1] This worship of classical genius, indeed, was carried to excess; and as the Church had adopted some of the superstitions of Paganism, so the revival was tainted by its sensuality and grossness. But its beauty, its grace, its freedom, its truthfulness, and natural force were the noble foundations of modern culture.

Its services to religion.

The revival ministered to religion, no less than to the intellect and the senses. Men were at length admitted to a knowledge of Holy Writ, without the glosses and errors of priests and schoolmen. Churches of surpassing beauty had been raised to the service of God, since the earlier revival of the twelfth century; and were now adorned with pictures, statuary, and stained glass, in which forms of divine loveliness exalted the minds of worshippers above the superstitious traditions of the dark ages. The human form was idealised, and transfigured into the divine. The ghastly martyrdoms, and revolting torments of hell, which had disfigured the early churches, gave place to sublime conceptions of the transfiguration of Christ, and the assumption of the Blessed Virgin.

Church music.

The church music of a cultivated art now became

[1] It is finely said by Mr. Symonds: 'During the middle ages man had lived enveloped in a cowl. He had not seen the beauty of the world, or had seen it only to cross himself, and turn aside and tell his beads and pray. Like St. Bernard travelling along the shores of the Lake Leman, and noticing neither the azure of the waters, nor the luxuriance of the vines, nor the radiance of the mountains with their robe of sun and snow, but bending a thought-burdened forehead over the neck of his mule; even like this monk, humanity had passed, a careful pilgrim, intent on the terrors of sin, death, and judgment, along the highways of the world, and had not known that they were sight-worthy, or that life is a blessing.'—*Renaissance of Italy*, 14.

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more emotional; the dirge-like monotones of the sixth century[1] were succeeded by sacred strains which moved the feelings, and stirred the religious sentiments of the faithful. A higher art no longer expressed the gloomy abasement of despairing sinners, but breathed the pious hopes and joyful aspirations of believers. The music of the revival was in harmony with its new intellectual forces. Inspired by the genius of a regenerated and hopeful age, it was vigorous, sympathetic, and sublime.[2]

Revival of original thought.

But it was in original thought and free inquiry, that the revival rendered the highest services to mankind. In religion, it prepared the way for the Protestant Reformation: in science, it led to the discoveries of Copernicus, Galileo, and Christopher Columbus: in philosophy, it inspired the fruitful speculations of all the great thinkers of modern Europe; and in the polity of European States, it formed the elements of future freedom. Men recovered a sense of their own independence and dignity, and were prepared to assert their rights. This sentiment of liberty spread from the South to the North. Commencing in Italy and Spain, it extended to Switzerland and Germany, France and England.[3]

Scientific discoveries.

This period of revival also witnessed scientific discoveries and inventions which were destined to multiply the material and moral forces of the people.

About 1320 A.D.

Gunpowder changed the art of war, and closed the career of the mailed horsemen of the feudal lords.

[1] These chants are still occasionally to be heard at St. Peter's in Rome, and other Catholic churches.

[2] Coussemaker, *Hist. de l'harmonie au Moyen-Age*; *Scriptores Ecclesiastici de Musicâ Medii Ævi.*; *L'Art Harmonique.*

[3] Sismondi, *Hist. des Rép. Ital.* i. 401–2.

The mariner's compass gave a prodigious encouragement to navigation and commerce. The geographical discoveries of Vasco de Gama and Christopher Columbus opened new worlds to European exploration and adventure. Printing afforded the means of future instruction to the people.[1] Churchmen and the upper classes no longer enjoyed the monopoly of learning, and an extraordinary impulse was given to freedom of thought, in politics and religion.

1488 A.D.

Churchmen supplanting nobles.

At this period, also, kings were gradually supplanting their nobles, in the service of the State, by the encouragement of learned ecclesiastics and lawyers—often men of low birth and humble connections. This policy at once depressed the nobles, and introduced the principle of governing through men of the people. Such men, indeed, served their royal masters with more fidelity than the intractable nobles whom they had succeeded. They were as zealous in supporting the Crown against the people, as any low-born vizier of an Eastern potentate. But they brought greater enlightenment into the administration of the State: more moderation into its councils: more humanity and gentleness into its treatment of the people. Nor, at a time when society was rapidly advancing, could the raising of men of low estate fail to encourage the aspirations of their order.[2]

Conflict of the Church with freedom of thought.

This remarkable intellectual movement brought the Church into fiercer conflict than ever, with free inquiry and scientific research. Instead of taking the lead in

[1] Paper was first made from cotton about 1000 B.C., and from rags in 1319.

[2] Foremost in this policy were Henry VII. of England, Louis XI. of France, and Ferdinand of Castile and Aragon.

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this hopeful revival, and promoting studies which promised to exalt the destinies of mankind, she endeavoured to repress all freedom of thought, in the narrowest spirit of theology; and, henceforward, the progressive intelligence of society became antagonistic to her rule.[1] That position she has since persistently maintained; and the critical problem is yet to be solved whether her spiritual power will fail before the advancing forces of science and truth.[2]

Heresies and schisms.

But more serious movements, affecting the Church, arose out of the intellectual activity of these times. From early ages, various heresies had been discovered, and forcibly repressed. But when society was awakened and instructed, and when the mysteries of religion, of the human mind and of creation, were discussed with greater freedom, more formidable heresies threatened the unity of the orthodox Church. Early in the thirteenth century the Albigenses of Languedoc had associated in such numbers that all the powers of

1209 A.D.

Church and State were united against them, and they were put down by a ruthless massacre. The Waldenses or Vaudois, of Piedmont, who claimed a more ancient creed, survived, through many centuries, the most cruel

Fifteenth century.

persecutions. The Lollards of England, and the Hussites of Bohemia, proved the growing alienation of large bodies of religious men from the doctrines and rule of the Church of Rome. They accepted the Scriptures as their guide: they inveighed against human authority in matters of faith; and they denounced the

[1] Comte, *Phil. Pos.* v. 482.

[2] Comte is of opinion that the Church of Rome will fall, like polytheism, from the barrenness of its intellectual condition, and its opposition to the habits of modern philosophy and science; ibid. vi. 422–3.

sale of indulgences, and other abuses of the Papacy. Persecution provoked revolt; and oppressed schismatics became rebellious subjects. It was thus that struggles for civil and religious liberty first arose; and henceforth, the principal contests which were waged against authority, in various parts of Europe, were caused by resistance to arbitrary measures, in restraint of religion. Hence, freedom of religious thought proved to be the foremost promoter of European liberties.

Civil and religious liberty.

The Church struck at these heresies with merciless severity. Pope Innocent III. founded that dread tribunal, the Holy Inquisition.[1] This institution established the most fearful tyranny ever attempted over the thoughts and liberties of mankind. Its jurisdiction was not confined to the trial of overt acts against the Church, but embraced heresy, apostacy, sorcery, and the profession of the Jewish or Mohammedan faith. Its double object was to repress freedom of thought, and to enrich the Church. Its cruelty, and its corruption, were alike notorious. Any opinion, however expressed, whether relating to religion or not, which was held to be at variance with the received doctrines of the Church, was punishable as heresy. Philosophy and science were branded as heretical: experiments in chemistry, and the natural sciences, were condemned as magic. Jews and Saracens, who owed no allegiance to the Church, were yet subject to her cruelties.

The Inquisition.

The world had witnessed tyranny, in many forms: but never until now had it suffered under a tyranny over

[1] It was introduced into France in 1208, into Italy in 1224, by Gregory IX., and soon afterwards into Spain, where the tribunal received a more definite form.

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conscience and innocent thought. Never had the cultivation of the human faculties, and the extension of knowledge, been punished as crimes. Nor was the Church contented with the intolerant zeal of a spiritual court. It was necessary to secure the aid of the temporal power; and all civil rulers were enjoined to swear that they would exterminate their wretched subjects, who had been pronounced guilty of heresy by the Church.[1] This cruel and barbarous crusade against freedom of thought was pursued for four centuries. But neither philosophy nor schisms could be repressed. The breach between the Church and large bodies of Christians was being continually widened. For many generations the weight of the spiritual and secular powers was too strong for effective resistance. But when Europe had been enlightened and aroused to inquiry, the notorious abuses of the Church could not fail to provoke abhorrence. A repugnance to its superstitions was natural to thoughtful and earnest men: while the scandalous lives of many of the Popes, the pride, avarice, and immorality of prelates, the cruelties of the Inquisition, the ignorance and vices of the inferior clergy, and the increasing extortions of the Holy See, alienated large numbers of the laity from the Papal rule.

Opposition to the Church of Rome.

Ecclesiastical dominion.

While the Church was engaged in these contests with the progressive opinions of society, her pretensions to universal rule threatened the national independence of Europe. She claimed the absolute submission of temporal rulers to the Pope; and her scheme of government was a theocracy. The laity were subject to the priesthood; and the priesthood to the Pope. No scheme could be more opposed to European liberties: but

[1] Fourth Council of the Lateran, 1215.

kings, supported by their barons, resisted these ecclesiastical pretensions; and at the beginning of the sixteenth century, the Catholic sovereigns of France, Spain and Austria, had shaken off the dominion of the Papacy.

The Protestant Reformation.

At this critical period in the fortunes of the Church, Luther blew the trumpet-blast of the Protestant Reformation; and the response which it called forth in Germany, in England and other States, seemed to threaten the very existence of the Catholic Church. She was, indeed, shaken, to the very centre: she was stripped of wide domains which had been under her spiritual rule; and she never recovered her proud pre-eminence, as the universal Church of Western Christendom. But the Catholic faith, after all the vicissitudes of the Reformation, and the religious wars which followed it, still prevailed over the greater part of Europe.

Effects of the Reformation upon freedom.

However incomplete this religious revolution, the causes which brought it about, and the principles of the Protestant creed, were eminently favourable to political freedom. The Church of Rome had striven to crush civil and religious liberty; and it was only by striking down her pernicious power, that there could be any hope of freedom in Europe. Accordingly, wherever the yoke of Rome was cast off, there followed greater activity of mind, more enterprise in commerce, more social advancement, and more extended liberties. The new faith, indeed, was not allowed a free course: it was repressed by the sword, the stake, and the dungeon: otherwise, who can venture to say to what regions it might have spread its truth, and its freedom? Yet, after all its struggles and trials, its triumphs and defeats, one striking result was disclosed. It had prospered and prevailed among the Teutonic races: it had

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failed among the nations of Latin origin. It was widely accepted in Germany, England, and Holland: it was rejected in Spain, France, and Italy. The former advanced in activity and freedom: the latter continued to cling to the traditions of the middle ages, and halted in the race of social and political progress.

Political views of reformers.

The Reformation, in encouraging freedom of thought, and resistance to the spiritual domination of Rome, by which Europe was oppressed, necessarily advanced the principles of political liberty. And where rulers interfered to repress it, their subjects, fired by religious zeal, were provoked to rebellion. But the tenets of the early Protestants were very far from democratic. The Anabaptists, indeed, made common cause with the peasantry, in resisting the feudal rights of the landowners: they condemned the authority of princes; and they even preached the community of goods. Other enthusiasts appealed to Scripture for proofs that all men are equal, and that the subversion of the higher powers was demanded by the word of God. But it was Luther's policy to strengthen the Reformation by the aid of princes: not to defy or alienate them, but to associate them with the great work which he had undertaken. The Pope was deposed from his supremacy: but the temporal prince was installed in his place. The power of the crown was increased, by the union of spiritual with temporal prerogatives. The spiritual power had formerly been an independent sovereignty, which the Pope had often exercised against kings themselves: now kings wielded a two-edged sword, and were supreme in Church and State alike. Episcopacy was maintained in the Lutheran Churches; and a powerful body of spiritual nobles, the nominees and

Lutheranism.

Prerogative increased by Lutheranism.

dependents of the crown, became the zealous functionaries of monarchy. The Pope had been weakened: but kings were more powerful than ever.

Calvinism.

Calvin's scheme of Church government was moulded in a more democratic form. Intolerant and arbitrary in his own rule, his polity was that of a State, at once theocratic and popular. The little State of Geneva was placed by him under a council, exercising civil power, and a court called the 'Consistorium,' composed of ecclesiastics and laymen, with a disciplinary jurisdiction over the morals of the people. The Church was governed by a general assembly of ecclesiastics and laymen, who decided all questions of faith and doctrine. Under Calvin himself, this constitution of the Church was free from any democratic tendencies: but the admission of the laity to a share of ecclesiastical power was a popular element, which his Puritan followers were able to develop into a formidable agent of democracy.

Catholic reaction. (Sixteenth century.)

The fierce reaction against Protestantism, which the Pope and the Catholic powers organised in the latter half of the sixteenth century, endangered the new faith, and threatened to trample upon European liberties. The progress of the faith was unquestionably arrested, and in some States it was hopelessly crushed: but the monstrous violence and cruelty of the Catholic rulers, and the noble resistance of Protestants, were not without influence upon the future destinies of European liberty. The powers of intolerance and despotism were ranged on one side: the rights of civil and religious liberty on the other; and principles were successfully maintained in Holland,[1] in England,[2] and else-

[1] See ch. ix.

[2] See vol. ii.

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where, which have since formed the basis of free institutions.

The Reformation the commencement of a revolutionary period.

The Reformation may, indeed, be regarded as the commencement of a revolutionary period in the history of Europe, which has not yet been brought to a close.[1] It left two opposing forces, which naturally continued in violent conflict. On one side there were arbitrary and bigoted sovereigns: nobles still cherishing the traditions of feudalism, and enjoying many of its privileges; and churchmen holding fast to their ancient tenets, exasperated by dangerous schisms, and fiercely intolerant of heresy. On the other, there were large societies of men who, having cast off the shackles of the middle ages, were estranged from the traditional policy of their rulers. They claimed freedom for their consciences, and respect for their rights and interests as subjects: but were branded as schismatics and rebels. The policy of the middle ages was in conflict with the religious thought, the intellectual enlightenment, the social progress, and the political aspirations of the new era; and it was only by many revolutions that more advanced principles of freedom, in Church and State, could be established, and governments brought into harmony with the developments of modern society.

Of the revolutions of that period, we shall treat hereafter: but we must first revert to some earlier illustrations of democracy, which have been already glanced at, in the present chapter.

[1] Partout, depuis le but du xvi siècle, on peut dire, sans exagération, que sous cette première forme, l'esprit révolutionnaire s'est spontanément propagé, à divers degrès, dans toutes les classes de la société européenne.' —Comte, *Philos. Pos.* vol. v. p. 675.

CHAPTER VII.

THE ITALIAN REPUBLICS.

EARLY RISE OF ITALIAN CITIES—GENERAL VIEW OF THEIR GOVERNMENTS—ITALIAN CULTURE—GREEK AND ITALIAN REPUBLICS COMPARED—VENICE—PISA—GENOA—MILAN—FLORENCE—THE LOMBARD LEAGUE—FLORENTINE DEMOCRACY—DECLINE OF ITALIAN LIBERTIES—THE TYRANTS—FLORENCE UNDER THE MEDICI—LATER FORTUNES OF ITALY.

Early rise of Italian cities.

THE Italian cities, as already stated, were the first to obtain freedom, and municipal independence, after the long repression of the feudal system. Several causes contributed to the early development of municipal liberties in Italy. Foremost among these causes was the earlier intellectual revival in Italy. The natural genius of her people, quickened by traditions of their former supremacy, by their geographical position near the seats of ancient civilisation, by their maritime commerce, by their intercourse with Greeks and Saracens, who were the depositories of Eastern culture, and by their association with a powerful and aspiring Church, placed them in advance of the other nations of Europe,[1] and first qualified them for the enjoyment of freedom.

Their ancient origin.

Italy being thus first in culture, it was natural that the ancient home of Roman civilisation should be

[1] See *supra*, pp. 247, 251.

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forward in the social and political revival of Europe. The germs of association and freedom still existed. The old municipal cities, richer and more numerous than in other countries, had survived invasions and pillage, and formed the centres of national life, in which commerce, art, learning, and liberty, after ages of depression, slowly recovered. Cities famous in Roman history were spread over all Italy. Ravenna, Capua, Bologna, Milan, Verona, with their amphitheatres and public works, were monuments of the grandeur of antiquity. They retained also many of their ancient institutions: their curia, or municipal council, and their consuls, annually elected. In the South, Naples, Gaeta, and Amalfi—ancient Greek municipalities—continued to govern themselves as republics.[1] Rome, under the spiritual government of the head of the Western Church, maintained its independence; and sometimes bore the semblance of a republic.[2] In the North, Venice, Pisa, and Genoa were republics from very early times; and in the twelfth century, all the other cities established their freedom.[3]

Building of city walls.

This early development of traditional liberties was farther promoted by the social and political condition of the country. In the ninth and tenth centuries, Italy was invaded by the Saracens and the Hungarians, of whom the former established themselves generally in the South, and the latter in the North. To protect themselves from these marauders, the citizens organised a militia, and raised walls round their

[1] Sismondi, *Hist. des Rép. Ital.* i. 219–243, 292–297.
[2] Ibid. *Hist. des Rép. Ital.* i. 125; *Hist. de la Liberté en Italie*, i. 29.
[3] Sismondi, *Hist. des Rép. Ital.* i. 365.

cities. Receiving no protection from the executive power, they formed themselves into little States.[1]

The feudal lords in Italy.

In Italy, feudalism had never taken root so firmly as elsewhere. In ancient times, the proprietors of the soil had generally dwelt in the Italian cities; and this custom continued, to a great extent, during the middle ages. Constant invasions, and the insecurity of the country, forced many of the feudal chiefs to take refuge in the fortified towns, and to share their fortunes with the burghers. This union of two powerful classes, generally antagonistic, greatly increased the predominance of the city communities. The citizens, instead of defending themselves against their dangerous neighbours, enrolled them in their militia, and were emboldened by the spirit and example of their more warlike comrades in arms. Civic society was strengthened by the alliance; and its moral and political influence, no less than its military power, was extended: but not without risk to its freedom.[2]

But many of the feudal lords, dissatisfied with their new position, retired to their castles, and resumed their former independence. The castles of the nobles and the walled cities were alike strongholds against marauders, and the dwellers in both were trained to arms. The rivalry between the nobles and the free cities was favourable to Italian freedom. Within the city walls there was liberty; and outside, the nobles were driven to emancipate their serfs, in order to strengthen their own armed forces. And thus the freedom enjoyed by the citizens was gradually extended

[1] Sismondi, *Hist. des Rép. Ital.* i. 32, 33.

[2] Guizot, *Hist. de la Civ.* 250; and see *infra*, pp. 286, 302, &c.

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to the peasantry.[1] In the twelfth century, all the nobles, in the plains, had become citizens of some republic: but in the mountains, many still clung to their fortresses. Some, however, were received with favour as leaders of the republican forces, and made themselves masters of the city. Thus the Viscontis became the chiefs of Milan: the D'Estes, of Ferrara, and the Eccelinos of Verona and Vicenza.[2]

Weakness of Italian sovereigns.

After Charlemagne, the weakness of the sovereigns who claimed to rule over Italy, also favoured the political power of the cities. The feebleness of the monarchy, and the general disorganisation of society, left the country in a state of anarchy, against which the association of armed citizens was the sole protection They had no country to claim their loyalty, and their patriotism was devoted to their own city, its laws, its customs, and its interests. When cities began to usurp political powers, in addition to their municipal franchises, the kings were unable to resist them. And when there were rival pretensions to the crown, privileges were freely conceded to the cities, to ensure their support to the contending parties.[3]

Fusion of Northern races.

The fusion of the sturdy Northern races with the Italians was also favourable to the assertion of political rights. The Italians had been corrupted and debased by their long subjection to the Roman empire: their ancient spirit of liberty had been crushed by ages of oppression and wrong. By nature and by habit, their Northern conquerors were endowed with a fierce independence, and courageous self-assertion; and when

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 25.
[2] Ibid. i. 92, 93.
[3] Ibid. *Rép. Ital.* i. 31, 100.

they were associated with the citizens of the Italian municipalities, they became a formidable element of force in these free communities.

Distribution of lands.

A not very unequal distribution of lands, and other property, amongst the citizens, in the earlier period of the fortunes of the Italian republics, also contributed to their social and political equality.

Spread of republics over Italy.

From these various causes the Italian cities grew and prospered; and in the twelfth century, no less than two hundred free municipalities, or republics, were spread over the fair land of Italy: reviving recollections of the renowned city communities of ancient Greece and Italy; and affording many analogies, in their government and destinies, to those earlier examples of democracy. Unfortunately, history is nearly silent upon the most interesting period of these republics. While they were free, we find few traces of their inner life: when they began to be enslaved by usurpers and tyrants, their annals abound in eventful incidents. We learn, however, that all their institutions were republican, founded upon popular election, and public confidence. These institutions varied in different cities: but they were so far alike as to admit of a general description, more or less applicable to them all.

General view of their government.

All citizens capable of bearing arms were summoned by the sound of the great bell of the city belfry: they assembled in the public place, where, following the traditions of the Roman republic, they elected two or more consuls, every year, to administer justice within the city, and to lead forth the trained forces to battle. This popular assembly, in very early times, acquired the name of Parliament. The municipal con-

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stitution of these cities was wholly republican. The consuls were assisted by a secret council, generally known as the *credenza*, and by a great council of the people, or Senate, consisting of about one hundred citizens, both nominated by the Parliament. The smaller body administered the finances, and superintended the public works, which still bear witness to the munificence, public spirit, and taste of the Italian citizens of the tenth, eleventh, and twelfth centuries. The popular council discussed the greater public affairs, and prepared laws for the ratification of the Parliament.[1] The consuls convoked and presided over all the councils of the republic. For three centuries, several of the principal Italian cities may be regarded as model republics. Their chief magistrates were brave, liberal, and zealous: their citizens were public-spirited and patriotic, uniting the traditions of Roman civilisation with the humanising influences of Christianity. With minds enlarged by commerce and the arts, invigorated by warlike enterprise, and not yet corrupted by luxury, the citizens of the early Italian republics may fitly be compared with their renowned prototypes of ancient Greece and Italy. They transmitted few great names, indeed; and history has not rescued their achievements from oblivion; but they have left monuments of their greatness and public spirit, not unworthy of comparison with the immortal memorials of antiquity. By association, they acquired at once freedom and power. Within their own cities, they combined for the common good; and beyond their walls they were long able to resist the monarchs and feudal lords who coveted their

[1] Sismondi, *Hist. des Rép. Ital.* i. 365–374 (ed. 1826); *Hist. de la Liberté en Italie*, i. 35.

wealth, and were jealous of their greatness. By respect for the law, and protection of property—almost unknown elsewhere—these cities advanced rapidly in population and prosperity. In the country, no man was safe from robber-nobles: within the city walls, law and order were maintained by the popular magistrates. The lawless violence of the powerful was restrained, and the lowly were protected. If the strong resisted the law, the magistrates were assisted by all the citizens of the republic, in enforcing obedience, and punishing the offender.

Thought emboldened by liberty.

With the revived liberties of Italy there grew a creative intellectual force, like that of the Athenians, in the freshness of their new development. Men were bold and confident in their own strength: they formed lofty ideals of the great and beautiful: they struck out new paths for genius; and they were encouraged in their soaring aspirations by the passionate sympathies of their fellow-countrymen. They were free to venture upon the widest fields of thought and activity, untrammelled by the restraints of an artificial society, which casts the minds of men in a conventional mould. Nature, revived and invigorated, asserted its ascendency over forms and traditions. At the same time, the cultivation of the arts raised the minds of Italian citizens above their industrial pursuits, and the cares of material life: it refined the manners of the middle classes; and it stimulated the invention and taste of a commercial and manufacturing people.

Association of culture and freedom.

All that is great in the intellect and arts of Italy, is associated with the history of her freedom. Her intellectual supremacy in Europe began to display itself at the same period as her political liberties, and, for a

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time, survived them: but, at length, declined under the baneful pressure of despotism. The picture of these republics drawn by historians, attests the value of liberty to the moral, intellectual, and material interests of mankind. While the rest of Europe was slowly emerging from the barbarism into which it had sunk after the fall of the Western Empire, these little States had attained the highest cultivation. Their cities were adorned by works of architecture, unknown to Europe since the best days of ancient Rome: noble bridges spanned their rivers: public buildings and private palaces still remain as monuments of the wealth, skill, and artistic genius of the age. In more than one of these mediæval cities, there are as many palaces as in modern London. In what city out of Italy can such monuments of the civil architecture of the thirteenth century be found, as the Palazzo Vecchio and the Loggia de' Lanzi? When these noble edifices were raised, the feudal lords, north of the Alps, were still building gloomy castles with loopholes, battlements, and drawbridges. The kindred arts of sculpture and painting were now revived; and poetry, after a silence of twelve centuries, renewed her strains in the inspired stanzas of Dante, Petrarch, and Ariosto. Philosophy and history were also awakened from their long slumber. A glare of intellectual light burst over Italy, while the rest of Europe was in darkness.[1]

Italian culture.

Elsewhere, an unfruitful scholastic theology was pursued, as the only study worthy of mankind: but in Italy the intellect was directed to studies which promoted the great aims of society—its defence in war, its well-being and enjoyment in peace. The civil and

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 173 *et seq.*

canon law, political science and medicine, were cultivated with a success renowned throughout Europe.

Classical learning.

Another great service rendered to mankind by this wondrous age was the revival of classical learning. To the learned Italians of the fourteenth century we owe the recovery and collection of the great writings of antiquity, and that taste for Greek and Roman literature which has governed the studies of succeeding generations. It was a worthy complement to the intellectual labours of that age: but, unhappily, their devotion to classical learning became excessive, and the fertile and original genius of the Italians was diverted to unfruitful pedantry. Even their own elegant and musical language was neglected for the dead Latin of their ancestors.[1]

Useful arts.

In all the arts conducing to the welfare and enjoyments of mankind, the Italians were also far in advance of other countries, their only rivals being the free cities of Flanders and Germany. So skilful was the agriculture of Lombardy and Tuscany, that, after a lapse of five centuries, it is affirmed that the lands formerly comprised in the territories of these republics can be distinguished from those which continued under the sway of the feudal lords—the former being improved by embankments, irrigation, and the application of science and capital, the latter displaying the usual results of ignorance and neglect.[2] In commerce and manufactures, their superiority was no less remarkable. The merchants of Genoa, Pisa, Florence, and Venice supplied Europe with the products of the Mediterranean and of the East: the bankers of Lombardy instructed the world in the mysteries of finance, and foreign exchanges:

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 246, 247.
[2] Ibid. i. 173.

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Italian artificers taught the workmen of other countries the highest skill in the manufactures of steel, iron, bronze, silk, glass, porcelain, and jewelry. Italian shops, with their dazzling array of luxuries, excited the admiration and envy of foreigners from less favoured lands. Merchants, growing rich, built noble palaces and adorned them with the choicest works of contemporary art. Never, since the days of Athens and Rome, had there been so rare a combination of political liberty with intellectual culture and artistic taste. If it could have survived the adverse influences which threatened it, the general civilisation of Europe might have been advanced by at least a century.

Civic patriotism.

The liberties of the Italian republics were no less favourable to public virtues than to culture. With them, as with other free States, association, for the common good, encouraged patriotism and self-sacrifice, a noble emulation, courage, and constancy. It was by virtues and honourable public services, that men appealed to the confidence of their fellow-citizens. A small State arouses a passionate devotion in its citizens. Within a narrow area, all are neighbours, friends, rivals: all have common interests and sympathies: all feel the honour and welfare of the State as their own: all share its sufferings and reverses: society is a civic brotherhood. It is difficult for the subjects of a wide empire to realise the emotions which filled the hearts of Greek and Italian citizens.

Dissensions.

But if citizens were patriotic and devoted, they were also factious and turbulent—full of jealousies and hatreds. The State resembled a large family no less in its affections and sympathies, than in its dissensions and quarrels. There were the strifes of classes, the conflicts of political

factions, and the feuds of rival families. The traditions of proscription in Rome, during the later years of the republic and the empire, were not forgotten by the descendants of the Romans, who aspired to power in the Italian republics. Happily the death of political opponents was less sought than their banishment; and in these small cities this milder form of proscription served its purpose.[1] The leaders of the weaker party were driven out; and sometimes the party itself *en masse*: to return, perhaps at no distant day, and expel their conquerors.

Italian republics.

Before we approach the history of some of the most eminent of these republics, it may be well to compare their general characteristics with those of the ancient Greek republics, and to mark their resemblances and their differences. The multiplication of city communities over the whole of the Italian peninsula, affords a striking parallel to the spread of their Hellenic prototypes over Greece. Such communities were, indeed, the most simple and natural forms of free government, in the early stages of society. But there were great diversities in the character of these communities, according to the society and institutions of the several States in which they were placed; and the peculiarities of the Italian cities may best be illustrated by comparing them with the examples of ancient Greece.

Greek and Italian republics compared.

[1] Machiavelli, however, cynically suggests that when the punishment of death was absolutely necessary, a Prince 'should abstain from touching the property of the condemned party. For certain it is that men sooner forget the death of their relations, than the loss of their patrimony.'—*Il Principe*, ch. xvii. The same advice is humorously given in *Philip van Artevelde*:

GILBERT.— . . . . 'Lives, lives, my lord, take freely;
But spare the lands, and burgages, and moneys.
The father dead shall sleep, and be forgotten;
The patrimony gone—that makes a wound,
That's slow to heal: heirs are above-ground ever.'

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Points of resemblance.

In many aspects, the resemblance between the Greek and Italian republics was remarkable. In Italy, as in Greece, every city was the centre of an active social and political life. Their citizens were zealous in the service of the commonwealth: sharing in its internal government: forward in its defence against its enemies: instinct with a passionate patriotism. In Italy, as in Greece, these city communities were far in advance of contemporary States, in culture and accomplishments. There were contests between nobles and the people: in some an oligarchy prevailed: in others democracy long continued in the ascendant. These conflicting principles were espoused by rival republics, and became their rallying cries in alliances and wars. Greek and Italian cities alike guarded the rights of citizenship with jealousy,—even the most democratic States, like Athens and Florence, insisting upon limitations of the franchise.[1] Both had their allied and subject cities. Both were ever at war with their neighbours. In both, citizen soldiers gradually gave place to mercenary troops. Both alike fell under the rule of conquerors. And, lastly, by a rare coincidence, the glorious history of both was comprised in about the like period of three hundred years.

Alike in Greece and in Italy, the republics, instead of establishing wide confederations for mutual defence and protection, wasted their strength and resources in dis-

[1] 'The Italian republics, like the Greek πόλεις, 'consisted of a small body of burghers, who alone had the privilege of government, together with a large population, who, though they paid taxes and shared the commercial and social advantages of the city, had no voice in its administration. 'Citizenship was hereditary in those families by whom it had once been acquired, and was guarded jealously against unqualified persons.'—Symonds, *Age of the Despots*, 128.

astrous conflicts. Hence Greece, weakened and divided, fell an easy prey to Macedon and Rome. The Italian republics fell still more easily before the arms of emperors and kings. United they might have struggled more successfully for their independence: but divided, their cities were easily recovered by sovereigns, from whose predecessors municipal franchises had been wrested.

Different conditions of Greek and Italian republics.

But the conditions under which the ancient and the mediæval republics were founded and governed, were widely different. The entire soil of Greece was occupied by its little States. They had no kings or princes as neighbours: they owed allegiance to no other powers. But the republics of Italy were founded within the domains of existing monarchies: they were surrounded by the territories of larger States, and of powerful feudal chiefs—dukes, marquesses, and counts. Hence they never enjoyed complete political independence. They were free municipalities, rather than sovereign States. Higher powers, from whom they had received their franchises, still claimed sovereignty over them. Powerful neighbours threatened and controlled them. The Greek cities waged war upon one another, and were endangered by foreign enemies. The Italian cities indulged in the like warlike rivalry: they were no less exposed to foreign enemies; and they were further subject to the violence of monarchs and feudal princes, on their own native soil.

Greek and Italian society.

There were also essential diversities in the character of Greek and Italian society, which affected the destinies of their respective States. Greek citizens were landed proprietors, independent of trades and handicrafts. Italian citizens were merchants, traders, and artificers. In Greece they had ever been free: they were trained

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in the traditions of freedom; and they were usually the owners of slaves. In Italy, they were the children of vassals and serfs, and were repressed by traditions of many ages of servitude. In Greece they had abundant leisure for culture, and public affairs: in Italy, they were busy in the counting-house and the shop. In Greece, men became citizens by right of birth and property: in Italy, by enrolment in the trade-guilds of their city. In Greece, they strove to excel in athletic sports, in disputation, and oratory, every citizen being prepared to become a soldier and a statesman: in Italy, they were contented to grow rich, and to revel indolently in the genius of their poets and artists. In Greece, they were regularly trained to military service: in Italy, their levies were designed for defence rather than for active war. The Greeks had all the vigour and confidence of a youthful and progressive society: the Italians were slowly recovering from the ignorance and inertness of the dark ages. Above all, the genius of Greece surpassed that of Italy, and its original fire outshone the rekindled embers of the revival. In short, society was stronger and more advanced in Greece than in Italy; and better qualified to assert its claims to political power.

Greek and Italian nobles.

The relations of the nobles with the people differed no less than other conditions of Greek and Italian society. In the one, they were only the largest landowners: superior, indeed, to the general body of citizens, and exercising a greater influence, but yet members of the same privileged class. They sought ascendency by deeds of valour in the field, by eloquence in the agora, and by a generous use of their riches. In the other, they were feudal chiefs who had been driven to share

the fortunes of the burghers: but who despised their new allies, with hereditary pride, as a base-born herd of traders and artisans—fit to be ruled and plundered as of old. They were of a different order from that of their fellow-citizens; and were accustomed to assert their power by force and violence. In fighting the battles of the republic, such nobles were its worthiest champions: but when they aimed at usurpation, their fellow-citizens were too often unequal to contend against them. In Greece, there had been constant feuds between nobles and their fellow-citizens: but in Italy, such feuds were fraught with graver dangers. With society weaker than that of Greece, and with nobles stronger and more violent, the Italian republics laboured under serious discouragements in the maintenance of their liberties.

Disorders in Italian cities.

Again, in Greece the society of each little State had long been peacefully settled in its narrow boundaries; and its laws and customs were familiar to every citizen. In Italy, the disturbed condition of society, after frequent invasions and civil wars, and the continual conflicts between the feudal lords and the cities, perpetuated disorders, which provoked repression by the strong hand of power, and led to restraints upon civil liberty.

Rarity of eloquence in the Italian republics.

The Italian republics, resembling the Greek and Roman States in freedom, in learning, in arts and accomplishments, were yet strangely wanting in one of the first arts of a free State. In Greece and Rome, oratory had been the principal source of popular power. To persuade senates and sway the multitude, had been the gift of the greatest soldiers and statesmen of antiquity: but in the Italian republics, we seek in vain for a single orator. There were preachers and jurists, skilled in dialectics: but even in the fourteenth century,

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when Italian genius was greatest in the kindred pursuits of poetry, history, and philosophy, there were no orators, in public life, to lead Italian citizens in the paths of liberty and patriotism. There was a passionate public spirit in the Italian cities: but it found expression in the imaginative verses of their poets, not in the stirring appeals of their orators. Vague sentiments and aspirations were encouraged, rather than practical aims and purposes. Arnold of Brescia, Rienzi, Jacob de Bussolari of Pavia, and Savonarola, were the only men whose eloquence stirred the people to great political achievements. And of these, three were monks, and one a political enthusiast. The rulers and statesmen of Italy rarely attempted to wield the most effective instrument of popular government; and this shortcoming was one of the causes of failure in the republican institutions of Italy. No people were more gifted with a natural genius for eloquence: but the political and social condition of their country discouraged its exercise. The nobles were ever ready to fly to arms: the people were prompt to repel force with force. If leaders of rival parties could have met in the public place, prepared to persuade their fellow-citizens by appeals to their reason and judgment, peace might have been preserved, and liberty protected. But the lawless habits of feudal society prevailed over the peaceful contentions of free political life; and liberty perished under the perils of anarchy. Feudalism had been the greatest obstacle to the growth of the republics, and was the chief cause of their ultimate ruin.

Venice: its antiquity.

Among the most illustrious of these republics was that of Venice. It was one of the most ancient: it maintained its independence for the longest period;

and it assumed more of the character of an European State, than any of its rivals. It was older, by seven hundred years, than the Lombard republics, and it survived them for three centuries. It witnessed the fall of the Roman empire: it saw Italy occupied by Odoacer, by Charlemagne, and by Napoleon. CHAP. VII.

From very early times, this little maritime State had a municipal constitution. Assemblies of the people in each of the towns and isles of which it was composed, elected their own magistrates, or tribunes, and discussed their local affairs. Sometimes the tribunes of the several isles met to consider matters affecting the interests of the whole republic. Such a constitution was free: but it was wanting in unity and force; and in 697 A.D., a Doge was first elected as chief magistrate, for life, to whom were given most of the attributes of a king.[1] He chose his own councillors: he appointed all the officers of the republic: he treated with foreign States, for peace or war. Ample as were these powers, they failed to satisfy the ambition of many of the doges, who claimed the absolute power of tyrants. The free citizens revolted against their usurpations, and overthrew them. Some of these too ambitious doges forfeited their lives in their struggles for power.[2] When order was restored, the organisation of the government became compact and powerful— approaching more to the aristocratic than to the popular type of republics. The patrician families contended for Its early history. 837–864.

[1] DOGE. 'I cannot call it commonwealth,
Nor kingdom, which hath neither prince nor people,
But all the sins of the old Spartan state,
Without its virtues,—temperance and valour.'
Byron's *Marino Faliero.*

[2] Sismondi, *Hist. des Rép. Ital.* i. 298–313; Sandi, *Storia della Rep. di Venezia*, l. 2.

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power; and their rival pretensions were espoused by the people: but from an early period, the rule of the patricians was practically supreme.

St. Mark. 829 A.D.

St. Mark, whose bones were brought from Alexandria, was adopted as the patron saint of the republic: his effigy, or that of his lion, was stamped upon its coins, and emblazoned on its standards; and the name of the saint became the rallying-cry of the Venetians, in peace and war, and the emblem of their patriotism and ambition.[1]

Its extended relations.

The position of Venice naturally brought her into extended relations with other States. By sea she carried on commerce with the Eastern Empire, and with the coasts of Italy and the Mediterranean. By land, she had an extensive trade with the north of Italy. She was the *entrepôt* of the products, and of the commerce, of the East and of the West. The riches of the world were displayed in her shops and warehouses; and she founded manufactures of her own. But peaceful intercourse was often disturbed by war; and Venice sent forth her armies against rival Italian cities, and her fleets from the Adriatic to Syria and Egypt. She made conquests in Istria and Dalmatia,[2] and on the eastern shores of the Adriatic. She contended with Genoa and Pisa for the empire of the seas. The maritime enterprise of these three republics developed the vigour, wealth, and intelligence of their citizens, and encouraged their love of liberty. But their rivalry, far from conducing to their mutual interests, degenerated into vindictive jealousies and disastrous wars. Early in the twelfth century, however, they united their naval forces,

[1] Sismondi, *Hist. des Rép. Ital.* i. 317; Daru, *Hist. de Venise*, livr. i. ii.

[2] In 997, the Doge assumed the title of 'Duke of Venice and Dalmatia' (Sismondi, *Hist. de la Liberté en Italie*, 43).

and fought together in the crusades.[1] Each of these maritime republics established confederations of free cities, subject to the chief State, like the allies of Athens and Lacedæmon, in ancient Greece. CHAP. VII.

Its aristocracy.

Venice continued to advance, for ages, in prosperity and power; and was ruled, with vigour and singular consistency of purpose, by her aristocracy. While in other States the nobles were setting themselves above the law, and making themselves odious to the citizens, by their arrogance, the nobility of Venice—the most ancient in Europe, inheriting their honours from the Roman Empire—were orderly and loyal subjects of the republic. They had no fortified castles: but dwelt in stately palaces, which, rising from the waters, still adorn this most singular and picturesque of cities. They maintained no bands of turbulent followers: they did not presume to oppose the execution of the law: but took their part, as peaceful citizens, in the public service. So far from being excluded from the magistracy, as in Florence and other cities,[2] they won the popular favour by their modest bearing, and by a temperate exercise of the offices in which they served, until they gradually acquired all the power of the State. By acting as the servants of the republic, they became its masters.

Its government.

At first the Doge's power was only controlled by assemblies of the people. In 1032, he was obliged to consult a council of illustrious citizens, chosen by himself, and called Prégardi. In 1172 a Great Council was established, which for more than a century continued the dominant power in the State. Though

[1] Sismondi, *Hist. des Rép. Ital.* i. 339, 383; *Hist. de la Liberté en Italie*, 43; Daru, *Hist. de Venise*, livr. ii. iv.

[2] See *infra*, pp. 295, 302, 305, 312.

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chosen annually, its members were re-elected from the leading families, and became almost an hereditary body. From the Council, a Committee of Sixty was chosen to advise the Doge, under the title of The Senate, to which other magistrates were added; and this senate now became the deliberative assembly of the State.[1] In 1297 a decree was passed[2] for restricting admission to the ranks of the Great Council, by which the annual election was discontinued and a close hereditary chamber was founded. Henceforth the republic was entirely aristocratic. In 1311, the celebrated Council of Ten was established.[3] This powerful body, which henceforth governed the State with power little less than absolute, was wholly aristocratic; and its administration displayed that ambition, prudence, and statecraft which secured for the Venetian republic a place, among the States of Europe, far above its real importance.

The Council of Ten.

Merits and defects of the aristocracy.

Venice affords the only example of a close aristocracy, controlled neither by king nor people, successfully ruling a State for centuries; and it illustrates, at once, the evils and the merits of such a government. On one hand, it was despotic, suspicious, cunning, treacherous, and cruel: it was tainted by all the vices of absolutism. Every citizen held his life at the mercy of hidden enemies and delators. No scheme more repugnant to liberty and justice was ever devised by despots. On the other hand, it was singularly bold, firm, steadfast, and consistent: it was severe in its patriotism: prompt in

[1] Rawdon Brown's Preface to Calendar of Venetian State Papers, xiii. *et seq.* The Venetian senate, in imitation of the Roman, took the name of Conscript Fathers.

[2] 'La Serrata del Maggior Consiglio.'

[3] It actually consisted of seventeen members—viz., the Doge, ten elected annually by the Great Council, and six by the Signoria.

resolution: vigorous in action: princely in its ambition and pretensions: stately in its civic grandeur.[1] Merciless to rivals and opponents, it was gentle to the people: prudent in the management of the finances: impartial in the administration of justice; and enlightened in its care of the social and material welfare of the community.[2]

Venice and Sparta.

Venice has often been compared with Sparta; and undoubtedly some analogies are to be discovered in the constitutions and destinies of these States. Both were close aristocracies: both were remarkable for their tenacity of purpose, their secresy, and the long duration of their power. Both were less given to culture than their more democratic contemporaries. In Sparta the Ephors gradually encroached upon the powers of the kings and senate: in Venice the Council of Ten usurped the government of the State. But Sparta, as well from its geographical position, as from its narrow policy, discouraged commerce: while Venice, from its maritime situation, and natural instincts, was pre-eminently commercial. Hence arose important differences in the character and policy of the two republics. The one was jealous, and exclusive in its international sympathies: the other was liberal and expansive, holding free converse with all nations, and aiding in the civilisation of the world.

Pisa.

Pisa acquired her liberty in the tenth century, and, after the custom of Italian cities, elected consuls. So active were her citizens in commerce and maritime ad-

[1] Philippe de Commines gives a picturesque account of his embassy to Venice at the end of the fifteenth century, and says: 'C'est la plus triomphante cité, que i'aye iamais veuë, et qui plus fait d'honneurs à Ambassadeurs et estrangers, et qui plus sagement se gouverne' (*Mem.* vii. ch. 15).

[2] Sismondi, *Hist. des Rép. Ital.* iv. 340–360; *Hist. de la Liberté en Italie*, i. 193; Daru, *Hist. de Venise.*

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venture, that, for a long time, she took the lead of Genoa in population, in wealth, in enterprise, and in military prowess.[1]

Genoa. 1122 A.D.

Genoa, on the sea-coast, and with a safe and convenient port, held a position more favourable to maritime enterprise than Pisa, and eventually outstripped her in commerce, and ruined her in war. Like other cities, she was ruled by consuls, elected annually by the people. They were alternately four and six in number: their respective duties were defined; and, on retiring from office, they rendered an account of their services to the people.[2] Other magistrates were also elected annually, as judges, whose functions were purely judicial, and distinct from those of the consuls. There was further a council or senate, to assist the consuls, which, however, rarely met. The people also took their part in the government, by assembling, in parliament, upon the public place, where they heard the reports of their magistrates, and deliberated upon public affairs.[3]

Its legislation.

In this way the laws of Genoa were administered: but her scheme of legislation was singular. In the republics of antiquity, and in the free States of modern Europe, the people have been not less jealous of the making of laws, than of their execution: but in Genoa, a free people took no part in the passing of laws, in which their lives and liberties were concerned, but surrendered themselves blindly to the lawyers. From time to time, the republic appointed ten or fifteen jurists, learned in the codes of Justinian, as 'correctors of the laws.' The principles of imperial jurisprudence were naturally adverse to liberty; and lawgivers of

[1] Sismondi, *Hist. des Rép. Ital.* i. 326–338.
[2] Ibid. i. 341.
[3] Ibid. i. 343.

that school were not inclined to protect the rights of the people. Genoa, and other republics which entrusted legislative powers to their jurists, too often found that the experts of Roman law were the friends of emperors and princes, and not the advocates of freedom. A free people should make its own laws, and jealously watch their administration.

The nobles of Genoa.

Yet was the government of Genoa otherwise purely democratic. Having conquered Pisa, it became the successful rival of Venice, in commerce and in war. A democracy measured its strength against an aristocracy, and was victorious. But these triumphs were not obtained without the aid of nobles. The Genoese were the boldest and most skilful sailors of Italy: but they wanted leaders; and these were found, not among their own industrious citizens, but in the warlike nobles of the Riviera—the Dorias, the Spinolas, the Grimaldis and the Fieschis. The turbulence of these noble families, in time of peace, had led to their exclusion from the magistracy: but when all the energies of the republic were strained by its wars with Pisa and Venice, it entrusted its fleets to the command of noble admirals, who, however dangerous to order and civil liberty, in peace, were ever victorious in war.[1]

1293–1298.

The Doge.

Devoted as they were to liberty, the Genoese were so wearied with the civil wars provoked by the rivalries of noble families, that, in 1339, they followed the example of Venice, and elected a doge. It was their aim to give force to the executive, without impairing liberty; and, at first, the experiment appears to have been successful.[2] But in 1353, in order to retrieve a reverse to their arms, in their long contest with Venice, they sur-

1339.

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 203. [2] Ibid. i. 234, 268.

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rendered their liberties to Archbishop Jean Visconti, Signor of Milan. They made terms with their new ruler: but in the crafty and resolute churchman they found a tyrant.

Milan.

Milan claimed great antiquity among Italian cities. It had been the residence of some of the later Roman emperors, and was the see of an ancient archbishopric. In population and wealth it was the first city in the plains of Lombardy; and in the eleventh century, under the inspiration of its warlike archbishop, it became foremost in military prowess. Its forces, preceded in the field by a triumphal car—known as the *carroccio*—bearing the standard of the republic, and a figure of Christ upon the cross, and drawn by four pairs of oxen, were renowned for their stedfast valour. They consisted chiefly of infantry—as best suited to the slow movements of the *carroccio*; and this force, being recruited from the whole body of the citizens, gave an advantage to the commonalty over the nobles, whose strength lay in cavalry. This superiority, however, was not long maintained: for when the cavalry were afterwards clad in impregnable armour, and charged their enemies in serried ranks, the infantry of the burghers was no longer a match for the more costly forces of the nobles.[1] But the citizens fought many hard battles with their own nobles; and maintained their popular constitution at home: while taking the lead of their rivals of Pavia, they established their supremacy in Lombardy,[2] and were destined to take a distinguished part in the struggles of the Italians for liberty.

Florence. Its favourable position.

But above all these cities was the incomparable

[1] Sismondi, *Hist. des Rép. Ital.* iii. 253-258.

[2] Ibid. ch. vi. xii.

Florence.[1] Founded, according to its traditions, as a Roman colony, by the Dictator Sulla, it had been destroyed by the Goths, and rebuilt by Charlemagne.[2] It grew, by successive additions, until the circuit of its walls, crowned by seventy towers, extended over nearly six miles. It stood in one of the fairest spots of the fair land of Italy. In the sunny valley of the Arno, on the south of the Apennines, the soil and climate were luxuriant. The vine, the olive, and the fig-tree flourished; and the fertile plains yielded rich harvests to the easy labours of the husbandman. The Florentines gazed upon a scene of exhilarating beauty. The purple slopes of the Apennines, clothed with the chestnut, the cork-tree, the mulberry, and the cypress; the heights of Fiesole, the winding Arno, the rich vegetation of its flowery vale, the hill of San Miniato, and the sharp ridges of Carrara, formed a picture which could not fail to inspire them with a love of nature, and a creative sense of the beautiful. It was the natural destiny of Florence to be the birthplace of poetry and art, and the home of the Italian revival. Its situation was no less propitious to the material prosperity of its citizens. Enriched by the generous bounties of the soil, the Arno opened to them the commerce of Pisa, and the sea; while their central position facilitated an active intercourse with all parts of Italy. And so this favoured city flourished in commerce and manufactures, in riches, and in culture. Its streets were adorned with churches, palaces, and towers: its flood-swollen river was embanked with

[1] 'Of all the fairest cities of the earth
None is so fair as Florence.'—Rogers, *Italy*.

[2] Machiavelli, *Istoria Fiorentine*, b. ii. ch. i.; Sismondi, *Hist. des Rép. Ital.* ii. 324.

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quays, and spanned with picturesque bridges. Its spirited and enlightened citizens aspired to raise their fair city to the honours of an Italian Athens.

Florence compared with Athens.

And truly, if Venice may be compared with Sparta, Florence may fitly bear comparison with the most eminent of the Greek republics. While Venice was ruled by a close oligarchy, Florence displayed, throughout every change in her constitution and fortunes, a passionate love of liberty. The government was popular, and its principles were democratic. In character, the Florentines bore a singular resemblance to the Athenians. They excelled all the people of Italy in intellectual gifts. They were quick, lively, and impressionable, keen in wit and raillery, imaginative, subtle—with a rare aptitude for culture, and a natural taste for the arts. Their creative genius revealed itself in poetry, letters, philosophy, painting, and architecture. Their temperament disposed them to gaiety and pleasure. If somewhat volatile in private life, yet, in public affairs, they displayed a wise foresight, and carried out their designs with vigour and constancy.[1] Florence, like Athens, united the highest culture with the strongest political instincts. She was at once foremost in intellectual resources, and in freedom. Her city was adorned with the noblest monuments of Italian art: her society was the resort of the most distinguished scholars and artists. In her policy and alliances, she struggled for the maintenance of Italian liberties: but she acted the part of tyrant over subject cities like Pisa, Arezzo, Volterra, Lucca and Sienna. To compare Florence with Athens is no historic fancy: but, allowing for differences of time and country, these memorable cities may justly be regarded

[1] Sismondi, *Hist. des Rép. Ital.* v. 166–168.

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as conspicuous parallels, in culture, in freedom, and in policy.

Its constitution.

Florence, like other Italian cities, was governed in early times by consuls, chosen from the principal citizens, and by a Senate, of a hundred members. But the neighbouring nobles and landowners being enrolled as citizens, acquired entire control over the government.[1] In 1215, a Guelph and Ghibeline feud divided the nobles into two hostile factions; and after thirty-three years of civil war, the Guelphs were driven out of the city. The nobles were thus weakened, while the citizens, familiarised with war, and accustomed to assert their authority over disturbers of the public peace, now gained the ascendant. Meanwhile, they had increased in wealth and enlightenment, but still retained the simple and frugal habits of their forefathers.[2] Such men as these, goaded by further troubles and oppression, were soon to found an advanced democracy.[3]

After this brief sketch of the chief Italian cities, we must now revert to their general history.

Chief cities and their allies.

Early in the twelfth century, the most powerful of the cities, not contented with the limited field of their own rule, were ambitious, like the Greek republics, of reducing their neighbours to an alliance. Without depriving their allies of their liberties, they forced upon them a perpetual league, offensive and defensive, by which they were bound to follow the standards of the dominant city, in all its wars. The cities of the plains of Lombardy were ranged under the rival cities of

[1] In 1207 a foreign *podestà* was chosen to carry out the orders of the city, and for the administration of justice.

[2] Sismondi, *Hist. des Rép. Ital.* iii. 169; citing Villani, *Storie Fior.* lib. vi. ch. lxx.

[3] See *infra*, p. 304.

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Milan and Pavia: the cities of Piedmont under Turin: the cities of Tuscany under Florence: the cities south of the Po under Bologna.[1] They needed all the strength that union could give to their divided forces: for their liberties were threatened by foreign enemies and domestic foes.

Frederick Barbarossa. 1154–1185.

The first great blow to the liberties of the Italian cities was dealt by the emperor, Frederick Barbarossa. Milan, and many of the fairest cities of Lombardy and the north of Italy, were besieged and pillaged, and often burned by his savage soldiery. Not content with plunder and subsidies, he also abridged their most cherished liberties. At the diet of Roncaglia, he deprived their popular consuls of their judicature, which

1158.

he entrusted to a single *podestà*, chosen by himself; and he forbade them to make separate peace or war. The brave Milanese drove out their new magistrate with insults, and flew to arms; and, aided by the heroic citizens of Crema, resisted, for three years, the superior forces of the emperor. He banished all the inhabitants of Milan, rich and poor, destroyed their houses, and rased the walls of their city. Even in the cities which had been friendly or neutral, his *podestàs* were mere instruments of misrule and extortion. Fortunately for the people, there was rivalry between the emperor and the Pope; and the latter, to strengthen himself, brought the influence of the Church to support the liberties of Italy. And such was the spirit of freedom among the Italians, that the cities of the Imperial or Ghibeline connection, as well as those of the Guelphic or Papal party, united to repel the oppressive policy of the emperor. A noble federation of cities,

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 51–55.

The Lombard League.

called 'the Lombard League'—Brescia, Mantua, Verona, Ferrara, Cremona, Parma, Modena, Bologna, and others—united for their mutual defence, and lent their aid in rebuilding the ruined city of Milan. They had advanced too far in civilisation and freedom to submit themselves to the iron rule of the emperor. They could not forget two centuries of social progress, and agree to return to the barbarous condition of their ancestors. Having met with formidable resistance, the emperor entered into negotiations with them for a treaty —perhaps the first example in Europe of a treaty between a monarch and his subjects—which led to a truce for six years.

Treaty of Constance, June 25, 1183.

This lengthened truce was followed by the treaty of Constance, by which the rights of the confederate cities were secured. Their popular magistrates were restored: the privilege of being governed by their own laws was conceded: the tribute to the emperor was defined; and henceforth they were freely allowed to maintain their walls, to train themselves in arms, to associate for their mutual protection, to make war or peace, and to contract treaties. It was a great victory of these free republics over the military despotism of a powerful German monarch.[1]

Election of podestàs.

But, however indignant these republics had been at the intrusion of *podestàs* by the emperor, most of them henceforth elected chief magistrates under that title, who, in some cities, appear to have superseded the consuls, while in others their powers were simply judicial. In order to ensure impartiality, and freedom from local factions, they were generally chosen from noble families of other States, and not from citizens of the republic itself.

[1] Sismondi, *Hist. des Rép. Ital.* ch. viii. ix. x. xi.

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Ascendency of nobles.

Meanwhile, during these protracted struggles, a considerable social change was being developed, which, while it added to the strength of the republics, endangered their future liberties. The neighbouring nobles, who had been their rivals, and often their foes, gradually left their fortified castles and enrolled themselves as citizens of the republics. Here their rank and wealth naturally ensured them influence in the government, while their warlike training made them welcome to the more peaceful citizens, as captains of the trained bands.

Their factious violence.

In military power and social splendour, these nobles raised the Italian republics: but they introduced lawlessness, faction, and bloodshed among their peaceful citizens. They fortified and entrenched their castles within the walled cities, as if they had been on the hill-side, surrounded themselves with armed retainers, and made raids upon the streets, as they had formerly descended upon the lands of neighbouring barons. Constantly chosen as *podestàs*, they abused the powers confided to them, with monstrous injustice and violence. At the same time, the feuds of the Guelph and Ghibeline factions, espoused by them, were fiercely fought out in the courts of justice, the streets, and the market-place. No wonder that the citizens grew weary of their noble patrons! At the end of the twelfth century most of the Lombard cities—and, foremost among them, Brescia, Padua, and Modena—had disqualified the nobles for public employments, and banished them, for a time, from their city strongholds. In 1221, Milan drove out all her turbulent nobles from her gates.[1]

[1] Sismondi, *Hist. des Rép. Ital.* ch. xii.; *Hist. de la Liberté en Italie*, i. 94–96.

The liberties of the people were favoured by Pope Innocent III., who even permitted a republic to be established in Rome itself. And in most of the cities of Italy the Guelph, or Papal, party were the most democratic. Padua, a Guelphic city, had, at this time, perhaps, the most democratic constitution in Italy. In Florence, the people inclined to the Guelphs, but the Ghibelines drove their rulers out of the city. Further south, Bologna, a rich and populous city, with a learned university, and a cultivated society, had a democratic constitution, and was staunch to the Guelphic party. The Italian nobles generally belonged to the Imperial or Ghibeline faction: the people to the Guelphic or Church party.

Guelph and Ghibeline parties. 1177–1216.

1249.

The distinctive principles of the two parties became more apparent as the strife continued; and in the fourteenth century the Ghibelines represented the principle of absolute rule, by a foreign or domestic sovereign, and the Guelphs continued to maintain the rights of the people, and were true to republican institutions. The former party was distinguished by the daring ambition of its chiefs, and their genius for war and statecraft: the latter for the patriotism and devotion of its leaders.

For seventy years after the peace of Constance, the Italian cities preserved the liberties for which they had then contended: but the fatal factions of Guelph and Ghibeline involved them in constant wars and tumults: while the chiefs of these factions, who led the citizens to battle, easily overcame their liberties. The republics, however, did not submit to the domination of their leaders without many noble struggles.

Period after the peace of Constance.

Florence was inspired with a passion for freedom, worthy of the best models of antiquity: but she fell

Democracy in Florence.

CHAP. VII.

1250 A.D.

under the dominion of the Ghibeline nobles, aided by the emperor. The citizens could not long endure the yoke; and, assembling in the Place of Santa Croce, they elected twelve popular magistrates, whom they called the Signoria, and whose tenure of office was limited to two months.[1]

Its vigorous policy.

1250 A.D.

This democratic movement was followed by the most energetic policy. All the citizens were immediately enrolled in the militia. The fortresses of the nobles within the city were destroyed. The Guelphic nobles were recalled, and the two factions were forced to enter into a treaty of peace. A war was then undertaken against the Ghibeline cities and provincial nobles, in which the Florentines achieved brilliant successes. Civilians, merchants, and men of letters, fought bravely, like the Athenians, as citizen-soldiers, and carried with pride the victorious standards of the

1260 A.D.

republic. But a few years later their arms suffered a grievous reverse. A Ghibeline army took possession of Florence, repealed the democratic constitution, and threatened the city itself with destruction.[2]

New constitution.

1282 A.D.

The democracy, however, soon recovered itself; and, some years later, a new constitution was established, which marked the increased power of the trading classes. A new magistracy was constituted, consisting first of six, and afterwards of twelve priors of arts, elected by the greater trade-guilds,[3] the lesser guilds having no voice in the election. These priors of

[1] Machiavelli, *Ist. Fior.* b. ii. ch. ii.; Sismondi, *Hist. des Rép. Ital.* iii. 171, 172.

[2] Sismondi, *Hist. des. Rép. Ital.* iii. 172 *et seq.* 233–240.

[3] These were the lawyers, merchants, money-changers, weavers, silk-workers, doctors, and furriers.—Von Reumont, *Lorenzo de' Medici* (Harrison's translation), i. 15.

arts now became the signoria; and if their powers were great, they were guarded with the utmost jealousy. They were elected for two months: they all slept within the palace of the signoria: they dined together; and never left the palace but in a body. The fortress of the State became the prison of its magistrates.[1]

Ascendency of the mercantile class.

The mercantile class had now assumed the government of the State. The nobles, if united, might still have retained much of their former influence: but rival factions and families continued in perpetual warfare: they brought disorders into the State: they defied the law; and refused to submit themselves to the jurisdiction of the magistrates. The alienation of the nobles and the citizens was daily increasing; and, at length, the nobles had become so turbulent and lawless, that an 'ordinance of justice' was passed, by which twenty-seven Guelphic families were declared 'noble and grand,'[2] and by that title were disqualified for ever from serving in the signoria: nor were they allowed to renounce their titles, in order to qualify themselves for office. If they again troubled the public peace, the *gonfalonier* of justice, now first appointed, was empowered to attack them, at the head of the militia, to pull down their houses, and deliver them up to the *podestà* for punishment. If other families were guilty of the like disorders, the signoria was authorised to ennoble them, and so subject them to the same repressive jurisdiction.[3] There was humour

Exclusion of nobles. 1292 A.D.

[1] Sismondi, *Hist. des Rép. Ital.* iv. 51–53.

[2] 'De grands et de magnats.'—Sismondi, *Hist. des Rép. Ital.* iv. 63.

[3] Machiavelli, *Istoria Fior.* b. ii. ch. 3; Sismondi, *Hist. des Rép. Ital.* iv. 59–67; *Hist. de la Liberté en Italie*, i. 181–183.

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in thus making titles of honour a reproach and a punishment. The nobles had unquestionably provoked this ostracism. They had become a chronic danger to the State; and it was necessary to subdue them. For the maintenance of the public peace the citizens were divided into twenty armed companies, of two hundred; and were placed under the orders of the gonfalonier, who, like the priors, was elected for two months, and became the chief of the signoria.

An oligarchy established.

These measures displayed the resolution of the republic to maintain its liberties and the public peace. But they also betrayed the ambition and jealousies of the commercial aristocracy. To repress the disorders of the nobles was necessary, for the security of the State: but permanently to disqualify them for the public service, whatever their individual merits and popularity, was arbitrary and unjust. Their exclusion, however, secured to their rivals undisputed domination. The commercial classes had overcome the nobles, and they refused to share their power with the lesser guilds. Their love of power was further gratified by short terms of office, which secured a share in the government to a considerable number of citizens. Further, disqualifications were created by civil and political offences,[1] and the non-payment of taxes, which again narrowed the privileged class. Thus an oligarchy was formed, which contrived to secure its power by appeals to the people. When opposition was threatened, the *Balia* was resorted to. The great city bell was rung; and, at its sound, the people assembled in the square, before the palace of the signoria; the priors came forth on to the tribune, and demanded extraordi-

[1] Ammoniti.

nary powers for certain citizens, to change the laws; and the square being surrounded by armed men, the popular vote was ensured.[1] In this way a dictatorship was often established, and the constitution suspended.

Frequency and factions.

It were vain to follow the history of the feuds and factions by which Florence was distracted: the frequent changes of its constitution, or the varying fortunes of Guelphs and Ghibelines, Cherchi and Donati, Bianchi and Neri. The feuds of the latter, however, were rendered memorable by the banishment of Dante, and the proclamation of the poet's wrongs in his immortal verse.[2]

1297 A.D.

Democracy in Florence.

The ruling class of Florence was limited, but it was possessed by a spirit of democracy so jealous as to impair the vigour of the government. Not satisfied with electing the signoria every two months, the Florentines afterwards carried their distrust of their rulers so far as, in imitation of the Athenians, to determine the choice of their magistrates by lot. How great must have been their wealth of able citizens, when the councils of the State were skilfully directed by men so chosen! But rulers with so brief an authority, and so elected, were often at a disadvantage in contending with rival States, governed by ambitious and powerful chieftains.[3]

1323–1328 A.D.

Constitution of 1328.

In 1328, the Florentine constitution was reformed, so as to introduce a larger representation of the different classes of citizens. Electoral lists were prepared, of all the citizens eligible to the magistracy: the mode of election was carefully revised; and two councils were formed, one of the people, consisting of 300

[1] Von Reumont, *Lorenzo de' Medici*, i. 18.

[2] Machiavelli, *Ist. Fior.* b. ii. ch. 4.

[3] Sismondi, *Hist. de la Liberté en Italie*, i. 215–217.

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members, and one of the commune, composed of 125 nobles and the same number of citizens. Both these councils were renewed every four months.[1]

Florence the leader of free republics.

Meanwhile, the love of liberty ,and the lofty spirit of independence by which all her citizens were animated, placed Florence at the head of the free republics, and directed the foreign policy of her government. She encouraged freedom in other States, and leagued herself with them against the aggression of foreign princes.[2] Attributing their prosperity and civilisation to their freedom, the Florentines dreaded tyranny as at once their political and their material ruin. Hence, during the fourteenth and the greater part of the fifteenth century, it was their settled policy to obtain a balance of power in Italy, by leaguing the free States against those which had submitted to foreign rulers. In this way they resisted John of Bohemia, who had acquired a formidable ascendency in Milan, Parma, and many other cities.[3]

1330–1338 A.D.

Rule of the Duke of Athens.

Yet it was impossible not to feel the weakness and inefficiency of such a government as that of Florence. Magistrates ever changing, and chosen by lot: great councils renewed thrice a year; and irregular appeals to the populace, naturally led to confusion. Accordingly, in 1342, after a series of reverses, which they attributed to divided counsels, the Florentines invited the Duke of Athens to assume the command of their forces, with the title of Captain of Justice. Their new leader immediately plotted against the liberties of the people. Inciting the populace against the higher citizens, he overthrew the signoria, and installed himself, in the

[1] Sismondi, *Hist. des. Rép. Ital.* v. 170–172.
[2] Ibid. iv. 324. [3] Ibid. v. 66 *et seq.*

Palazzo Vecchio, as sovereign lord of Florence for life. If this crafty and cruel tyrant had maintained his power, there would soon have been an end of the fruitful civilisation of Florence, which was a light to Italy and to Europe. But the Florentines were not yet ripe for slavery; and after a few months of sullen submission, they besieged the tyrant in his castle, and drove him and his armed myrmidons out of Florence.[1]

Growth of a new aristocracy.

With frequent changes in the constitution, and varying influences, republican forms and sentiments continued to prevail among the Florentines: but changes were silently going on, opposed to democracy. The nobles and the Ghibelines had been excluded from the government by the jealousy of the people: but these only made way for a new aristocracy, enriched by commerce, who rigorously enforced the laws which excluded their rivals, while their own power was secured by limiting the choice of magistrates to seven out of the twenty-one trade guilds, or corporations, into which Florence was divided. These seven privileged guilds comprised all the families enriched by trade: they were known as *nobili popolani*; and in wealth and magnificence they were the rivals of princes and ancient nobles. The unenfranchised guilds consisted of the smaller tradesmen, artificers, and poorer citizens.

Rivalry of old and new families. (Fourteenth century.)

By means of this limited franchise, and of party combinations, a close oligarchy had been established. The Ghibeline faction had been excluded from the magistracy, and their Guelphic rivals had long been masters of the State. Meanwhile new families were rising to eminence—the Ricci, the Scali, the Strozzi,

[1] Machiavelli, *Ist. Fior.* b. ii. ch. 8, 9; Sismondi, *Hist. des Rép. Ital.* v. 326–351.

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and the Medici; and, according to the natural law of all societies, they were regarded with jealousy and repugnance by the older houses. Attempts were even made to exclude them from the magistracy, under the pretext that they were descended from Ghibelines. Repelled by the dominant oligarchy, they espoused the cause of Florentine democracy. In 1378, Salvestro de' Medici being chosen gonfalonier, by lot, appealed to the people for protection against the designs of the oligarchy. The people denounced the proposed exclusion of the new families.

Revolt of the Ciompi. 1379 A.D.

De' Medici and his party were contented with this victory over their rivals; and would gladly have continued the rule of an oligarchy, in which they were themselves comprised. But the triumph of a few rich men by no means satisfied the people. They insisted that all the Ghibeline families should be restored to their rights: that the lesser guilds should have the same privileges as the greater, in sending members to the magistracy; and, lastly, that three new guilds should be formed, to include the various artificers in the woollen manufacture. These latter were a considerable class, and were known as Ciompi. Such demands far exceeded the designs of the party who had sought the aid of the people, for their own ends; and they determined to repress the popular move-

July 20.

ment. The chiefs of the Ciompi were put to the torture: but this monstrous rigour, so far from intimidating their partisans, provoked a revolution. The Ciompi and the populace flew to arms, and carried the palaces of the podestà and of the signoria, by assault. For three days, Florence was in the hands of the mob. Michael de Lando, a woolcarder, placed himself at

the head of the insurgents, bearing aloft the State gonfalon, and was proclaimed gonfalonier. He proved himself worthy of the popular choice. He at once quelled every disorder in the city; and decreed a new constitution. Henceforth, the signoria was to consist of three members of the greater arts, three of the lesser, and three of the Ciompi.

Overthrow of the Ciompi.

This democratic constitution was short-lived. When three Ciompi were next chosen as priors, the signoria refused to admit them; and, soon afterwards, all the laws of the recent revolution were repealed: Michael de Lando and his chief confederates were exiled; and the *nobili popolani* were re-established in power more firmly than ever.[1]

Subjection of the democracy.

The democracy, defeated and repressed, no longer asserted its claims to power. The Ciompi recognised the rule of their masters, and ceased to struggle against those who were at once the leaders of society, and of the State. It was vain to contend against men who gave employment to the people, who enriched the city with commerce, who maintained the credit of the state by their wealth, and who won over society by their munificence.

Democratic spirit of the republic.

Yet was Florence throughout the fourteenth century a democratic republic. The upper classes maintained their ascendency: but citizens of different ranks were chosen to the magistracy: popular assemblies represented the people; and the sentiments of the commonalty were promptly responded to by the rulers

[1] Sismondi, *Hist. des Rép. Ital.* vii. 130–152; *Hist. de la Liberté en Italie*, i. 290–298. See also Guicciardini, *Istoria Fiorent.*; *Istoria d Italia*; Machiavelli, *Ist. Fiorent.* b. iii. ch. 4, 5; Capponi, *Storia della Rep. di Firenze*, 1875; Napier, *Hist. of Florence*; De Reumont, *Life of Lorenzo de' Medici*; Madame Hortense Albert, *Essay on Florentine History.*

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of the State. However faulty its constitution, the government was generally administered with rare spirit and energy; and the force of a free people strengthened the councils of the republic.[1]

Strife of classes in other cities. (Fourteenth century.)

The strife of classes which disturbed the peace of Florence, raged, about the same period, in other republics. In Pisa, Pistoia, Genoa, Sienna, Lucca, Bologna, Padua, Brescia, and many other cities, the nobles had been excluded from the magistracy; and a new nobility sprang up from the commercial classes, and gradually acquired the power and privileges from which the old nobles had been deposed. This conflict between the nobles and the wealthy citizens was mainly due to the insolence and lawlessness of the nobles themselves: but the prosperity of cities was naturally antagonistic to the continued influence of the territorial class. The new society was overcoming feudalism. Citizens, enriched by commerce, and enlightened by the reviving culture of the times, asserted their claims to power. Their wealth exceeded that of the nobles: they had greater numbers of persons in their employment: their commercial relations gave them more extended influence over their fellow-citizens; and their interests were more closely associated with the general welfare of the community. Such men rapidly encroached upon their haughty rivals, and supplanted them in the government of the State. They generally sought to govern by popular arts and public spirit, rather than by force; and their influence was more consistent with the spirit of a republic. The old nobles asserted

[1] 'Nous conviendrons que le peuple le plus libre de l'Italie étoit, à tout prendre, le peuple le plus sagement gouverné.'—Sismondi, *Hist. des Rép. Ital.* viii. 36.

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their power haughtily, and in deeds of lawless violence: the new aristocracy gained and held it, by acts of munificence and devotion to the State. The commercial aristocracy were the natural rivals of the older nobility; and in the progress of Society, ought to have been admitted to share their power. But their jealousy was too bitter to admit of concessions; and the new men strove, with the aid of the people, to overcome their rivals, and assume their places. In their turn, the rich burghers were encroached upon by other classes, who contended for a share in the government. Continual contests arose, in which, sometimes the rich oligarchy, and sometimes the democracy, were in the ascendant. This strife of parties and classes was irreconcileable, and, instead of extending the liberties of the people, agitated these little States with chronic civil war.[1]

Novi homines in Rome and Italy.

In Rome, the new aristocracy had encroached upon the patricians, without overthrowing their power. They had been reluctantly admitted to their privileges: but they acquired them without violence or injustice. Nobles and *novi homines*, whatever their jealousies, divided between them the government of the State.[2] Their union recruited and strengthened the political forces of the republic. But in the Italian cities, there was no moderation or compromise. On one side, the pretensions of the nobles were intolerable: on the other, the new aristocracy would make no terms with their rivals, but drove them out of their cities, and disqualified them for the legitimate exercise of power. Incessant warfare was the natural consequence of such

[1] Sismondi, *Hist. des Rép. Ital.* iv. 149 *et seq.*; *Hist. de la Liberté en Italie*, i. 298, 302.

[2] See *supra*, p. 191.

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relations between the two classes. The nobles, overpowered within the walls of a city, retired to their domains, whence they were prepared to descend upon their rivals, and recover their power. The citizens were not strong enough to defy feudalism—sustained by popes and emperors—and ultimately they were forced to bend their necks to the yoke of nobles and despots.[1]

Cities of Lombardy.

In the cities of Lombardy, the citizens contended against their rapacious and turbulent nobles, with less good fortune than some of their neighbours. Finding themselves unequal to the constant strife by which they were exhausted, they engaged the services of other nobles and adventurers, with mercenary forces of foot and horse, for their protection. But here, again, they found masters: for the captains of these troops contrived to add to their military authority the civil power of the podestà, and soon became supreme rulers.

Condottieri. (Fourteenth century.)

This dangerous practice was adopted by other cities; and the ruin of the liberties of Italy was precipitated by trained bands of professional soldiers, known as companies of adventure, and led by stipendiary chiefs called *condottieri*. They were generally Italians who had studied war in France or Germany, and had improved upon the tactics they had learned, by the genius and higher cultivation of their own race. The arming of citizens was gradually discouraged as dangerous to their rulers; and their civic militia could ill contend against troops of heavy cavalry armed to the teeth, and trained in all the arts of war.[2]

Milan fell entirely under the dominion of the

[1] Machiavelli appears unduly to spare the nobles, and to lay the blame of these feuds upon the citizens: but assuredly the former must be regarded as the chief offenders.—*Istorie Fiorentine*, book iii. ch. 1.

[2] Sismondi, *Hist. de la Liberté en Italie*, i. 258.

Usurpers. 1309–1313.

Visconti, disturbed sometimes by their Guelphic rivals, the Della Torre. And early in the fourteenth century, most of the Lombard cities had fallen under the rule of a single master; here the leader of a civic faction, or one of the warlike *condottieri*—there a neighbouring noble who had been invited to protect the citizens against their own lawless aristocracy. Every State was perpetually agitated by its little revolutions: but when one master was overthrown, another mounted into his place. In many cities, thus ruled by usurpers, the nominal sovereignty of the people was still acknowledged, but their share in the government of the State was but a shadow. Genoa, Pisa, Sienna, Lucca, and Bologna, also fell somewhat later, under the dominion of ambitious nobles or citizens, and were shorn of their liberties.

1385–1402.

Turbulence and ambition of nobles.

Everywhere the turbulence of the nobles was the chief cause of the fall of the Italian republics. If they had loyally associated themselves with their fellow-citizens, and acknowledged the peaceful restraints of city life, they would have added strength and stability to the State. Doubtless, they would have acquired the chief influence in the government: but they could have wielded the force of a free people, instead of being driven forth in disgrace, or usurping absolute power.

Increased power of the signors.

In several cities, another cause contributed to the overthrow of their free institutions. Wearied by turbulence, faction, and disorders, the citizens were ready to strengthen the hands of their *signors*, or magistrates. They preferred prompt justice to anarchy: but their confidence was generally abused; and the men whom they trusted, if they repressed tumults, were, too often, brutal, dissolute, and rapacious.

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Guelph and Ghibeline feuds.

All the circumstances of the times conspired against Italian liberty. The fearful contests between the Guelph and Ghibeline factions completed its ruin. This insane feud raged not only between rival cities, whom it plunged into incessant wars, but between citizens of all classes, in every city. Whenever one faction was overcome, it was crushed by confiscations and exile; and the dominant party, in pursuit of vengeance, learned to trample upon liberty. At the same time, their victorious leaders, commanding at once an army and a political faction, naturally exercised a sway, incompatible with popular freedom. Emperors, popes, and nobles, alike conspired against Italian freedom.

To these strifes and factions must be added the never-ending feuds between rival families, in which the hapless citizens became embroiled. These family feuds were disgraced by pride, cruelty, craft, treachery, and unrelenting vengeance, and were rarely redeemed by any act of chivalry or nobleness. From all their annals, a few tales may be collected of the romantic devotion of lovers, not unworthy of illustration by the genius of Boccaccio and Shakespeare.[1] But cold-blooded murders were the chief incidents of these hateful feuds. Murder was practised as an ingenious art, and assumed every form of violence and fraud. Bands of armed retainers assailed their enemies in the streets: the stealthy bravo pursued his unsuspecting

[1] The touching tale of Imilda de Lambertazzi, of Bologna, pictures the heroic devotion of a woman: but paints in the blackest colours the barbarous cruelty of the times. Her lover, allied to a hostile faction, was slain, almost in her arms, by her infuriated brothers, who rushed upon him with poisoned daggers. She threw herself upon him, to suck the poison from his wounds, and sank lifeless by his side.

victim in the dark, and slew him with the hidden stiletto: the poisoned cup betrayed the trusting guest; and the deadly ring wasted away the life of the confiding friend.

Family feuds.

In the midst of so many influences hostile to liberty, the revival of classical learning, in the fourteenth century, aroused a passionate republican sentiment. The literature and the politics of antiquity were worshipped with equal ardour. It was this sentiment that impelled Rienzi to the brilliant but hopeless enterprise of reviving a republic in papal Rome. The same sentiment inspired the Augustine monk, Jacob dei Bussolari, in his heroic efforts to restore freedom to Pavia.

Influence of classical learning.

1347 A.D.

1376 A.D.

Rome.

The political condition of Rome was widely different from that of other Italian cities. Under the sovereignty of the Emperor of Germany, and the ecclesiastical rule of the Roman pontiff, the people asserted a certain degree of independence. The ruins of the republic were round about them: they gazed daily upon the Forum, the Capitol, and the *Mons Sacer*: they were inspired by the traditions of ancient liberty. Their form of government was still popular. In the twelfth century, a senate of fifty-six members was annually elected by the people. The senate was afterwards superseded by a single senator, annually chosen, and, like the podestà of other Italian cities, a foreigner. This popular magistrate continued, for centuries, to administer justice, and maintain order, in the name of the people. No magistrate ever had a more difficult task. In 1143, the eloquent and enthusiastic monk, Arnold of Brescia, revived, for a time, the traditions of the Roman republic, the senate, and the comitia: but the ancient glories of Rome were not to be resuscitated; and the bold enthusiast was

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burned alive in front of the Castle of St. Angelo.[1] Under the republic and the emperors, the populace of Rome had been turbulent and unruly, and the demoralisation caused by the overthrow of the empire had left them even more disorderly, under a weaker government. The popes were continually suffering from seditions and riots; and when they retired to Avignon in 1305, Rome was left almost in a state of anarchy. The riotous and debased populace were not the greatest of Rome's social evils. Her violent and factious nobles desolated the city with their bloody feuds. The Colonna and Orsini, with armed retainers and mobs of partisans, fought in the streets, entrenched themselves in the noble ruins of ancient Rome, and made the city the battle-field of endless civil wars.

Revolution of Rienzi. 1347 A.D.

It was while Rome was afflicted with these disorders that Rienzi, by his eloquence and enthusiasm, revived, for a brief period, the Roman republic, and, as 'Tribune of the People,' restored peace and order to the troubled State. But his power soon passed away, and anarchy resumed its revels.[2] After his death, in order to protect themselves from the violence of their nobles, and the lawlessness of the mob, the Romans elected thirteen magistrates, called 'bannerets,' one being chosen by each of the districts into which the city was divided. These magistrates, with a large armed force of citizens, coerced the factious nobles, and quelled the rapine and violence of the populace. A government, so constituted, was republican in form: but the Romans had never renounced the authority of the Pope; and after a few years his government was formally

The bannerets.

1155 A.D.

[1] Sismondi, *Hist. de la Liberté en Italie*, i. 54.

[2] Ibid., *Hist. des Rép. Ital.* v. 395, vi. 191.

resumed, first by his legate, and, on the return of the Pope from Avignon, by his Holiness in person. With much of freedom, and more of license, Rome cannot be classed with the republics, or free States of Italy. It was ruled by the sovereign pontiff—at once prince and bishop—and, in the days of his supremacy, the union of ecclesiastical and temporal power ensured the subjection of a turbulent people to his dominion.

1362 A.D.
1376 A.D.

The popes revelled in their power like the tyrants of ancient Greece, and the contemporary despots of Italy. They were ambitious, cruel, dissolute: but they were patrons of literature and art. They were surrounded by a gay court of churchmen and nobles, more given to cynical unbelief than to priestly devotion.

The Popes.

The decay of Italian liberty was marked by deplorable social changes. In the free republics, the manly virtues, no less than the intelligence, of the citizens had been encouraged. Acting together for the common good, their patriotism and public spirit had been conspicuous. Anxious to secure the goodwill of their compatriots, they had striven to win it by such talents and virtues as appeal to the sympathies of a free people—wisdom in council, readiness in debate, courage in war or tumult, frankness in society, generosity in times of national trouble. But all was changed when tyrants ruled. Such merits, in a citizen, were crimes in the jealous eyes of his rulers. His steps were tracked by spies, and his life was threatened by perjury in the tribunals, or by the bowl or dagger of the hired assassin. Openness and sincerity gave place to craft and perfidy. To be generous, was to attract the cupidity of the prince, and invite confiscation. And how could any virtue flourish under princes who presented examples of every vice, who

Social degeneracy.

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attained power by treachery, violence and murder, and held it by cruelty and terror? Ambition now sought its ends by crimes and not by virtues. On their side, the people were driven to protect themselves, not by open insurrection, but by secret conspiracies.

The tyrants.

It were vain to pursue the fortunes of the Italian cities, after the loss of their liberties. Yet the character of the tyrants, by whom they were now ruled, cannot be passed over without notice. Those who dwell with most severity on the shortcomings of the republics, must admit the contrast which their history presents to the monstrous annals of the tyrants. They were nearly all usurpers. Whatever their original title, whether they claimed to rule by hereditary right, by civil or military office, by grant from the pope or emperor, by popular favour, or by usurpation, they assumed despotic powers, and governed wholly for themselves. They resembled the tyrants of ancient Greece, but surpassed them in cruelty, in treachery and wickedness. Their vices were gilded by a love of art and letters, which gave encouragement to the genius of the Renaissance: by magnificent tastes, and many graces and accomplishments. But the infamies of such men as Eccelino, Gian Maria Visconti, Galeazzo Maria Sforza, Duke of Milan, Sigismondo Malatesta, and Cesare Borgia eclipse the brighter memories of Italian despotism. Society continued to advance under the rule of tyrants: but it was tainted by crimes and vices, for which no parallel can be found except in the worst periods of the Roman empire.[1]

[1] For accounts of the tyrants, or despots, see Guicciardini, *Istoria d'Italia*; Machiavelli, *Hist. Fiorent.*; Sismondi, *Hist. des Rép. Ital.* ix.-xvi.; Villari, *Life and Times of Savonarola*, ii. 62; Symonds, *Renaissance* (*Age of the Despots*).

Tyranny, everywhere hateful and pernicious, was especially baneful in these small States. Its noxious influence weighed upon society: corrupting its morals, destroying its public spirit, and scathing its manliness.

Tyrannicide.

The tyrants were powerful and cruel: their subjects were oppressed and incapable of resistance. They were stained by every crime; and assassination was the ready instrument of their ambition and their vengeance. Can we wonder that men, corrupted by such examples, smarting under a sense of oppression and weakness, and inspired by traditions of tyrannicide, should have been tempted to slay tyrants, whom they were too feeble to resist? There was no hope of popular insurrections: the populace were pampered by public entertainments, by charities, and by indulgence to criminals. Far from resenting the wrongs of their superiors, they exulted over the severities by which their pride was humbled. They were inspired by no sentiments of justice and public virtue: they were ennobled by no love of liberty; and they were ever ready to lick the hands that fed them. Like the dregs of Roman society, their only craving was for '*panem et circenses*.'

The cultivated classes could find no allies among a people so corrupted and debased. They brooded over their wrongs: they deplored the loss of their liberties: they saw their tyrants guarded by soldiers, favoured by the populace, and supported by foreign alliances. Whence could they seek help? In the fervid studies of their youth, they had revelled in stories of Harmodius and Aristogeiton, of Timoleon and of Brutus. These were the heroes of their imagination. In the sacred cause of freedom, tyrants had been smitten in Athens, in Corinth, and in Rome: why not in Florence, in

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Milan, and in Genoa? The shedding of blood was too familiar to the Italians of the fifteenth century to excite terror or repugnance. The sword was drawn, in private quarrels, in family feuds, in street riots. Armed retainers were ever ready for deeds of blood and vengeance. Life was held cheap in those days: murder was a pastime. When patriots and conspirators plotted the assassination of tyrants, they were restrained by no sense of crime, by no scruples of conscience. In their eyes, the deed itself was righteous, and even holy: nothing but its danger forbad it.

Assassination of the Duke of Milan. 1476.

Conspiracies which sought the aid of the people failed at Florence,[1] at Ferrara,[2] and at Genoa.[3] But at Milan, the personal bravery and devotion of three heroic youths—Olgiati, Visconti, and Lampugnani—struck down the worst of the tyrants, Galeazzo Maria Sforza, Duke of Milan. Having prepared themselves by prayer, and practised the use of the poniard, they slew this monster of lust and cruelty, in the church of St. Stephen, in the midst of his court and retinue. Two of the conspirators were killed on the spot: but Olgiati fled and vainly sought to arouse the people to revolt. He was seized and put to the torture. Released, for awhile, from his agonies, he dictated a confession which revealed an heroic love of freedom, and the noblest feelings of piety and patriotism. Having left this testimony to his countrymen and to posterity, he expiated his crime by a revolting punishment—his living flesh being torn in pieces with red-hot pincers.[4]

Assassination of Julian de' Medici.

Two years later, the conspiracy of the Des Pazze

[1] 1470 A.D. [2] 1476 A.D. [3] 1476 A.D.

[4] Sismondi, *Hist. des Rép. Ital.* xi. 58 *et seq.*; *Hist. de la Lib. en Italie*, ii. 110.

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1478.

was formed at Florence. Its aim was the assassination of the brothers Lorenzo and Julian de' Medici. It was prompted by no love of liberty, but by family jealousies and personal wrong: it was encouraged by the Pope: Salviati, Archbishop of Pisa, was one of the chief conspirators: its blows were struck in church, during the elevation of the host, and priests were found to dare this sacrilege, from which unconsecrated murderers shrank in horror. Julian de' Medici was slain: but his brother Lorenzo escaped: the conspiracy failed, and the people rose against the conspirators.[1] In this, as in every dangerous deed of blood, there was brute courage: but no touch of heroism.

Tyrannicide was extolled as a patriotic virtue; but was practised by selfish conspirators as well as by patriots.[2] Public honours were paid to Donatello's statue of Judith the tyrannicide, erected at Florence, with the inscription, 'Exemplum salutis publicæ cives posuere.' While such a spirit prevailed in society, tyrants lived in constant dread of assassination.

Such was the state of Milan, Genoa, Pisa, Sienna, Bologna, and other old republics, at the commencement of the fifteenth century. Venice escaped a tyrant, but was governed by a close oligarchy—cold, cunning and unscrupulous—which equally repressed the public virtues of Venetian citizens.

Florence in the fifteenth century.

Florence stood alone in her liberties and public virtue. For two centuries she had been the foremost example and champion of Italian freedom, and her

[1] Machiavelli, *Ist. Fior.* book viii. ch. 1, 2; Sismondi, *Hist. des Rép. Ital.* xi. 87 *et seq.*; *Hist. de la Lib. en Italie*, ii. 112–120.

[2] Symonds, *Renaissance*, 99; Machiavelli, *Discorsi*, iii. 6; Guicciardini, *Op. Ined.* ii. 53 *et seq.*

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The Albizzi.

glories were ever increasing. In 1381, the chief power of the State fell into the hands of the Albizzi family, who retained it for upwards of fifty years. But their power was not a tyranny: they respected the rights of the people, and maintained their long ascendency by their talents and public virtues. If practically hereditary, it was yet conferred by popular suffrage. Under their rule, Florence attained eminence in literature and art, and extended political influence in the affairs of Italy. But at length, in 1434, they were overthrown by their wealthy rivals, the Medici. The manner in which power was wrested from one powerful family, and transferred to another, illustrates the character of Florentine democracy.

The Medici.

The Florentines had retained, from the earliest times of the republic, the right of assembling in the great square of the Signoria. Such assemblies, distinguished as 'Parliaments,' resembled the ancient meetings of citizens in the Greek agora, and the Roman forum. They were open to all comers: there was no test of citizenship; and their votes were declared by acclamation. They were the ready instruments of every revolution. In 1433, Rinaldo, the last of the Albizzi, by the aid of a Parliament, secured the banishment of his rival, Cosmo de' Medici. But in the following year, Cosmo expelled, by the same means, the family of the Albizzi and their adherents, and established himself in power.[1] The choice of the people proved, ultimately, fatal to their liberties. Cosmo de' Medici, himself the leader of the democratic party, was scarcely content to be the first citizen of the republic. His princely wealth and great influence emboldened him to aspire

Cosmo de' Medici.

[1] Sismondi, *Hist. des Rép. Ital.* ix. 34–45.

to higher dignities, and a more permanent authority for his family. Living with royal splendour, surrounded by artists and men of letters whom his patronage encouraged—munificent beyond example, he towered high above all his rivals.[1] For more than thirty years he ruled over Florence. His powers were those of a dictator, renewed from time to time: his rivals were banished from the State; and his own adherents were placed in all the magistracies. His own dominion was secure, and he provided for the succession of his family. But, however great his personal ascendency, the forms of the Florentine constitution were maintained. There were still a gonfalonier, and eight priors of arts: the laws were submitted for popular sanction, as of old: but the power and spirit of the democracy had died out; and the rule of the oligarchy was undisturbed. The wealthy Medici and the able Capponi, who was long associated with him, represented the prosperity and the statesmanship of Florence. Their ascendency in Florentine society went far to assure their political power: but they strengthened themselves by those arts of corruption which are generally resorted to by governments seeking to mask their authority under the disguise of popular institutions. They secured the attachment of citizens who might have been leaders of the people, by entrusting to them the government of subject cities, and other lucrative offices, and by inequitable imposts, which spared the rich and laid heavy burthens on the poor.[2] The power of the oligarchy was further maintained by the banishment of dangerous rivals; and this odious exercise of arbitrary power was left to the

[1] Philippe de Commines speaks of him as 'homme digne d'estre nommé entre les tres-grans.' *Mem.* vii. ch. 5.

[2] Sismondi, *Hist. de la Liberté en Italie*, ii. 81.

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popular Parliament, which did the bidding of its masters. The people were conciliated by prosperity, and by popular games and entertainments, which—after the fashion of the Greeks and Romans—the profuse liberality of the Medici provided. They had lost their liberties: but they were prosperous, merry, and contented.

Peter de' Medici.

At the death of Cosmo, in 1464, his son Peter succeeded him, as by hereditary right; and, overcoming the resistance of a popular party, led by his rival Lucas Pitti, continued the family rule, which, notwithstanding his own weakness, was now assured. At his death, in 1469, he was succeeded by his two sons, Lorenzo and Julian; and on the assassination of the latter, in 1478,

Lorenzo de' Medici.

Lorenzo began to assume the title of Prince of Florence, or Magnificent Signor. He also made an essential change in the constitution, by inducing a Parliament to transfer its powers to a council of seventy, entirely in his interests. The glories of the Medici culminated under Lorenzo, who was distinguished as much by his patronage of literature and the arts, as by his magnificence. In contributing to the splendours of the city, and cultivating the artistic taste of its citizens, he was the Pericles of Florence. He used his vast fortune, like the public treasury, for the common good: he enriched the capital with pictures, statues, medals, and rare manuscripts: he helped the learned with his patronage and his friendship, printing their works, and associating himself with their labours: he encouraged artists with a liberal hand, while he honoured their calling, and inspired their genius, by welcoming them to the refinements and cultivated society of his princely court.[1]

[1] Machiavelli, *Ist. Fior.* book viii. ch. 7; Roscoe, *Life of Lorenzo de' Medici*, ch. vi. vii.; Von Reumont, *Life of Lorenzo de' Medici*, book ii. ch. 6.

But he wholly changed the republic, as well in its political constitution, as in its external relations. Its liberty was nearly at an end; and the citizens, corrupted by luxury, had ceased to respect it. In its foreign alliances, it was no longer on the side of liberty and free republics: but Lorenzo, a prince and ruler of a subject people, was henceforth the ally of the King of Naples, and other enemies of Italian freedom. Liberty, in truth, was already nearly extinct throughout Italy. It was at length lost in Florence; and the only other cities still nominally republics were Venice, Sienna and Lucca, all governed by close oligarchies.

Savonarola. 1489–1492 A.D.

Before the death of Lorenzo, in 1492, a movement, led by the Dominican monk Savonarola, against the vices which his splendour had encouraged, and in favour of a restoration of liberty, had already commenced; and, under his son Peter, it burst forth and drove the family of the Medici out of Florence. Savonarola was at once a religious and a political reformer—of the Puritan type of a later age. He condemned the frivolous pleasure-seeking society of Florence,[1] which seemed to have embraced the philosophy of Epicurus, rather than the teaching of the Church: he rebuked them for exchanging their ancient liberties for classical culture, the arts, and the luxurious enjoyments of life. He exhorted them to a religious revival, and political regeneration.

1496–1498 A.D.

A pure democracy was the basis of his political reform. Declaring that the people had been betrayed by the magistracy whom they had chosen, he summoned

[1] 'Your life,' he said, 'is passed in bed, or gossip, in promenading, in orgies and debauchery.' See Villari, *Life and Times of Savonarola*; also P. de Commines, *Mem.* viii. ch. 19.

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all the citizens to a share in the government. Eight hundred citizens assembled in a general council, which assumed the sovereignty of the State. But the enthusiastic monk, moved by visions and divine revelations, was not a reformer qualified to restore the liberties of Florence. The movement which he led was religious rather than political; and Savonarola himself fell a victim to fanaticism and religious hate.

1498 A.D.

The Medici restored.

The short-lived revolution of Savonarola was soon followed by other political changes. Florence, surrounded by enemies, found her ever-changing magistrates unequal to cope with the dangers to which the State was exposed; and, in 1502, she elected a gonfalonier for life, like the Doge of Venice, who was invested with dictatorial powers. It was the most important reaction from republican principles that Florence had yet sanctioned by law: but Peter Sodérini, who was first elected to the office, did not abuse his powers, or encroach upon the liberties of the people. In the midst of wars and troubles, the Medici were recalled in 1512; and their restoration completed the ruin of republican institutions in Florence. They returned, in league with the Spaniards, to plunder and oppress their own countrymen. They were driven out again in 1527,

Fall of the republic.

when the republic was restored for a short period: but in 1530, it was finally crushed by the united forces of Charles V. and of Pope Clement VII., a Medici, who conspired with foreign enemies against his own noble country, to which his family owed all their greatness. Sad was the fate of Florence. Her new ruler, Alexander de' Medici, was nominated by the Pope, and he came to govern under a monarchical constitution decreed by the Emperor! The enemies of the Medici were

tortured, put to death, or banished, and the citizens subjected to a rapacious tyranny. Six years later, the tyrant was himself assassinated; but other tyrants ruled after him, as Grand Dukes of Tuscany. Florence was no longer a republic, even in name; but was subject to domestic tyranny and foreign dominion.

Devastation of Italy.

Meanwhile the forces of alien enemies were devastating Italy. French, Spanish, Germans, Swiss and Turks were let loose on the fair Italian cities, plundering, burning and destroying. In a civilised age, and a refined society, they introduced the warfare of savages: sometimes putting garrisons to the sword, and extorting booty from the inhabitants by torture. War, pestilence and famine were now the heritage of that glorious land which had revived learning in Europe, and had taught other nations the arts of civilisation. Italy, in the days of her republican liberties, had taken the lead in European culture: she was now to fall under the yoke of foreign conquerors less forward in the race of human progress than herself. It was the destiny of that fair land to be invaded by Northern hordes, and to lose, again and again, the fruits of her intellectual and social pre-eminence.

Its political subjection.

For six-and-thirty years the Italians suffered so many calamities that the civilisation of four centuries was nearly effaced; and in 1530, the country had become helpless in the hands of Charles V. It was now destined, for more than three hundred years, to be under the yoke of the foreigner. Italy no longer belonged to the Italians, but to the Germans, the French, the Spaniards and the Swiss.

Survival of Venice.

The separate existence of the republic of Venice was maintained long after the other Italian republics had

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fallen. Her power was diminished, indeed: but her politic rulers contrived to sustain her independence. Her constitution, however, became less and less free, and her oligarchy more narrow. The silent and secret Council of Ten ruled the State with the unity, and in the spirit, of a single tyrant. It was cruel, arbitrary and corrupt, and its administration, as it became more venal, grew less capable and vigorous. With justice perverted, the finances disordered, the troops neglected, and the provinces oppressed, the State showed all the symptoms of decay. And in this condition she lingered, until she fell into the hands of Napoleon Bonaparte, in 1797. At one time given up to Austria, and then recovered by France, and incorporated in Napoleon's kingdom of Italy; and, at a later period, again restored to Austria; she was the sport of war and conquest, until at length it became her lot to be embraced in the new constitutional kingdom of Italy, under Victor Emmanuel.

1805.

San Marino.

One other republic must not be passed wholly without notice. The little town or village of San Marino, high up on a mountain in the Romagna, was too insignificant to play its part in the general history of the Italian republics: but if the smallest of these free States, it has been blessed with the longest enjoyment of its ancient liberties and independence. It was too small to tempt the ambition of usurpers; and while the political glories of its more powerful rivals have passed away, it still flourishes as a singular example of the mediæval republic.[1]

Review of the Italian republics.

Such was the chequered history of the Italian republics. They were a singular political phenomenon,

[1] Sismondi speaks of it as 'dérobé également aux usurpations, et à l'histoire.'—*Hist. de la Lib. en Ital.* ii. 244.

in the midst of mediæval Europe. The cultivation of their citizens, and their struggles for liberty, in an age when it was unknown in other realms, claim the admiration of posterity. But the state of society, and the political condition of Europe, forbad the success of democratic institutions; and if there is much to admire in the history of these celebrated cities, there is yet more to condemn and to regret. Whatever measure of freedom they enjoyed, was ruined by the strife of their citizens, and the jealousies and ambition of their neighbours. Freedom won at such a cost was, indeed, a doubtful blessing.

The republics compared with despotisms.

The disorders, factions, and intrigues of the Italian republics have been passed in review, together with their glories. But with the history of Europe before us, from the tenth to the sixteenth century, who shall say that these free States, with all their grievous shortcomings, were not superior in civilisation, and social virtues, to the coarse feudal principalities, and military monarchies of the Middle Ages? Abundant morals may be drawn from the tale of these celebrated communities, unfavourable to liberty: but before they are condemned with too harsh a judgment, we should recal the crimes of despotism, and the wrongs it has inflicted on humanity.[1]

Later fortunes of Italy.

For three centuries it continued to be the destiny of Italy to be overrun by foreign troops; and Napoleon's memorable campaigns brought a large part of her soil under the dominion of France. Every previous invasion

[1] 'Souvent c'est la liberté qu'on accuse des souffrances et des crimes qui ne furent dus qu'à l'oppression. Certes, ce n'étoit pas dans une république, qu' Eccélino livroit jusqu'aux enfants à ses bourreaux, ou que Jean Visconti chassoit aux hommes avec des chiens courans.'—Sismondi. *Hist. des Rép. Ital.* Intro.

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had served to crush her political liberties: but revolutionary France proclaimed the freedom of her people; and Napoleon, in his great scheme of Italian conquest, provided equal laws, a just administration, freedom of opinion, and popular control over the taxation and government of the country. On the fall of that great conqueror, Italy reverted once more to Austria, and all her political privileges were lost again.[1] There was often a spirited resistance to foreign rule and oppression; and at length, Victor Emmanuel, Garibaldi and Napoleon III. restored liberty and independence to united Italy. Under the enlightened rule of Victor Emmanuel, the Italians have recovered their ancient franchises; and the republics of the Middle Ages live again in the free municipalities of a constitutional monarchy.[2]

[1] See Botta, *L'Histoire d'Italie de* 1789 *à* 1815; *L'Histoire de l'indépendance de l'Italie.*

[2] 'Italian political institutions are modelled on those of the French; yet such are the tendencies and traditions of this old Latin people, that while in France everything aims at the consolidation of the Central Power, in Italy everything leads to the development of local self-government; and this instinct acts with the greatest strength in those communities in which the seeds of the old liberties of the Mediæval Free Cities had attained the greatest development, as in Milan, Venice, Bologna, Florence, &c.'—Gallenga, *Italy Revisited*, p. 217.

CHAPTER VIII.

SWITZERLAND.

NATURAL FEATURES OF SWITZERLAND—ITS EARLY HISTORY—FEUDALISM —THE GROWTH OF TOWNS—THE FOREST CANTONS—BEGINNINGS OF CONFEDERATION—STRUGGLES FOR FREEDOM AND INDEPENDENCE— ITALIAN AND SWISS LIBERTIES COMPARED—EARLY CONSTITUTIONS OF THE CANTONS—PRINCIPLES OF CONFEDERATION—THE FEDERAL CONSTITUTION.

Democracy in Switzerland.

FROM this rapid sketch of Italian liberties, we may now pass to the political history of Switzerland, which presents some of the most interesting examples of pure democracy, in its simplest forms, and of carefully contrived and durable republican institutions, to be found in the annals of Europe.

Natural features of Switzerland.

The natural configuration of Switzerland is such as to promote a love of freedom, and independence, in its inhabitants. Everywhere mountainous regions have been favourable to a free and manly spirit in the people. Even in the East, the warlike hill tribes have been less subject to despotic rule than the milder races dwelling in the plains. And in Switzerland, all the conditions of a mountain life are congenial to freedom. No race of men can dwell amidst its mountains, its precipices, its rocks and glaciers, its avalanches, and its mountain torrents, without being strong, brave and resolute. The dangers and hardships which they hourly encounter, brace their nerves to enterprises of

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hardihood and daring. The patient toil, by which they must wring a difficult subsistence from the mountain steeps, makes them industrious, frugal, and provident. In their mountain homes, their life is simple and patriarchal. Nor can they be insensible to the ennobling influences of the sublime scenery by which they are surrounded.

The Alps.

The grandeur of the Alps is not such as to appal and to terrify: it inspires no sense of helplessness in the beholders. Their cloud-capped summits are awful in their mysterious shrouds of darkness: the sudden thunder, crashing amidst overhanging precipices, is often terrible in its shock: but the general aspects of nature are cheering and encouraging. Her sublime works are calculated to arouse sentiments of devotion, of patriotism, and of valour: but they are not so tremendous as to cause dread and despondency. The dangers and obstacles of the Alpine regions are formidable: but they are such as the courage, skill and ingenuity of man can overcome. The mountains are lofty and precipitous: but safe and convenient passes have been found practicable; and paths have been everywhere contrived, upon these giddy heights, over which the village maiden treads without a thought of danger. The rushing torrents are loud and furious, in their descent to the valley: but they have been bridged over by stone, and timber, or perhaps by the fallen pine; and the peasant-boy sings cheerily as he strides across the foaming stream. Such obstacles as these serve but to sustain the strength and courage of the people, and to teach them to wrestle manfully with dangers.

Great are the varieties of climate, in Switzerland,

according to the elevation and aspects of different parts of the country—from the perpetual snows of Mont Blanc and the Jungfrau, to the vine-clad slopes of Neufchatel and Lake Leman: but within the habitable regions of the Alps, the climate is generally temperate, healthful and invigorating. All the conditions of this favoured land are conducive to the vigour and manliness of its people; and its history bears witness to their valour and their freedom.

The Swiss climate.

Such being the character of the Swiss people, the great mountain chains of the Alps, while serving as barriers against foreign States, and encouraging a spirit of national independence, have, at the same time, divided the country, by natural boundaries, into numerous local communities, widely separated from one another. To these physical causes may, in great measure, be ascribed the nationality of the Swiss, and the rise of independent Cantons, which have played so great a part in their history.

Geographical incidents of Switzerland.

From early times the hardy mountaineers of the Alps were renowned for their bravery and independence. When Rome was in its highest military glory, its armies, under the Consul Lucius Cassius, were routed by the Helvetii, on the shores of Lake Leman. The consul himself was slain, and hostages were given up by the retreating Romans.[1] Such was their love of liberty, that Orgetorix, a popular military leader, being suspected of the designs of an usurper, died by his own hand to escape their vengeance.[2]

Early independence of the Swiss.

111 B.C.

60 B.C.

[1] Müller, *Hist. des Suisses*, i. 71 (Ed. de Boileau et Labaune). This remarkable history has been continued to our own times by the labours of Mallet, Gloutz-Blozheim, Hottinger, Vulliemin, and Monnard.

[2] Ibid. 83.

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Their invasion of Gaul.

Straitened within their rocky fortresses, they made a descent upon the fertile plains of Gaul: but the invasion was ill-timed and disastrous. Julius Cæsar was the Roman pro-consul; and routed and drove them back, with fearful losses, into their native mountains.[1]

Become subjects of the Roman Empire.

Admitted as allies of the great republic, they were soon afterwards absorbed into the Roman Empire: their youth were drawn into the Imperial armies: Roman tax-gatherers were busy in the mountain farms and *châlets*; and all offices were filled by Romans.[2]

Switzerland overrun by Northern races.

409 A.D.

450 A.D.

For centuries the Swiss continued under the yoke of the empire, and when that tottering fabric was falling, their country was overrun by hordes of Burgundians—a Vandal race from the Oder and the Vistula. These were succeeded by irruptions of Alemanni, Ostrogoths, and Franks; and the division of Switzerland into German and French-speaking races is to be ascribed to these early settlements of different tribes from Germany and Gaul.[3]

500–936 A.D.

Falling at length under the dominion of the Frank kings of the Merovingian dynasty, Switzerland, in some measure, shared in the liberties which distinguished all the German tribes. They claimed the right of electing their kings, from the house of Clovis, and of choosing their own military leaders. Under Charlemagne they partook of the benefits of improved education, which that enlightened emperor encouraged throughout his extended dominions.

Feudalism established.

During this period, feudalism had been rapidly growing up; and Switzerland, like other parts of Europe, came under the rule of military chiefs and of

[1] Müller, *Hist. des Suisses*, i. 84–104.
[2] Ibid. i. 105–186.
[3] Ibid. i. 187–219.

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powerful bishops and abbots holding fiefs from the crown, while the people generally were reduced to the condition of serfs.[1] With little change in the laws or conditions of society, Switzerland now passed into the hands of the German emperors.[2] In no country were the feudal nobles more powerful, or more oppressive, than in Switzerland. The greater dukes and counts dominated over the lesser nobles; and scourged their neighbours with constant exactions. They were subject to little restraint from their distant sovereigns; and crowning the rugged heights of this land of mountain and valley with their fortified castles, they were ever ready for war and plunder. The lords of the Church were scarcely less powerful; and while shrewdly extending their abbey lands, they knew how to maintain all the rights of feudal superiors. Happily for the people, these great nobles, instead of combining to secure their power, were perpetually making war upon one another; and barons and churchmen were divided by jealousies and rival pretensions. Their incessant warfare was training a brave and adventurous people to arms; while the vigour of a noble race, and the spiritual influence of the Church, were promoting the civilisation of the people, and preparing them for the future assertion of liberty.

1039 A.D.

Growth of municipal privileges.

From feudal subjection the Swiss gradually escaped, first by the formation of villages, exercising rights of self-government and judicature, under a *voght*, or bailiff, and secondly by the foundation of walled cities, and the growth of a burgher class with municipal privileges.

[1] Müller, *Hist. des Suisses*, ii. 25, 181; Planta, *Hist. of the Helvetic Confed.* i. 88–101; Daguet, *Hist. de la Conf. Suisse*, 39.

[2] Planta, *Hist.* i. 102.

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These rural and urban municipalities continued to assert their own rights, and to maintain them against the feudal lords. In Switzerland, as in Italy and other countries, the towns became rivals of the territorial counts and of the Church, defending themselves from oppression and affording protection and citizenship to the vassals of the neighbouring chiefs. Peopled by the manly races of the neighbouring mountains, their burghers were brave, resolute and independent. Enriched by industry and thrift, while their warlike neighbours were ruined by feuds, by costly state and troops of armed retainers, they grew, in course of time, to be the dominant powers in Swiss society. They enjoyed also the favour of the German emperors, to whom their allegiance was more assured than that of the ambitious counts. And as the power of the territorial lords declined, the country became associated with the towns; and the urban and rural districts together assumed the form of Cantons.

Favour shown to the towns by princes. 1097 A.D.

1097-1218 A.D.

Late in the eleventh century, Switzerland was assigned, as a fief, by the Emperor to the dukes of the house of Zœringen. These princes still further favoured the fortification of towns, and the municipal privileges of their inhabitants. Among the most powerful families of Switzerland were those of Savoy, Hapsburg, Kiburg and Rapperschwyl. They showed little jealousy of the towns which were under their patronage, and contributed to their revenues. Moreover each town had its separate interests, and, as yet, there was no approach to a confederation threatening the general influence of the nobles.[1] And thus the towns continued to grow, and flourish, without any discouragement from their princes and feudal lords. The towns

[1] Müller, *Hist.* ii. 357 Daguet *Hist.* 85–91.

taxed and governed themselves, and attracted from the provinces crowds of citizens anxious to share their security, their freedom, their privileges and their lucrative industry. Justice was administered by elected magistrates, and the personal liberties of the citizens were jealously guarded by law.[1] Simple little republics were thus established throughout the valleys of Switzerland. Of the towns of this period, Fribourg and Berne are among the most distinguished.[2]

Rural cantons.

And while towns were thus growing in freedom and power, the rural inhabitants of other districts, though more exposed to the domination of feudal chiefs, were not less resolute in the defence of their franchises. And notably the people of Schweitz showed their independence by a successful contest for their rights against the abbot and monks of Einsidlen.[3] The renowned people of this little valley, who claim descent from Scandinavian settlers,[4] were destined to give their name to an historic State. All their traditions are those of freedom. The whole people,—freemen and vassals alike,—were accustomed to assemble: they elected a chief magistrate, and jurors, for the settlement of disputes amongst themselves; and they consented to contributions for the public service. In course of time, the adjacent valleys of Uri and Unterwalden, also opening upon the forest lake of Lucerne, became peopled from the same and other races, and were distinguished by similar customs. And, at length, those kindred communities grew into the three forest cantons.[5]

Schweitz. 1144 A.D.

Uri and Unterwalden.

[1] Müller, *Hist. des Suisses*, ii. 299 *et seq.*
[2] Ibid. 305, 313.
[3] Müller, *Hist.* iii. 144; Planta, *Hist.* i. 175.
[4] Planta, *Hist.* i. 168.
[5] Ibid. i. 172–174.

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Beginnings of confederation.

The forest cantons.

Confederation alone was now wanting to raise the political influence of the towns; and an example of such a system was set by the league of the forest cantons of Schweitz, Uri, and Unterwalden, which dates from an early period.[1] This modest league of rural cantons, inhabited by mountain peasants, without a single city within their precincts, was the origin of the Swiss Confederation. The country generally was still in vassalage to its feudal lords: but these remote valleys had already acquired rights of self-government without disturbance from emperor or baron,—electing their own chief magistrate or 'Landamman' and their judges, and deciding all questions affecting the interests of the commune, by the unanimous vote of a general assembly of the people.[2]

Democracy in the forest cantons.

It was the simplest form of democracy recorded in the history of the world. Without the intervention of chiefs, or priests, the hardy mountaineers assembled, in the open air, made laws for their own government, and swore to observe them. These assemblies were as primitive as those of the ancient Germans, described by Tacitus;[3] and they were far more free. They met, not at the bidding of kings and chiefs, nor to give assent to their counsels: but as equals, having common rights and interests in their beloved canton. The men who thus met together, to discuss the affairs of their country, were homely peasants, who tended their own

[1] According to Planta, the confederacy of the three forest cantons, Schweitz, Uri and Unterwalden, 'bears date from the most remote period of their existence, and was framed long before they knew how to commit it to writing;' *Hist.* i. 390. In 1291, this league was reduced to writing; ibid. i. 222.

[2] Müller, *Hist. des Suisses*, iii. 13–17; Planta, *Hist.* i. 169, 170.

[3] See *supra*, p. 223.

cows and goats, upon the mountain-side, and, by patient industry, raised frequent crops from their narrow patches of soil, hemmed in by rock and glacier. They stood in sight of their mountain homes, and heard the familiar bells of their own cattle, as they grazed on the overhanging heights. Such a gathering was that of a Swiss village community, not of a State. With less pretensions than the assembly of a Greek city, it represented an agricultural democracy, such as Aristotle commended. Yet was each of these forest cantons an independent State, having its own laws, entering into treaties of alliance, and sending forth its armed men to battle.

Its unchanging type.

Famous in the middle ages, for their simple customs, these little cantons remain, to the present day, examples of a pure democracy, such as poets might imagine, and speculative philosophers design. Their narrow bounds, their scanty population, their straitened industry, and their geographical isolation have combined to perpetuate the same unchanging society, and the same primitive institutions, from generation to generation; and a curious traveller may now witness a parliament of Swiss peasants, differing little in manners, or in habits, from their forefathers of the thirteenth century, and deliberating with the same rude simplicity. It affords a rare study in politics: but it stands alone, and unapproachable. On a wider field, and with a more complex society, no such a polity would be possible. The wildest zealot of democracy could not hope to imitate it: the most timid conservative need not dread its dangerous example. It differs essentially from a city democracy, influenced by the close association and passionate impulses of numbers. Its spirit is

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Its conservative character.

serious, earnest and unchanging: it clings to ancient customs and institutions. The peasants of Schweitz and Uri are faithful to their traditional democracy, just as the Tyrolese are loyal to their emperor. Both alike hold fast, with a reverent sense of duty, to the customs of their forefathers, and the laws of their country.

Freedom of the towns.

The power of this forest league was greatly increased by the patronage of Count Rudolph of Hapsburg, who gladly availed himself of their aid against his rivals—the plundering counts and prelates by whom the country was ravaged.[1] Resistance to their feudal chiefs was the main object of the association of these cantons; and they were the first to acquire the right of holding their fiefs directly from the emperor.[2] When elected

1257 A.D.

to the Imperial throne of Germany, Rudolph confirmed the charters of Lucerne, Soleure, Schaffhausen, Mulhausen and other towns, which were henceforth to play their part in the history of Switzerland. Such towns as Zürich, Basle and Berne, having the privileges of free Imperial cities, continued to grow in power, wealth and freedom; and constituted municipal republics. At Berne and other towns, all householders had the privileges of burghers—even serfs after a year's residence unclaimed by their lords—and chose annually a chief magistrate and council. New laws, taxes, and questions of peace and war were decided by a general assembly of the commune. So proud were the Bernese of their freedom, that they called it their honour.[3]

These towns were more capable than the rural

[1] Müller, *Hist.* iii. 151.
[2] Morin, *Hist. Pol. de la Suisse*, i. 15.
[3] Müller, *Hist.* iii. 48–65; Planta, *Hist.* i. 182.

districts of resisting the counts and barons by whom they were surrounded: but, in order to make their resistance more effectual, Berne, Fribourg, Bienne and Neufchatel entered into an early alliance for mutual protection. CHAP. VIII. 1249-1290 A.D.

On the death of Rudolph of Hapsburg, the three forest cantons, dreading an invasion of their liberties, renewed their ancient alliance, and swore to its perpetual observance; and its conditions were now, for the first time, defined in writing. They swore to assist one another, against all who should do violence to either of them, or impose taxes, or design wrong to their persons or goods: to refer their disputes to arbitration, and to enforce the decisions of the arbiters; and to pursue murderers to death. At the same time, they reserved their allegiance to their feudal superiors, on all lawful occasions. Such was the simple scheme of association, which was as complete as the circumstances of the times required.[1] It was a treaty of alliance, rather than a confederation: but it formed the basis of future leagues, upon more comprehensive principles. Two months later, Zürich entered into a similar alliance, for three years, with Schweitz and Uri.[2] First written league of the forest cantons. August 1, 1291.

These defensive alliances were not entered into too soon, for the freedom of Switzerland: for early in the fourteenth century Albert, Count of Hapsburg, the most powerful noble in Switzerland, and recently elected emperor of Germany, began to encroach upon the liberties of the free cantons. This is a memorable period in the history of Switzerland, illustrated by the traditional episode of William Tell and Gessler. Struggles of the Swiss for freedom.

[1] Planta, *Hist.* i. 222; Morin, *Hist.* i. 20, 334; Daguet, *Hist.* 112.
[2] Morin, *Hist.* i. 22.

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1307–8–1315. The cantons of Schweitz, Uri and Unterwalden flew to arms, and resisted the oppression of their rulers. In the remarkable words of the great Swiss historian, 'They judged that a sovereign, unjust towards a vassal, ceased to be himself protected by justice, and that it was lawful to employ force against him.'[1] Such sentiments as these foreshadowed the momentous revolutions of Europe in succeeding centuries. And when, a few years later, a further attempt was made to bring them under the yoke of the Empire, the brave peasants routed the Imperial army under Leopold, Duke of Austria, in the celebrated battle of Morgarten.[2] The three victorious cantons, having renewed their league, upon the principles of mutual defence, liberty and justice,[3] were afterwards joined by Lucerne, Zürich, Glarus, Zug and Berne, which, each in their several ways, had been advancing in wealth, culture, power and political liberty.[4] Thus was established the memorable Swiss Confederation.[5] Ever maintaining its warlike spirit and love of freedom, this league upheld its independence, in 1386, against Duke Leopold III. of Austria and a confederacy of 167 spiritual and temporal lords, whom it overthrew and routed, with heroic courage, in the memorable battle of Sempach.[6] By the decree of Sempach, concluded not long afterwards, the eight

League of the eight cantons.

1308–1358.

1351 1358 A.D.

[1] Müller, *Hist. des Suisses*, iv. 9.

[2] Ibid. iv. 51. Hallam calls the battle of Morgarten the Marathon of Switzerland.

[3] Ibid. 63. The confederate cantons agreed that they would 'not accede to any treaty or negotiation with foreign princes or States, without the previous consent of the whole body;' and 'to aid and protect each other with their lives and property;' Planta, *Hist. of the Helvetic Confederation*, i. 281.

[4] Müller, iv. 180–327.

[5] Ibid. iv. 351–447.

[6] Ibid. v. 285 *et seq.*; vi. 8.

cantons agreed to preserve peace among themselves, to uphold each other, and in war to unite their banners against the common enemy.[1] The several cantons continued free; and enlarging their territories by conquest, by surrender, by purchase and mortgage,[2] strengthening their alliances, and associating with themselves other cantons, at length consolidated, early in the fifteenth century, the independent confederate State of Switzerland. The feudal sovereignty of the emperor was not indeed renounced: but it was merely nominal. The power of the nobles had greatly declined;[3] and as their property was gradually acquired by the towns, they came to reside within the walls, and were accepted as burghers. At the same time, schisms in the Church of Rome, by weakening the power of the abbots, contributed to the freedom and independence of the cantons.[4]

1393 A.D.

Confederate State of Switzerland.

The Swiss had fought bravely for their liberties and maintained them. Each canton was independent in its own laws and administration: but was allied to its neighbours for mutual defence, and for affairs affecting their common welfare. The conditions of the league were altered from time to time: but its main principles have since been constantly maintained. Outside the limits of this confederation, friendly alliances were also formed, with other towns, and rural districts, and with feudal lords, and princes of the Church, which further contributed to the growth of a nation, out of the various elements of Swiss society.[5] And sometimes

Other alliances.

1398–1412 A.D.

[1] Planta, *Hist.* ii. 11.
[2] Morin, *Hist.* i. 56, 60; Daguet, *Hist.* 154.
[3] Planta, *Hist.* ii. 27.
[4] Müller, *Hist.* v. 178; Planta, *Hist.* ii. 70–93.
[5] Morin, *Hist.* i. 62–67, 78.

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alliances were formed between particular cantons, and neighbouring towns, for more effectually resisting the aggression of princes and abbots.[1] But the central authority of the confederation was weak, and the union of the cantons incomplete. No provision had been made for the repression of wars between rival cantons, nor for the restraint of separate alliances with foreign powers, which endangered the independence of the federal State. These defects in the constitution of the league were fraught with serious evils to the welfare and political stability of the country.

Wars of rival cantons. Fifteenth century.

While the liberties of the people were threatened by emperors and princes, the cantons were united in a patriotic resistance to foreign aggression: but when they had overcome their common enemies, their union was weakened; and local ambition and jealousies began to embark them in contests as injurious to their prosperity as to the spirit of freedom.[2] Their alliance, which had secured victories over powerful feudal lords and foreign enemies, did not restrain them from staining the fair valleys of their fatherland with the blood of their own countrymen, and compromising the interests of their country by partial alliances. But the moral influence of the league served to restrain these cantonal disorders, which, however deplorable, did not arrest the ultimate consolidation of conflicting local communities into a united nation. Thus a civil war between Zürich, Berne and Lucerne, and the rural cantons, was averted by the interposition of the deputies of the eight cantons, who assembled at Stantz, and agreed upon a covenant

The convention of Stantz. 1481.

[1] *e.g.* Mulhausen, Schaffhausen, and Toggenburg, 1466, 1468, 1469; Morin, *Hist.* i. 94.

[2] Müller, viii. 573 *et seq.*

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which bore that name. This treaty of alliance formed another step towards a more perfect confederation. The eight cantons engaged to use no violence towards one another, and to afford mutual assistance against all assailants: to discourage and repress disaffection and revolts in any of the cantons; and to punish every person who, without permission of the legal authorities, should assemble popular meetings, or make proposals calculated to promote tumults or disorder.[1] In their zeal for public order, the allied cantons were even ready to sacrifice the liberties of the people.

Victories of the confederation. 1476.

At the end of the fifteenth century, Switzerland had become a considerable military power. Its armies won three signal victories over the renowned Charles the Bold of Burgundy, and shattered the dominion of that ambitious prince.[2] A few years later, by victories scarcely less decisive over the Emperor Maximilian, they secured their national independence. Still acknowledging a nominal fealty to the Empire, they no longer dreaded encroachments upon their territory or their political liberties. They were henceforth free from the jurisdiction of the Imperial Chamber, and from contributions imposed by the Germanic Diet. The union of Basle and Schaffhausen followed, and thus the league of the thirteen cantons was completed.[3] Some years later the prowess of the brave Swiss against the French, in the battle of Marignano, obtained for the confederation 'the perpetual peace' with France, which placed these two countries in almost uninterrupted amity for three hundred years.[4] This may be

1499.

League of the thirteen cantons. 1501.

'Perpetual peace' with France. 1515.

[1] Gloutz-Blozheim, *Hist. de la Conf. Suisse*, ch. v.; Morin, *Hist.* i. 131, 357 (*Pièce justificative*, No. 19).

[2] Philippe de Commines, *Mém.* v. ch. 1.

[3] Gloutz-Blozheim, *Hist.* ch. ii. [4] Ibid. ch. iv.; Daguet, *Hist.* 259.

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accounted the most brilliant and honourable period in the history of the confederation. Its achievements are worthy of comparison with those of Greece and Italy, for heroic bravery and love of freedom.

Italian and Swiss liberties compared.

And here we may pause to compare the destinies of Italy and of Switzerland. The liberties of those two countries were developed, at about the same time, and in the like manner: but their history presents some instructive contrasts. The history of the Italian republics is more brilliant than that of the Swiss cantons. The genius of the Italians surpassed that of the Swiss, and has left memorials which their humbler neighbours, dwelling among the Alps, have never aspired to imitate. But their annals are disfigured by perpetual feuds, by civil wars, and by revolting crimes. They present some noble examples of confederation, like the Lombard League,[1] and the Florentine alliance of republics,[2] in defence of Italian liberties. But their general history is that of narrow jealousies, and exhausting wars between rival cities, and of incessant conflicts of nobles and burghers. Hence the liberties of the Italian republics were short-lived. They fell under the intrigues and violence of nobles, the encroachments of wealthy citizens, the force of despots, and the dominion of kings and emperors. The history of the Italian republics is like that of the republics of Greece: it is the history of a past age, of singular institutions which flourished for a time, and were long since overthrown; of a society of which there is no living example, and of a political life which it is difficult for our own generation to realise.

But the history of Switzerland is that of a confeder-

[1] *Supra*, p. 293. [2] *Supra*, p. 307.

ation of free cantons, uniting city and rural communities in a common league: providing at once for separate autonomies, and for confederate union and government: ensuring mutual protection, and a national policy: seeking to avert wars between rival cantons; and uniting their patriotic forces against foreign enemies. By this wise and politic union, the little cantons of a poor mountainous country—though too often waging war upon one another—formed themselves into an honourable European State, which, for centuries, has been able to maintain its independence, and to withstand the aggressions of powerful neighbours. The Italian republics have long since passed away: the confederation of Swiss cantons is still a prosperous State, in the full enjoyment of its ancient franchises; and holding its place among the great family of European nations. Its history is still being continued before our eyes; and its ancient polity is cherished by a living people. With the Italians, as with the Greeks, divisions were the cause of weakness and ruin: with the Swiss, union has been strength, and national life, and enduring liberty.

Uses of confederation.

The fortunes of Switzerland may be further contrasted with those of every other European State. Municipal franchises were common to Italy, Spain, France, Germany, the Netherlands and England, as well as Switzerland; and in all these countries they have performed a part, more or less important, in advancing the constitutional privileges of the commonalty. But everywhere they have been subjected to the general authority of the State. By far the greater number of city communities never asserted any but municipal privileges; and such as, at any time, assumed sovereign

Fortunes of Switzerland compared with other States.

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rights, were, sooner or later, reduced to subject municipalities, if their franchises were not wholly withdrawn. They became the prey of despots, or were subject to the dominion of kings and emperors. But in Switzerland alone, the town and rural communities, originally invested with no more than the privileges of municipal self-government, and subject to powerful feudal princes and monarchs, gradually acquired sovereign rights, and maintained them unimpaired; while, by confederation, they shared the power and dignity of a larger State. Elsewhere, feudalism overcame the political independence of municipalities: in Switzerland, feudalism itself was overthrown.

Constitutions of the several cantons.

The constitution of most of the Swiss cantons was originally that of the simplest form of ancient democracy. All citizens were equal in political rights: they met in public assemblies, without distinction of persons, and by the voices of the whole body elected their magistrates, declared their laws, and decided upon peace or war. Magistrates were chosen, for short terms, and returned into the ranks of simple citizens, without ambition, or claim for past services. Such primitive simplicity, however, could not long prevail, except in a few of the rural cantons, where it is still to be found unchanged. In the larger cantons, increasing

Fifteenth century.

population, and the advancing importance of public affairs, outgrew this type of constitution; and the people, unable to govern themselves directly, elected councils of delegates, reserving to themselves, however, a sovereign power of assent or dissent, in their general assemblies.[1]

The military organisation of Switzerland was not

[1] See *infra*, p. 395 *et seq.*

less democratic than its political constitution. The commander of the cantonal forces, and the banneret, or standard bearer, were appointed by the State: but the captains were elected by the communes; and a committee of burghers sate with the military chiefs on the council of war. Nay more, the troops themselves were often consulted upon questions of peace and war, and claimed for their votes an authority at least equal to that of the State.

Democratic organisation of the army.

With the advance of society, the equality of citizens, in these republics, could not long continue. The nobles who had taken up their residence in the towns, generally became the natural leaders of the people. Trained to arms and horsemanship, accustomed to command, and generally of higher accomplishments than the trading burghers, they were chosen here, as in Italy and elsewhere, to the foremost places in the magistracy and in the camp. Here also wealth bred a new nobility, who aspired to the honourable ambition of political power, and whose services to the State were recognised in the continued influence of their descendants.

Influence of the nobles.

In course of time, the constitutions of the different cantons assumed various forms; and, in the fifteenth century, some had become aristocratic, some were of a mixed character, while many continued purely democratic.

Constitutions of the cantons.

Berne, the leading canton of the confederation, was originally an aristocratic republic, having been founded as a refuge for the inferior nobility, from the oppression of the powerful counts.[1] Peasants, artificers and tradesmen flocked from the neighbourhood into the town, and constituted the order of citizens, or

Aristocratic cantons. Berne.

[1] Planta, *Hist.* iii. 121.

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burghers.[1] Forming themselves into guilds or abbeys, they secured many privileges, and were eligible to the highest offices: but they generally concurred in the election of members of the patrician families, who had been the founders of the city. As the powerful families became extinct, the higher burghers took their places: but they continued to acknowledge the ascendency of the nobles who were still left to them, and whose courage, virtues and patriotism, secured the confidence of the people; and foremost among these were the family of Erlach.[2]

At the head of the republic was the avoyer, or advocate, a magistrate of great power, and active authority. Two avoyers were elected for life: of whom one only exercised the functions of the office; serving alternately for a year. The daily council, or senate, consisting of twenty-seven members, was an active executive body, and prepared the business for the consideration of the great council. The great council was the sovereign assembly, which, though called the council of two hundred, consisted of a larger number. It comprised the avoyers, the senators, and officers of State, and their nominees: the remaining members being elected by the guilds.[3]

Lucerne.

Lucerne was governed by a senate of thirty-six members, and a council of sixty-four, chiefly composed of nobles: but some burghers were admitted at every election.

Fribourg.

At Fribourg, the burghers elected the avoyers, and other chief officers: but the council of two hundred was self-elected, and chosen from seventy-one

[1] Planta, *Hist.* iii. 122.

[2] Müller, *Hist. des Suisses*, ix. 193.

[3] The manner of election was very complicated, being partly by ballot, and partly by lot.—Planta, *Hist.* iii. 120–136; Morin. *Hist.* i. 38.

patrician families. The senate consisted of twenty-four. The elections were conducted by a singular method known as the third ballot, the electors not knowing for what candidates they voted. Soleure was ruled by a council of one hundred and one members, of which number thirty-five constituted a senate. All the officers were elected by the council, which filled up vacancies in its own body, from the general roll of the burghers.

Soleure.

Rule of the nobles.

These four cantons may be called generally the aristocratic cantons, the chief power being lodged, by their constitutions, in the patrician families.[1] These ruling families had acquired their power, not like the Italian nobles, by force and violence, but by social influence, and by politic and artful changes in the popular customs of their cantons. Nor did they often abuse their authority. Their rule was mild and equitable; and while they encroached upon the franchises of the people, they administered the government without oppression, or wrong, and generally in the interests of the commonwealth. It was their chief reproach that they were not proof against corrupt temptations, to which the relations of foreign powers, with the Swiss cantons, and their own irresponsible power, too often exposed them.

Mixed constitutions.

The constitutions of Zürich, Basle and Schaffhausen were of a more mixed character: the nobles and people being admitted, with more or less equality, to a share in the government. The senate and council were elected from the burghers, at large, in their respective tribes; and burghers of the lowest order were eligible to the highest offices of the canton. In Zürich and Basle, however, elections to the offices of State and to the

[1] Planta, *Hist.* iii. 161, 162.

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council and senate, were so contrived as to prevent the burghers from acquiring ascendency. At Zürich the encroachments of the nobles had provoked a revolution in the fourteenth century, under the guidance of Rudolf Brun, who, in extending the privileges of the guilds, secured for himself the office of burgomaster for life, and the chief direction of public affairs. At Basle, there was no nobility; for that canton, like many of the Italian republics, enraged with their nobles, had banished many of that order, and had forced those who remained to renounce their titles and patrician privileges:[1] but the social class to which they belonged were still able to hold a foremost place in the government of the canton. At Schaffhausen, the rights of the burghers were secured, by a more open system of voting: but the influence of the upper classes was so considerable, that this republic is not to be reckoned among the purely democratic cantons.[2]

1335 A.D.

1445 A.D.

Geneva.

Geneva was not yet a member of the confederation, but its early constitution may here be noticed. It was, in theory, democratic, the sovereign power being vested in the general assembly of the citizens and burghers: but there were grave inequalities in the privileges of different classes of the people. Citizens by birth, were qualified to hold all the offices of the State: burghers by purchase were eligible to the council, but were not admissible to the senate, nor to any of the higher offices of the republic: a large class of 'natives,' long resident in the city, were denied all political rights; and another class of 'inhabitants,' were equally ignored as members of the commonwealth. With such invidious privileges and disabilities as these, Geneva must be

[1] Planta, *Hist.* iii. 163. [2] Ibid. iii. 162–164.

classed among the cantons having a mixed constitution.[1] And at a later period, we shall find it acquiring, more and more, the character of an aristocracy.

Democratic cantons.

Six cantons were pure democracies. The old forest cantons of Schweitz, Uri, and Unterwalden retained their primitive customs. Every male of sixteen years of age enjoyed the franchise. Their meetings were in the open air: they were opened with solemn prayers, and oaths of fidelity: they elected their magistrates and deputies to the general diet, and they were sovereign in all the affairs of their little States. Zug, Glarus, and Appenzel, with some variations of custom, were no less democratic.

The Grisons.

The most singular constitution was that of the Grisons, in which principles of individual liberty and independence were carried further than in any historical example. Every little hamlet resting in an Alpine valley, or perched on mountain crag, was an independent community, of which all the members were absolutely equal—entitled to vote in every assembly, and qualified for every public function. As in the population of the Grisons there was a great diversity of languages, and, after the Reformation, a difference of religions, the separation of these hamlets from the ordinary intercourse of neighbours made their political independence the more complete. Each hamlet had its own laws, jurisdiction, and privileges: but several were united into a commune, without prejudice to their separate rights. These communes, again, were united into larger districts, resembling other Swiss Cantons, under a landamman, or land-voght; and, lastly, these districts formed part of a league, which maintained

[1] Planta, *Hist.* iii. 192.

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diplomatic relations with other States. Rhætia was divided, in the fifteenth century, into three of these Leagues, each of which had its own general assembly; and all three were represented in a general diet.[1]

Causes of this diversity of constitutions.

This diversity of constitutions was due, in Switzerland, as in ancient Greece, and mediæval Italy, to the various conditions of society, in the several cantons. In some of the towns the nobles having settled, in considerable numbers, and having multiplied their connections, easily acquired the greatest influence. In others, where trades and handicrafts prospered, and where the patrician families were weakened by wars and migrations, the burghers secured a large share of political power. The character of the society generally determined the nature of the government; and it will be seen, hereafter, that as further changes arose in the society of many of these towns, similar variations were also observable in their constitutions: some becoming more aristocratic in their government, and others more democratic.

The democracy of the rural cantons.

In this enumeration of the cantons, it cannot fail to be remarked that, contrary to historical experience, the rural cantons were the most democratic. In other countries, it was in the towns that democracy was most developed. They were the first to overthrow tyrants, to overcome nobles, and to secure the influence of the general body of citizens. In Italy, and elsewhere, they had secured freedom while the adjacent country was still held in close vassalage by feudal lords. But in Switzerland, these rural cantons were among the first to assert the equal rights of all the inhabitants; and they maintained their simple constitutions intact, while in many of the towns the burghers

were gradually losing the privileges which they had once enjoyed.

Peculiar conditions of these cantons.

The causes of the early rise, and permanence, of these rural democracies, may be discovered in the peculiar circumstances of the cantons, in which they have flourished. Their simple customs arose naturally out of the primitive society of the country, and of the times. They were not founded upon any theories of equality: they were wholly free from abstract principles of democracy. All the inhabitants voted in the assembly, because all were simple peasants: because all were members of the same society, having common rights and interests. The great feudal princes, counts and bishops, maintained their sovereignty, and exacted their seignorial dues, but they did not condescend to take part in the assemblies of the commonalty. The lesser nobles, and landowners generally, sought security and ease in the walled towns; and traders and artificers naturally found employment where there was the greatest concourse of people. Hence the peasantry formed the principal, and almost the only society in these rural cantons; and they were left, without disturbance from other classes, to regulate their own local affairs. In early times, their insignificance secured them from any but occasional interference; and their independence found protection in the mountains and lakes by which their territories were surrounded.

Their democracy conservative.

Such being the circumstances under which these rural democracies arose, their permanence has been ensured by the same social conditions. The society of the rural cantons has naturally advanced: but it is still mainly agricultural and pastoral; and it is comparatively remote from foreign influence. Hence the

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inhabitants of the rural cantons have been conservative of their ancient customs. They had inherited, from their early forefathers, the simple democracy of village communities; and they cherished and maintained it. If, in the development of society, there was less equality of classes than of old, community of interests and local traditions still ensured respect for the time-honoured institutions of the land. The people of these cantons have been no less conservative in their religion than in their government, the greater number having continued faithful to the Church of Rome. Unchanging in their society, and in their habits, they are interesting examples of a conservative democracy.

Principles of the confederation.

Such being the various constitutions of the Swiss cantons, we may proceed to examine the principles of the confederation by which the greater number were united. Originally, it was little more than an alliance, offensive and defensive, between particular cantons; and until recent times, the union continued far too loose for the effective purposes of a confederation. Its main objects were mutual defence against foreign enemies, and internal tranquillity. The confederation had no powers—either legislative, executive, or administrative—binding upon the several cantons: no federal army: no public treasury, or national mint: no coercive procedure: not even a paramount authority to enter into treaties and alliances with foreign powers—some of the cantons having reserved to themselves the right of forming separate alliances with other States.

Diets of the confederation.

The diets of the confederation being thus denied effective powers, assembled for little more than deliberation, and concert in their undertakings. The diets were general or special. The general diet met

annually, in the month of July, and consisted of two deputies from each of the cantons, and from some of their allies. Matters of importance were not finally decided by the diet, being referred to the determination of the cantons: but the discussions which were conducted by the several deputies, naturally promoted their ultimate settlement. A considerable jurisdiction was exercised by the diet over the judicature and the magistrates of the several cantons.[1]

Special diets.

Special diets were assembled for the discussion of religious affairs, and other matters of public concern. Sometimes these diets comprised all the cantons, sometimes only a certain number of them specially interested in the subjects of discussion. A general control was further exercised over the cantons, by special commissions known as syndicatures; and by a system of arbitration, for the settlement of disputes between different members of the confederation.

The Defensional. 1648 A.D.

Much later in the history of Switzerland, when its independence had been recognised at the peace of Westphalia, the confederation adopted an arrangement called the 'Defensional,' by which, in case of urgent danger, the diet could call upon the several cantons to supply troops for the defence of the confederation, in such numbers as were stipulated. Articles of war were framed for the discipline of the combined forces: the appointment of officers was provided for; and extensive powers were vested in a council of war, for the general direction of the army. This was the nearest approach yet made towards the establishment of a federal army, for the general defence of the whole country: but it appears to have been rarely resorted to.[2]

[1] Planta, *Hist.* iii. 172–176. [2] Ibid. iii. 78, 178–179.

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Defects of the confederation.

The conditions of such a confederation as this were obviously imperfect. A sufficient central authority was wanting: the independence of each canton, in matters affecting the whole country, was too much respected: intestine wars could not be averted; nor could united action be maintained in presence of foreign powers. The difficulties of union were greatly increased by the Reformation, which alienated the Catholic and Protestant cantons, and introduced divided counsels into the confederation. National unity was needed, to perfect the uses of confederation. This consummation was reserved for a later period: but in the meantime, the confederation, however imperfect, was unquestionably the source of great strength and political importance to the Swiss, as a nation. Its moral authority exceeded its legal powers; and where coercion could not be attempted, the deliberations of trusted deputies brought a public opinion to bear upon the several cantons, and persuaded where it could not command obedience. The merits of the confederation cannot be doubted. Through its influence, the Swiss, instead of being divided and overcome, like the Italian republics, secured their national independence.

Political state of Switzerland early in the sixteenth century.

Such was the political state of Switzerland after five centuries of national development, and defensive warfare. At the beginning of the sixteenth century, it was an independent federal republic, renowned in war, and distinguished for its ancient political institutions. The cantons exhibited as many forms of republican government as ancient Greece—oligarchies, aristocracies, polities, or mixed constitutions, and pure democracies; and all were members of a free confederation, which had attained the dignity of a European State.

CHAPTER IX.

SWITZERLAND (*continued*).

SWISS MERCENARY TROOPS—POLITICAL CORRUPTION—THE REFORMATION, AND ITS RESULTS—CONTINUED INCREASE OF OLIGARCHIES—THE FRENCH REVOLUTION—THE HELVETIC REPUBLIC—THE ACT OF MEDIATION—THE FEDERAL PACT OF 1815—ARISTOCRATIC REACTION—REVOLUTIONS OF 1830—THE SONDERBUND—THE CONSTITUTION OF 1848—SWISS DEMOCRACY.

HAVING surveyed the early political institutions of Switzerland, we must now advert to some social changes which gravely affected the character and destinies of the Swiss people.

Social changes.

The bravery and military prowess of the Swiss, originally encouraged by their resolute spirit of independence, was soon to assume forms less creditable and patriotic. Changes naturally came over the warfare of different ages. In early times, the princes and counts had led their armed vassals to war; and the stout burghers of the towns had formed an effective militia, for local warfare. Standing armies were unknown; and every permanent form of military service was repugnant to the free spirit of the people. The feudal vassals were bound to no more than a limited service; and the burghers were only called out on occasions of pressing danger. When the wars of the Swiss cantons assumed more ambitious proportions, such conditions of military service became unequal to the necessities of

Military service.

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the State. The power of the feudal lords was being continually impaired: while the demands upon their resources were increased. They could not command the services of their vassals for sustained operations, or distant enterprises. Still less could the burghers be relied upon as professional soldiers. They had fought the battles of their country at home, with the bravery of their race: but they were indisposed to enter upon campaigns abroad. They were growing rich, and prosperous: they had their own trades and handicrafts to follow, in their native towns: they loved the ease and enjoyments of peace; and were ready to hire others, less fortunate than themselves, to be wounded and slain upon foreign battlefields.

Swiss condottieri.

Such being the difficulties of military service, an attractive field of enterprise was opened to a class of military adventurers, already known in Italy, as *condottieri*. In the fourteenth century, these dashing and unscrupulous soldiers of fortune found their way into the valleys of Switzerland, and readily found followers among the brave and warlike peasantry, already trained to arms, in the honourable service of their country. Ambitious and greedy, they fought the battles of all parties, in turn, and lived by plunder when not engaged in war. They became a scourge to Switzerland, and a constant danger to her liberties.

Swiss mercenary troops.

When the Swiss had been once seduced by these adventurers into military engagements, in which their own national honour and interests were not concerned, they were prepared for mercenary service, wherever it was offered. Their warlike spirit was at first sustained in the wars of the cantons, and in the defence of their country from foreign enemies; and when peace had

crowned the heroic struggles of their countrymen for independence, they sought, in foreign States, the excitement and military glory which were denied them at home. In every war which desolated Europe, from the fifteenth century downwards, the youth of Switzerland—impelled by poverty, by love of adventure, and by valour—were to be found, engaged as mercenaries, and fighting battles, in which their own country bore no part.[1]

Their evil consequences.

This mercenary service, demoralising in itself, led to a form of political corruption fatal to public honour and patriotism. It was not enough that France, Austria, or the Pope should secure the services of independent Swiss soldiers. These rival States were ready to bid high for the alliance of the cantons and their armed citizens; and even to buy statesmen and party leaders, as well as hireling troops. The voices of assembled magistrates and citizens were too often swayed by foreign gold. Democratic deputies became the pensioners of foreign kings;[2] and the Swiss were hurried

[1] Philippe de Commines writing, about 1465, in the reign of Louis XI., says, 'Il avoit cinq cens Suisses à pied, qui furent les premiers qu'on vit en ce royaume; et ont esté ceux, qui ont donné le bruit à ceux qui sont venus depuis: car ils se gouvernerent tres vaillamment en tous les lieux où ils se trouverent.'—*Mem.* i. ch. 6; Daguet, *Hist.* 205, 206.

[2] 'La corruption par l'or étranger pénétra chez les députés aux diètes fédérales: l'assentiment des peuples dans les cantons fut obtenu par des dons annuels décorés du nom de pensions.'—Morin, *Hist.* i. 101.

'La Suisse, se relâchant de ses traditions de loyauté, adoptait ainsi une politique vénale. Cessant de s'appartenir à elle seule, elle devint l'instrument de qui payait le mieux. Le courage héroïque de ses habitans et sa gloire militaire masquaient seule sa décadence morale. Les magistrats chargés de la diriger, avaient accompli cette prostitution politique.'—Morin, *Hist.* i. 108. See also ibid. 90, 100, 100–101.

'La loi bernoise ne défendait pas sans motifs aux membres du conseil de recevoir des dons. Pour mettre leur conscience à l'abri, les magistrats de Berne décidèrent de ne plus faire lire a Pâques, ni jurer l'ordonnance sur l'acceptation des présents.'—Ibid. 112.

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into wars, not for the safety or honour of their country, but as tools of the ambition and cupidity of their rulers. Such corruption was the source of social no less than of political ills. Men who had sold their country to the foreigner, were tempted to spend their ill-gotten wealth in luxury and self-indulgence; and their evil example tainted the simple manners of their countrymen. Nor could Switzerland hope to escape the penalties of incessant warfare, even when waged abroad. Her soldiers maintained the reputation of their country for bravery; and were known, in every land, as the flower of European armies. They served foreign kings, but never forgot that they were Swiss. Yet, on returning from the battlefields of Europe, they brought with them the vices of foreign camps—an unsettled, and turbulent spirit, a loathing of honest industry, and an appetite for plunder.[1] Had the Swiss been contented to defend themselves against aggression, and to hold themselves aloof from the wars of other States, far higher would have been their character as a people, and more noble their example as a republican State. When it became, at length, the policy of the confederation to sell its soldiers to the service of rival States, and,

[1] The Reformer, Bullinger says:—'In these times it stood ill with the confederates, whom many princes and lords solicited secretly and openly, proffering and promising money, and misleading simple people who had heretofore known little of such dealings. Moreover, the confederates were divided among themselves—some being for the Papacy, some for France, and some for the Empire: whereby the old simplicity and brotherly love were extinguished, and the bond of the confederacy loosened. A lewd and wanton life was commonly practised, with gluttony, gaming, dancing, and all manner of wantonness, day and night, especially where diets were held, as at Zürich, Lucerne, and Baden. The common people, in town and country, were drawn away from honest labour to idleness, lewdness, and warlike undertakings, and reckless and abandoned habits thus prevailed everywhere.'

without honourable interest in their struggles, to traffic in the blood of its citizens, it lost the dignity, while it retained the constitution, of a free State. Other scandals disgraced the mercenary warfare. Swiss soldiers were fighting against each other, in opposite ranks: nor could their fidelity be trusted: they were ready to receive pay from both sides, and to desert from one to the other. Thus they had been exposed to the dire reproach of having betrayed Ludovico Sforza of Milan to the King of France.[1]

1500 A.D.

Other forms of corruption.

When once corruption is introduced into a State, it assumes many forms; and, in Switzerland, the pensioners of foreign kings were ready to enrich themselves by other means no less corrupt. At Berne, the rulers were accused of appropriating, for their own use, the revenues of the town;[2] and other cantons were subject to the same reproach. Even the administration of justice was tainted by the venality of judges. Rich and poor complained of unjust awards; and criminals purchased immunity for their crimes.[3] These wrongful practices, were general throughout the cantons, and the diet, itself compromised by corruption, for a long time, left them without a remedy.

Religious discords.

By such evils as these, the fair fame of the Swiss was tarnished, their moral character corrupted, and

[1] The Swiss laid the blame of this treachery upon the French, who had delayed the transmission of orders from the diet, to the Swiss troops in the French service, to lay down their arms at the same time as their countrymen serving with the Duke of Milan.—Morin, *Hist.* i. 152.

[2] 'Les gouverneurs ne se livrent à aucun travail productif: ils aiment a garder le pouvoir, pour l'exploiter à leur honneur et profit, de sorte qu'ils emploient pour leur propre avantage, les biens destinés à la conservation de la ville, et de la bourgeoisie.'—Morin, *Hist.* i. 176, citing Anshelm-Vulliemin.

[3] Ibid. 177.

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their national independence endangered, And while their free institutions were thus brought into discredit, the disruption of their national unity was threatened by religious discords.

The Reformation in Switzerland.

The Reformation, introduced into Switzerland by Ulrich Zwingli,[1] and extended by Calvin,[2] occasioned there, as in other parts of Europe, the fiercest dissensions. Some cantons adhered to the ancient faith, while others accepted the reformed religion. The inhabitants of many cantons were divided in opinion; and the reformers, separating themselves into Lutherans, Calvinists and Anabaptists, raged furiously against one another.[3] The political unity of the confederation was weakened, and the peace of the several cantons disturbed by these religious discords.[4]

Divisions among the cantons.

In these times, the rights of conscience were ignored by Catholics and Protestants alike. It was held to be the duty of the State to force its own faith upon the whole body of the people. Zwingli, and the reformers of Zürich, insisted upon the adoption of their new doctrines, and suppressed the ancient form of worship. In Catholic cantons, the Protestants were persecuted. To protect the exercise of the new faith, the Protestant cantons[5] formed a defensive alliance;

1529 A.D.

while the Catholic cantons entered into a treaty with Ferdinand, Archduke of Austria, and King of Hungary, for the support of the Catholic religion.[6] The zeal of Zwingli, in asserting the supremacy of his creed, pro-

[1] Hottinger, *Hist. de la Conf. Suisse*, 190; Planta, *Hist.* ii. 365–374.
[2] Planta, *Hist.* ii. 411.
[3] Hottinger, *Hist.* 277–299; Daguet, *Hist.* 295.
[4] Ibid. ii. 379–402; Vulliemin, *Hist. de la Conf. Suisse*, livre viii.
[5] Zürich, Berne, St. Gall, Basle, Bienne and Mulhouse.
[6] Morin, *Hist.* i. 188, 369, 370.

voked a civil war, in which the great reformer lost his life.

The Borromean league. 1586.

At the close of the period of the Reformation, seven of the cantons adhered to their ancient Catholic faith :[1] Berne, Basle, Zürich and Schaffhausen had adopted the reformed religion ; and Appenzel and Glarus recognised both these forms of worship. By the Borromean League, or Golden Alliance, as it was sometimes called, the seven Catholic cantons recognised each other as brethren, and bound themselves to support the ancient faith, against the Protestant cantons. Switzerland was now divided into two religious leagues, holding separate diets,—the one at Aarau, and the other at Lucerne ;—and these assemblies, inflamed with religious zeal, vied with the political diets of the confederation. The Protestant cantons allied themselves with France ; and the Catholic cantons with Spain and the see of Rome.[2]

Reformation in Geneva.

In Geneva, the effects of the Reformation were peculiarly important, and extended far beyond the limits of that little State. At the beginning of the sixteenth century the bishop, and the Duke of Savoy, hereditary vidome,[3] were the ostensible rulers of Geneva : but its institutions were republican ; and the four syndics, elected by the citizens, every six months, exercised the real government of the city. The Duke of Savoy having encroached upon the jurisdiction of the bishop, and the liberties of the people, his office of vidome was abolished, and in all civil affairs the city was governed by its own citizens.

[1] These were Lucerne, Schweitz, Uri, Unterwalden, Zug, Fribourg, and Soleure ; Planta, *Hist.* iii. 3.

[2] Vulliemin, *Hist.* livre x. xi. ; Morin, *Hist.* i. 211 ; Daguet, *Hist.* 310.

[3] *Vice domini.*

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Rule of Calvin.

1538 A.D.

In ecclesiastical affairs the bishop and the clergy were still supreme. The bishop, however, was deposed by the reforming party; and Calvin soon established a clerical tyranny of his own, unequalled in Europe. He constituted himself at once spiritual and temporal dictator of the republic. He was supreme in the council, and in the consistory; and in both he carried out, with extravagant zeal, and oppressive rigour, his puritanical scheme of life and morals. He punished heresy, and vice, and even levity, with equal severity.[1] He may have introduced into Geneva a simplicity of life and manners, favourable to republican institutions, but he was himself a hard, yet conscientious tyrant. When his personal rule had passed away, his scheme of religious discipline was undoubtedly republican. Its influence in bracing the human will to stern and earnest purposes,—its stubborn resolution and self-reliance—akin to the philosophy of the Stoics,—contributed to form the character of the Genevese, to maintain the purity of their lives, to cultivate their intellect, and to stimulate their industry. The influence of this severe faith in fostering a resolute spirit of liberty and independence was perceptible wherever it spread—in other Swiss Cantons, in Holland, among the Presbyterians of Scotland, the Puritans of England, and the Huguenots of France.

Moral effects of the Reformation.

It cannot be doubted that the Reformation contributed in Switzerland, as elsewhere, to the enlightenment of the people, and to the maintenance of a spirit of freedom. If religious controversies provoked discord, they yet quickened the intellect of the age,

[1] Vulliemin, *Hist.* livre viii. ch. 3; Guizot, *St. Louis et Calvin*; Daguet, *Hist.* 332.

Political results of the Reformation.

and diverted the thoughts of men, from war, to the higher considerations of religion and morals, and to the civilising arts of peace. Nor did the reformers confine their teaching to the religious instruction of their flocks. They also addressed themselves earnestly to the reformation of manners. They strove to overcome the corruptions that had found their way into Swiss society; and to revive the manly, simple, and industrious character of the people. And, in dealing with political affairs, they condemned, in unmeasured terms, the scandals of foreign pensions, and the venality of those whom God had placed in authority over their fellow-citizens.

Social improvements.

How far the earnest spirit of the reformers prevailed over the corruptions which they exposed, it is difficult for history to estimate. But their appeals were addressed to many willing listeners, who had long reprobated the misconduct of their rulers; and they encouraged a higher conception of public morals. From the period of the Reformation, a general improvement appears to have arisen in the character of Swiss society. Foreign enlistments continued: but the wars of Europe no longer made so large a drain upon the youth of Switzerland. The venality of rulers and magistrates may not have been wholly corrected: but complaints of abuses were less frequent; and more vigorous efforts were made to suppress them. Society was acquiring a healthier tone: young men devoted themselves to useful arts and industries: learning was encouraged; and lawgivers endeavoured to discountenance that laxity of manners, which the free-lances of foreign courts had introduced.

But in a political point of view, the Reformation

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was the cause of the gravest evils, which continued long after the original religious convulsion. To differences of race and language, and rival interests among the confederate cantons, were now added divisions of religious faith, and the conflicts of hostile churches. The warlike spirit of the Swiss had already led to frequent hostilities between the cantons; and when rivalries of Catholics and Protestants, fomented by foreign States, were added to other causes of dissension, the strifes of cantons, which ought to have lived together in harmony, as fellow-countrymen, became more frequent and embittered. During the seventeenth, and the early part of the eighteenth century, these conflicts assumed such proportions as to resemble the wars of the ancient republics of Greece.[1] In the

1712 A.D.

war of Toggenburg, the cantons ranged on either side are said to have brought no less than 150,000 men into the field: but these struggles were happily brought to a close by the peace of Aarau, which lasted for the remainder of the century.[2]

The Peasant war. 1653.

Nor was it by religious troubles only that the peace of Switzerland was disturbed. In the middle of the seventeenth century, a formidable insurrection of the peasants was provoked by the grievances under which they had long been suffering. When the towns had acquired territories from the nobles, they had retained all the feudal rights of proprietors of the soil; and the townsmen proved harder masters than the feudal lords to whose interests they had succeeded.[3] These domains

[1] Vulliemin. *Hist. de la Conf. Suisse,* livre xii. ch. 6.

[2] bid. *Hist.* livre xii. ch. 7; Planta, *Hist.* iii. 1–112; Morin, *Hist.* i. 225.

[3] "Le paysan, en passant sous les nouveaux possesseurs, demeurait sujet, ne cessait pas d'être attaché à la glèbe s'il l'était encore au moment

were administered by land-voghts, whose rule was too often harsh and oppressive. The democratic cantons, so resolute in the assertion of their own freedom, were not less rigorous than the towns, in the assertion of their feudal rights over the subject bailiwicks. At length, in 1653, the peasants of Lucerne, Berne, Basle, and Soleure, goaded by heavy exactions, and other wrongs, assembled in armed bands, laid siege to the castles of the land-voghts, and committed many acts of lawless violence. But they were without discipline, or military resources: they had no skilful leaders; and their forces were mere mobs of sullen and excited peasantry. The confederate cantons made common cause against the insurgents; and, after vain negotiations with their delegates, to avert bloodshed, easily overcame them. The disaffected districts were disarmed and fined for their offences; and several of the leaders suffered death and imprisonment. The peasant war was a transient danger to the State: but it revealed the rankling discontents which decaying feudalism still provoked. For the present they were suppressed: but in future times the continued domination of the towns, and the unequal privileges of burghers and peasants, occasioned troubles more serious and revolutionary [1]

Increasing prosperity of Switzerland.

But, notwithstanding these civil and religious troubles, Switzerland continued to advance in social and material welfare. During the seventeenth and eighteenth centuries, there was increasing prosperity in all

de la cession; et même son état empirait en ce sens, qu'appartenant à un corps, et non à un maître unique, il ne pouvait plus espérer son affranchisement, des vues libérales d'un seigneur.'—Morin, *Hist.* i. 78.

[1] Vulliemin, *Hist. de la Conf. Suisse*, livre xii. ch. 1; Daguet, *Hist.* 407.

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the cantons. Their laws were generally good, and justly administered. There were still occasional abuses :[1] but, on the whole, the moral tone of society was improved. The cantons provided generously for losses by storm and flood : the poor were aided out of the cantonal funds ; and the towns founded many charitable establishments. Roads and bridges throughout these mountain regions were skilfully constructed and vigilantly repaired. The finances of the cantons were carefully and thriftily administered. In no country do we find better examples of public spirit, and of regard for the general welfare of the people. In the rural cantons, the peasantry were industrious, frugal and intelligent ; and their homesteads models of cleanliness and comfort. In such cities as Zürich and St. Gall, handicrafts were practised, with ingenious industry ; and their citizens grew rich, and famous in the commerce of Europe.[2]

Virtues of the Swiss.

Not without some corruption from increasing wealth, and from intercourse with the people of other lands, the great body of the Swiss nation retained, until the close of the eighteenth century, much of the simplicity of the free States of antiquity. Brave, hardy, prone to war and adventure, and ever ready to draw the sword for the land of their fathers, they were yet domestic, industrious and frugal.

Relations of Switzerland to Germany and France.

Meanwhile, the relations of Switzerland with foreign powers were destined to exercise a considerable influence upon its constitution and government. The nominal allegiance of the confederation to the German emperors was not finally renounced until 1648, after

[1] As at Lucerne, where the treasury was robbed in 1729, in 1749, and in 1762; Daguet, *Hist.* 448.

[2] Mallet, *Continuation of Müller's Hist.* xi. 402 *et seq.*

the Thirty Years' War, when its absolute independence was declared by the treaty of Westphalia. Austria and France had long been contending for a dominant influence in Switzerland: but from this period, France, which was the chief employer of its mercenary troops, and was also its nearest and most active neighbour, gradually obtained a decided ascendency; and, partly by menace, and partly by liberal subsidies, directed the councils of the confederation.

Louis XIV. Louis XIV., the absolute monarch of his own realm, naturally encouraged the Swiss party which least favoured democracy; and the nobles, who had been gradually enlarging their powers, profited by the influence of their great ally, to limit still further the franchises of the burghers.[1] Accordingly, during this long reign, the constitutions of some of the cantons were gradually converted into close oligarchies.

Berne. In Berne, where the nobles had always been in the ascendant, the entire administration had fallen into the hands of a few families,[2] with whom it had become hereditary. Their exclusive power was sometimes resisted: but could not be overthrown. In 1749, a formidable conspiracy under Samuel Henzi was suppressed; and from that time the power of the nobles was not to be shaken. The old republic had become an oligarchy, and so continued until the French Revolution.

Fribourg. Fribourg had been no less exposed to the encroachments of a small ruling class—known as the secret families—by whom the whole power of the State

[1] Vulliemin, *Hist.* livre xii. ch. 6; Monnard, *Hist.* Intr. p. 3.

[2] In the eighteenth century, these amounted to about sixty, while about two hundred more, divided into great and small families, belonged to the same patrician class.

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was exercised. In 1684, it was even decreed that no other families could legally be admitted to this exclusive circle. There were discontents; and in 1781 an insurrection was provoked against the oligarchy: but that body was strong and resolute; and by the aid of Berne, Soleure, and Lucerne it overcame all opposition, and maintained its power until the French Revolution brought changes over the whole confederation.[1]

Geneva. (Eighteenth century.)

The Calvinist republic of Geneva had been undergoing similar changes. It had, indeed, been decreed, in its early days, that whosoever should propose any change in the constitution should suffer death: but many changes nevertheless ensued; and the greatest was the continued rise of an aristocracy. Learning being pursued with greater success, in Geneva, than in any part of Switzerland, that city became the resort of men of science and letters; and its society was remarkable for its culture. Its industry, ingenuity and commercial enterprise were constantly increasing the wealth and cultivation of its citizens; and of these the foremost naturally aspired to govern. In Geneva, as in other towns, there was a fashionable quarter. Its 'West-End' was called the 'Upper town,' in which dwelt the families who began to call themselves patrician. The members of these families alone composed the council, and governed the State. Such a government could not fail to provoke discontent; and the burghers of Geneva often clamoured for a restoration of their ancient rights, and offered resistance to their rulers.

The struggles which ensued, in this little commonwealth, are not without instruction. For the greater

[1] Duguet, *Hist.* 468–472.

part of the eighteenth century, a cultivated and prosperous community was convulsed by political discontents, which eventually led to the extinction of its liberties. On one side, were the privileged orders holding fast to the pre-eminence which they had acquired, and resisting the popular claims by severity and force. On the other, were the popular party, resorting to all the expedients of political agitation, to attain their ends; and fomenting the discontents of the people. The ancient rights of the commonalty had unquestionably been abridged: but those who had encroached upon them refused to make timely concessions; and thus the struggle of classes continued.

In 1707, the council, after grievous severities, put down the burghers, by the aid of Berne and Zürich. Again, in 1737, these cantons were called in to restore peace in Geneva: and, acting as mediators in concert with the French ambassador, they formed a new constitution, which, for a time, gave contentment to the burghers. But the concessions being incomplete, agitation was soon renewed. The popular leaders had taken advantage of the assembling of the citizens, in companies, for military exercise, to appoint delegates and to organise a formidable combination. This dangerous form of agitation being prohibited, was succeeded by the formation of political clubs, which aroused the people to make fresh demands. Further excitement was also caused by the writings of Rousseau and Voltaire. In 1768, the burghers again acquired extended privileges, and a large share in the government of their country. But other classes now pressed for an extension of their franchises. The natives and inhabitants, though established in the city

1737–1738.

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for many generations, had been debarred from all public functions. They had recently secured the means of admission to the roll of burghers: but were still dissatisfied with their disabilities. Their claims had received little support from the burghers, who, however jealous of the privileges of their rulers, had little disposition to share their own recovered franchises, with men whom they had been accustomed to despise. Fresh disorders arose, and, in 1781, the council was overcome, and a democratic constitution was established. Its reign was short. Berne and Zürich, the old allies of the patrician party, and France and Savoy, took military possession of the town, expelled the liberal leaders, and restored the council, with plenary powers. By this 'règlement' of 1782 the people were disarmed and disfranchised; and all the liberties of Geneva were crushed by a foreign garrison. It was a grievous blow to the prosperity, as well as to the freedom and happiness, of the people. The citizens were discontented, but powerless: their spirit and enterprise languished: but they had no means of redress; and such was the sad condition of this famous republic, until the French Revolution swept over it, bringing new trials and troubles.[1]

Lucerne and Soleure.

Lucerne had also become an oligarchy, being governed, in the eighteenth century, by a council of thirty-six members, chosen from about one hundred patrician families. Soleure was the last of the aristocratic cantons, and maintained a close alliance with Berne and the other cantons governed upon the like principles.

Commercial cantons.

In several other cantons, of which Zürich and

[1] Planta, *Hist.* iii. ch. 9; Daguet, *Hist.* 465–468.

Basle were the leading examples, the guilds retained the chief direction of public affairs. They were generally trading communities, where privileged families had not arisen, and where the interests of trade, as represented by the guilds, were paramount. Hence sprang monopolies, favourable to the towns, and restrictive of the industry of the rural portions of the community. Outside these privileged towns the inhabitants of the cantons were excluded from all share in the government. So far as they were concerned, their trading masters were a close oligarchy, using their power for their own benefit, and for the oppression of their less favoured countrymen. There were discontents in these cantons, not less than among their aristocratic neighbours.

Democratic cantons.

In many of the rural cantons, however, the democratic constitutions continued, without the encroachments either of patrician families or of guilds. The citizens retained their ancient franchises, and were governed by their own elected magistrates, as of old. Their civilisation was less advanced than that of the greater cantons: there was less social and intellectual progress: but their simple pastoral life and isolation had preserved their liberties.

Effects of the French Revolution.

The French Revolution, which disturbed the peace, and unsettled the political institutions of every country in Europe, convulsed Switzerland with civil war and anarchy, and, for a time, deprived it of its national independence. As we have seen, the encroachments of rulers, in several of the cantons, upon the former liberties of the citizens, had long been the cause of discontents and disorders. It was natural that the appeals of revolutionary France to the sympathies, and

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emulation of other lands, should meet with a prompt response from the discontented Swiss. Wherever patricians had excluded the burgesses from their ancient rights, or corporations had maintained exclusive privileges, the principles of the Revolution held out hopes of redress.

In Geneva.

Geneva was the first to feel the violence of the storm. On the very borders of France, and speaking the same language, the contagion of revolutionary sentiments spread rapidly through the canton, while a hateful government, supported by foreign bayonets, provoked instant action. The burghers recovered their

1789-1792.

rights: but the movement did not stop there. The unenfranchised citizens and the rural population demanded equal rights with the favoured burghers; and though controlled, for a time, by troops from Berne and Zürich, they rose in arms, overthrew the government, and constituted a national convention, and a committee of public safety. It was not in names only that France was imitated at Geneva: aristocrats

1794.

were denounced and executed: the prisons were filled with suspected citizens: numbers of leading men were banished, or fled: ruinous exactions were levied upon

1796.

the rich: a reign of terror was established. But, in time, the revolutionary fury spent itself: the old constitution was restored, all classes being admitted to the franchise: the contending factions were reconciled: and the little republic was again at peace.[1]

Revolutionary troubles in Switzerland.

But greater dangers were impending over the whole of Switzerland. French emissaries were busy throughout the confederation, fomenting discontents, and intriguing to bring about an intervention in its affairs.

[1] Monnard, *Hist. de la Conf. Suisse*, livre xiv. ch. 8; Daguet, *Hist.* 488.

French troops were on its frontiers. In many of the towns there were numbers of malcontents who sympathised with the revolutionary principles of the French republic; and in some of the cantons a large proportion of the inhabitants were of French extraction. At Basle there was a revolution, where the peasantry revolted against the town. There were revolutions at Zürich, Lucerne and Soleure. At Berne the patrician council made concessions to the popular party, and promised a new constitution. At the same time the Ligurian, Batavian and Cisalpine republics—the creations of France—were held up as examples to the Swiss. Every day, the designs of the French became less disguised. From intrigues, they advanced to menaces, and at last to violence. They annexed the bishopric of Basle to France; and their troops entered Switzerland, in several directions. The Swiss were so brave and warlike: the number of men trained to arms was so considerable; and their country was naturally so defensible, that they might still have repelled their invaders. But Swiss councils were divided; and, partly by bold artifices, and partly by military force, this free country was overcome.[1] All Europe deplored its adverse fortunes. The courage and constancy of the Swiss: their well-known patriotism and love of independence: their glorious history; and their simple and manly character, found sympathy in every land. But as yet the wild career of revolutionary France was not to be arrested.

The Helvetic republic.

The French now declared the old confederation to be dissolved, and, in its place, founded a new Helvetic

[1] Planta, *Hist.* iii. ch. 10; *Ann. Reg.* 1798, 20–31; Monnard, *Hist. de la Conf. Suisse*, livre xv. ch. 1.

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republic, with equal rights to all citizens, by whom representatives, judges and magistrates were to be elected. With that love of systematic arrangement, which marked all the political schemes of the French, at this period, Switzerland was divided into twenty-two departments: to each of which were assigned four senators, and eight councillors, to represent the new republic, in the Legislative Assembly at Aarau. The executive power was entrusted to a directory of five members, to be chosen by the assembly. Provision was made for the organisation of a national militia, and of a standing army for the entire republic.[1] The assembly was summoned to meet at Aarau: but the representatives of ten departments only appeared: the majority of the departments being either hostile to the new constitution, or reluctant to take part in its inauguration. The assembly met under a guard of French grenadiers; and formally proclaimed the constitution. It was welcomed by some of the towns, as subversive of the old governing families: but it was generally received with coldness, or aversion, as the work of foreign masters; and by many of the cantons, in the eastern parts of Switzerland, it was obstinately rejected.

Resistance of the rural cantons.

Six of the little rural cantons—Schweitz, Uri, Unterwalden, Glarus, Zug, and Appenzel—which had enjoyed, from the earliest times, the utmost measure of freedom, met the new scheme of French liberty with indignant protests; and leagued together to resist it. They were contented with the simple freedom of their forefathers; and 'Liberty, equality, and fraternity,' of the French type, had no attractions to their unsophisticated minds. In order to coerce the refractory

[1] Monnard, *Hist.* ibid.; Morin, *Hist.* i. 261, 386; Daguet, *Hist.* 504.

cantons, the French general, Schauenbourg, endeavoured to cut them off from all intercourse with other cantons, and if possible to starve them into submission. To escape from this close investment, their heroic defenders made a descent upon Zürich and Lucerne, and boldly encountered the French forces. They were overpowered by numbers: but so gallantly did they maintain their ground, that the French general declared 'that every Swiss soldier had fought like a Cæsar.' Schweitz and Glarus especially distinguished themselves in these bloody combats; and the Schweitzers retreated step by step to their mountain fastnesses, fighting their victorious enemies to the last. So stubborn had been their resistance, that the French were glad to make terms with their heroic foes. Schweitz and Glarus were reduced to accept the new constitution: but they obtained conditions favourable to their independence. It was stipulated that they should be undisturbed in the free exercise of their religion: that they should be exempt from all contributions, and that their frontiers should never be invaded by French troops. Zug, Uri, Unterwalden, and Appenzel were reduced to submission, and, securing the best conditions in their power, they accepted the new constitution.

Renewed resistance.

But the struggle was not yet at an end. The conditions which had been granted to some of the rural cantons were galling to the French. They were bent on enforcing a rigorous uniformity of administration; and they desired a free passage for their troops over the St. Gothard Pass, and other roads, which were now closed against them. It was, therefore, ordained by the

[1] Monnard, *Hist.* livre xv. ch. 3, &c.; Planta, *Hist.* iii. 374–381, 397–408; *Ann. Reg.* 1798, ch. iii.; Daguet, *Hist.* 503–506, 515.

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French general, and commissary, that an oath of allegiance to the new constitution should be taken in every canton. Schweitz, Uri, Unterwalden and Zug refused obedience to this ordinance. They were threatened by the French, and exhorted by the Helvetic directory; and, at length, three of the cantons, having no hope of effectual resistance, submitted. Unterwalden alone braved the fury of the French army. Its little force fought with obstinate bravery: men, women and children, of all ages, joined in the desperate combat: but they were surrounded and cut to pieces. According to the statement of the French general himself, 'all who bore arms were put to the sword;' and the whole country was exposed to pillage and massacre.[1] While the town of Stanz, and the adjacent villages were in flames, and the infuriated French soldiery were wreaking their vengeance upon the helpless survivors, two hundred of the gallant men of Schweitz arrived upon the scene of carnage. It was too late to save their friends: but they resolved to avenge them; and rushing upon the enemy, they cut down hundreds of the invading host, and died, to a man, in the deadly fight.[1]

Repugnance to French democracy.

This brave resistance of the small cantons deserves to be commemorated, among the most remarkable events of Swiss history. The primitive people of these cantons were ever brave, free, and independent; and they were no less conservative. They were not to be tempted by theories of a model republic: they had no conception of 'the rights of man:' but they gloried in their own ancient liberties; and they resented foreign dictation. They were earnest in their patriotism; and

[1] *Ann. Reg.* 1798, p. 34.

while more powerful cantons submitted to the intrusion of the French, they fought and bled, with all the heroism of their forefathers, in defence of their freedom.

The new constitution was now forced upon the people; and Geneva was annexed to France.

French oppression.

Meanwhile, the French were, by no means, contented with the empty honour of founding a model republic: but as an indemnity for their services, in the cause of liberty, seized the treasures of Berne, Zürich, Fribourg and Soleure, and levied heavy contributions upon the inhabitants.[1] A constitution forced upon them by foreign arms was not likely to bring contentment to the Swiss. There was much in its unity and centralisation to commend it: but it found no favour, except with the democratic party of the French school: it was a badge of national servitude; and it was upheld by a costly army, by intolerable exactions, and by haughty and insolent domination.[2] Dissensions, remonstrances and strife marked its brief existence; and when the country became the battle-field of French and Austrian armies it was overthrown. It was restored by the French; and was succeeded by other constitutions equally unstable, until the whole country was reduced to anarchy and civil war.[3]

Overthrow of the new constitution.

1798–1802.

Intervention of Napoleon. 1802.

By the treaty of Luneville, between the Emperor of Austria and the French republic, the independence of the Helvetic republic, and the right of the people

[1] See the last vol. of Müller's *Hist.*, as continued by Mallet, and Monnard, *Hist. de la Conf. Suisse*, for full statements of the doings of French republicans in Switzerland, and copies of many documents. Also Tillier, *Hist. de la Rép. Helvétique*; Ludwig Meyer, *Hist.*; and Planta, *Hist.* iii. ch. 10; Morin. *Hist.* i. 269; Daguet, *Hist.* 500.

[2] Planta, *Hist.* iii. 364–397; *Ann. Reg.* 1798, pp. 35, 103–106, 246.

[3] Monnard, *Hist.* livre xv. ch. 2–4; *Ann. Reg* 1802, pp. 225–232.

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to adopt whatever form of government they pleased, had been guaranteed. But continued dissensions, and the irreconcilable opposition of the French and national Swiss parties, prevented the adoption of any constitution generally acceptable to the people. At length, in 1802, Napoleon, First Consul of the French Republic, notwithstanding the stipulations of the recent treaty, interposed and offered his mediation. 'It would be painful,' he said, 'to think that destiny had singled out this epoch, which has called to life so many republics, as the hour of destruction to one of the oldest commonwealths in Europe.' But the tone in which he addressed the Swiss was that of a dictator rather than a mediator. He summoned delegates to Paris, to confer with him concerning the future government of the republic; and to ensure compliance with his demands, forty thousand French troops, under General Ney, took military occupation of Switzerland. So peremptory a method of dealing with an independent State was naturally repugnant to the feelings of a large proportion of the Swiss people. But, having no hopes of peace, or internal order, except through the proffered mediation, they despatched between fifty and sixty delegates to Paris. Napoleon himself appointed a commission, at which he sometimes himself assisted.[1] With that penetrating sagacity which marked his statesmanship, he perceived the political needs of Switzerland. 'A federal constitution,' he said, 'is a primary necessity for you. Nature herself has adapted Switzerland for it. What you need is equality of rights between the cantons, a renunciation of all family privileges, and the

[1] Monnard, *Hist.* livre xvi. ch. 5; *Ann. Reg.* 1802, pp. 233–242; Morin, *Hist.* i. 303; Daguet, *Hist.* 518.

independent organisation of each canton.' And again— 'Federalism weakens large States by splitting their forces, while it strengthens small States by leaving a free range to individual energies.' At this time he naturally showed a preference for democracy, and to the delegates he said, 'It is the democratic cantons which distinguish you, and draw upon you the eyes of the world.'

The Act of Mediation. 1802–1803.

The result of these deliberations was the 'Act of Mediation,' by which the federal union, consisting of nineteen cantons, was revived, with admirable provisions for its safer working. The principles of the contending parties were, as far as possible, reconciled; and some diversities in the institutions of the different cantons were continued: but generally the new constitution was that of a democratic republic. Equality of rights, and freedom of trade and industry, were proclaimed: special privileges were discontinued: servitude, which had disappeared in the revolutionary movements of 1798, was expressly abolished; and, lastly, the cantons were restrained from making separate wars or alliances.[1] For the first time, the federal tie which united the several cantons was drawn so closely as to constitute the confederation a compacted State. This settlement, founded upon wise principles, was creditable to the statesmanship of Napoleon. It was not, indeed, his purpose to renounce the ascendency of France; and he continued to interfere in the administration of Swiss affairs: but he desired the tranquillity and increased power of a friendly republic.

This constitution, however, did not survive the fall

[1] Monnard, *Hist. de la Conf. Suisse*, livre xv. ch. 5; Morin, *Hist.* i. 309, 387; Daguet, *Hist.* 519.

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of Napoleon: when after a year of foreign invasions and internal disorders,[1] another constitution—known as the Federal Pact—was accepted by the distracted republic, in concert with the congress of Vienna.[2]

The Federal Pact. 1815.

The nineteen cantons of the late confederation were increased to twenty-two, by the addition of Geneva, Neufchâtel and the Valais: the federal tie was drawn yet more closely;[3] and the several cantons revised their own constitutions. The time was not favourable to popular franchises. The democratic cantons, indeed, true to their principles, upheld the supreme rights of the people, and removed some restrictions which had been imposed, by the Act of Mediation, upon their ancient customs: but in the other cantons, the old interests recovered much of their former power: the liberties of the people were abridged; and the towns again encroached upon the fair rights of their rural neighbours. The revival of such unequal privileges was a reactionary measure, congenial to the time, but fraught with future troubles.[4]

Prosperity after the peace.

For the present, political discontents were arrested by the general prosperity of the country. The restoration of peace to Europe, and the securities obtained for the neutrality and independence of Switzerland, at the Congress of Vienna, gave great encouragement to the intellectual and material progress of the country. Public education was advanced: science and literature

[1] Monnard, *Hist.* livre xvi. sect. i.; *Ann. Reg.* 1804, pp. 91-94, 447.

[2] Monnard, *Hist.* livre xvi. sect. iii. ch. 1-3; Morin, *Hist.* ii. 21, 119.

[3] By the sixth article it was declared that 'no alliance should be formed by any cantons prejudicial to the pact, or to the rights of other cantons.'—Morin, *Hist.* ii. 403.

[4] Daguet, *Hist.* 535, 543.

received a fresh impulse: a learned society was formed, which made itself famous throughout Europe: the arts flourished: manufactures and industrial arts were pursued with renewed activity: wealth increased; and industry prospered. Public works of great utility were undertaken: noble roads were constructed over the passes of St. Gothard, the Bernardin, and the Splugen. the communications of the country were everywhere improved; and the towns were adorned with new streets and public buildings. Travellers, released from the restraints of protracted wars, crowded to the romantic scenes, which had been celebrated in history and in song. Throughout the land, society was making prodigious advances.[1]

Continued political reaction.

But in the midst of this prosperity, the political reaction of 1815 had been maintained. While society was advancing in wealth and intelligence, the basis of political power was being steadily contracted. At Berne, and Fribourg, the governing families had regained their oligarchic rule: in many of the cantons the councils were partly self-elective, and many of their powers were usurped by the executive council: in Zürich, Soleure, Schaffhausen and Basle, the towns dominated over the country as feudal dependencies In religion there was a like reaction, the priesthood and the ultramontane party being animated by unusual zeal, in the Catholic interests;[2] and the Protestant clergy being active in the support of the aristocratic or conservative party. At the same time, other countries were suffering under the reactionary policy of the great powers. The Holy Alliance, pledged to the repression of European liberties, had already aroused the popular

[1] Morin, *Hist.* ii. 145 *et seq.*

[2] Daguet, *Hist.* 536.

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party to renewed efforts in the cause of freedom. In many parts of Europe, secret societies had been formed to counteract the policy of the great powers. At Naples, and in Piedmont, revolutions had been attempted; and many of the revolutionary leaders had escaped into Switzerland, where they proclaimed their wrongs, and aroused sympathy with their political sentiments. In 1823, the great powers had prevailed upon the Swiss Diet, with the assent of the cantons, to impose restraints upon the press, and to tamper with the right of asylum, which its neutral territory afforded to political refugees.[1]

1820-1821.

Revolutions of 1830.

Such incidents tended to keep alive popular discontents, and to encourage the democratic party: when, in July 1830, the peace of the country was suddenly disturbed by the French Revolution. Throughout Europe, that event instantly revived political aspirations which had been dormant or inactive since the peace. And in Switzerland, the discontents which had been repressed, by prosperity and material contentment, since the last constitutional settlement, broke out in riots and insurrections in Berne, Fribourg and other cantons. The reaction of 1815 was now reversed by tumultuous risings of the people; and privileges, which ought never to have been withheld, were wrested from the cantonal governments, by revolutionary violence, or conceded in panic. In Zürich, Lucerne and elsewhere, political excitement was promptly allayed by judicious concessions to the general sentiments of the people.[2] These revolutions were generally effected without bloodshed, proscriptions, or confiscations. The people

[1] Morin, *Hist.* ii. 158, 159; Daguet, *Hist.* 538.

[2] *Ann. Reg.* 1830, p. 281; Morin, *Hist.* ii. 163 *et seq.*

were resolute: but without ferocity, or cruelty. The laws were roughly changed: political wrongs were rudely redressed: but life and property were respected.[1] The history of Switzerland, though chequered by many troubles, is generally free from those scenes of ferocious bloodshed which have stained the eventful annals of France.[2]

At Berne, the nobles yielded to the popular storm; and consented to the calling of a constituent assembly: but, incensed by their defeat, they refused nominations to that body, and left it to the direction of the revolutionary party. In the most aristocratic of the cantons, the nobles were now deposed. Before the end of 1831, eleven of the cantons had changed their constitutions, and their rulers; and considerable changes were effected in other cantons. The general aim of these revolutions was to overthrow the exclusive privileges of the ruling families, to introduce direct election by the people, to separate the legislative, executive and judicial powers of the State, to liberate the country from the dominion of the towns, and to extend the liberty of the press. The constitutions generally became democratic, the sovereignty of the people being the basis of their laws. The suffrage was universal: the popular councils recovered their powers: their debates were public; and a free press and public meetings were vigorously used in the struggles of a new political life.

[1] Grote, *Politics of Switzerland*, Letter vii. 'La Révolution Suisse demeura pure des excès sanglants qui avaient souillé le reveil de plusieurs peuples.'—Daguet, *Hist.* 545.

[2] Hallam says:—'Switzerland, not absolutely blameless (for what republic has been so?) but comparatively exempt from turbulence, usurpation, and injustice, has well deserved to employ the pen of an historian, accounted the most eloquent of the last age.'—*Middle Ages*, i. 471.

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New constitution proposed. 1833.

Political troubles were rife throughout Switzerland. To allay them, and to reconcile the contending factions, and conflicting interests in the several cantons, the Federal Diet, in May 1833, prepared an amended constitution, containing many popular and judicious provisions: but, being opposed by the Catholic and conservative cantons, it failed to meet with the approval of the majority; and it was postponed.[1]

Troubles in the cantons.

No further revision of the federal constitution was now attempted: but the affairs of the different cantons continued to occupy the anxious attention of the Diet.

1841 A.D.

There were renewed political troubles at Geneva: there were risings among the Catholic populations of Soleure and Argau; and, somewhat later, more serious

1843–44.

troubles in the Valais. The old religious jealousies of the Catholic and Protestant cantons were revived, with increased violence. The convents of Argau having been implicated in these insurrections, were suppressed by a decree of the cantonal council. This measure excited a fierce dispute, throughout the confederation; and gave rise to more serious religious conflicts. The late troubles had been attributed, by many politicians, Catholic as well as Protestant, to the increasing influ-

The Jesuits.

ence of the Jesuits; and an active agitation was commenced, for obtaining their expulsion from Switzerland. At Zürich their expulsion was voted by a small majority of the great council, in opposition to the executive council: in Berne, Geneva, and other cantons, a strong popular agitation was aroused to secure the same object; and the question was discussed in the Federal Diet. In the midst of this popular excitement the Jesuits were, for the first time, admitted into Lucerne, to superintend

[1] Morin, *Hist.* ii. 198–203, 428.

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the education of that canton. The anti-Jesuit party, exasperated by this defiance, passed beyond the bounds of political agitation, and were betrayed into acts of lawless violence. Large bodies of armed men, known as *franc-corps*, or volunteers, with all the equipments of war, threatened the peace of many of the cantons. They twice invaded Lucerne, but were repulsed.[1]

The *franc-corps*.

In defence of the cause of the Jesuits, Lucerne formed a league of seven Catholic cantons, known as the Sonderbund, which threatened the very existence of the confederation. These cantons had already been connected by the League of Sarnen: but were now united in a more dangerous alliance. The allied cantons, in violation of the federal pact of 1815, engaged to defend each other, by an armed force, and appointed a council of war to concert all necessary measures for joint action. At Geneva, a revolution was effected, the revolutionary party being violently opposed to the Jesuits and to the Sonderbund.

1844–45. The Sonderbund.

The Diet was now forced to deal boldly with these religious dangers, which were hurrying the country into a civil war. It became clear that a majority of the Diet was prepared to vote for the expulsion of the Jesuits from Switzerland; while the Sonderbund was making active preparations for armed resistance to such a decree. All the efforts of friendly negotiation failed; and nothing remained but an appeal to the sword. The confederation comprised the most powerful cantons, representing the greater part of the wealth, intelligence and population of the country;[2] and was

Overthrow of the Sonderbund. 1847.

[1] Morin, *Hist.* ii. 284–290; Daguet, *Hist.* 565, 568 *et seq.*

[2] At this time, the population of Switzerland was 2,400,000, of whom 900,000 only were Catholics.

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supported by the enlightened opinion of the majority of the people. The forces of the Sonderbund amounted to nearly 50,000: the army of the confederation was about 100,000; and, after a feeble resistance, the Sonderbund was speedily overcome.[1]

Scheme of a new constitution. 1847.

The strength of the confederation, supported by the national party, was now decisively proved; and the time was, at length, favourable for a revision of the federal constitution. The entire history of Switzerland had disclosed the weakness of the federal union. The sovereign rights of the several cantons had prevailed over the central authority. The federal government had only such sovereignty as each canton conceded to it. It was the aim of the new constitutional scheme to make the federal government supreme, leaving such a degree of independence to each canton as was compatible with the general interests of the State.[2] Such was the design of those who framed the constitution of the United States of America; and such was now the purpose of the Swiss lawgivers. While this scheme was being matured, France became once more a republic, and all Europe was convulsed with political agitation: but the provisions of the new constitution were steadily discussed; and, at length, the Federal Act was ratified by the people.[3]

September 1848.

New constitution. 1848.

By the new constitution, the supreme legislative

[1] Morin, *Hist.* ii. 300–306; Daguet, *Hist.* 582–589.

[2] 'Two requisites seem necessary to constitute a federal government, in its most perfect form. On the one hand, each of the members of the union must be wholly independent in those matters which concern each member only. On the other hand, all must be subject to a common power in those matters which concern the whole body of members collectively.'—Freeman, *Fed. Govt.* i. 3, 4.

[3] Out of 500,000 citizens entitled to vote, only 150,000 declared themselves in favour of the Federal Act.

power was entrusted to a federal assembly, consisting of two deliberative bodies—the national council and the council of States; the one representing the entire Swiss nation, the other the individual cantons. No federal law could be made without the concurrence of both these bodies, which on special occasions were to sit and vote together. To this assembly were assigned far greater powers than are usually given to legislative bodies. Among their functions were the nomination of federal authorities, the making of alliances and treaties with foreign powers, declaring peace and war, and the regulation of the post office and the coinage. The executive power was confided to a federal council of seven members, elected by the assembly, its president being the president of the confederation. Every man aged twenty, not expressly deprived of the rights of citizenship, by the laws of his own canton, was entitled to vote, and was himself eligible to the national council. All Swiss were declared equal before the law, there being neither subjects, nor privileges of places, of birth, of persons, or of families. Liberty of worship for all Christian confessions: freedom of the press, and the right of petition, and of association, were assured. While the utmost liberties of a republic were thus secured for the people, the sovereign rights of the several cantons were acknowledged, so far as they were compatible with the federal authority. But they were prohibited from making separate treaties or alliances among themselves, or with foreign States, except in certain cases, and from maintaining a permanent force of more than 300 men. To the confederation itself were reserved all the supreme powers of the State, including the right of interference, in case of

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differences between any of the cantons. The supremacy of the confederation was reconciled with the separate autonomy of the cantons. To secure the national independence of Switzerland, and to restrain the notorious abuses of past times, it was declared that no foreign pensions, titles, presents, or decorations, should be received by any officer of the confederation, or member of the Federal authorities. The democratic basis of this constitution was further marked by the provisions made for popular approval. Its acceptance was first voted by the people: 50,000 citizens could demand its revision; and every revised constitution was again to be approved by the majority of the people, and of the cantons.[1]

Principal objects of the constitution of 1848.

The three principal objects of this new constitution were, 1. the strengthening of the national government; 2. the overthrow of oligarchies; and 3. the protection of the State from the domination of the Church of Rome. The first two were attained by the direct provisions of the constitution: the third was afterwards promoted by the expulsion of the Jesuits, and their affiliated societies, from Swiss territory.

Government of the cantons since 1848.

The federal constitution of 1848, founded upon rational and well-considered principles, was maintained until 1874; when important changes were introduced, including a further enlargement of the federal authority, the exclusion of the Jesuits, and other monastic orders, and the stricter subordination of religious bodies to the civil power. Meanwhile the institutions of the several cantons were guaranteed, provided they had been accepted by the people, and subject to revision

[1] Bluntschli, *Hist. du Droit fédéral*; Morin, *Hist.* ii. 315 *et seq.*; 450 (*Pièce justificative*, No. 24).

on the demand of a majority of the citizens: but, whether representative or purely democratic, they were always to be republican. These institutions have since been generally maintained. In some of the cantons, as in Lucerne and Soleure, there have been irregularities and excesses on the part of the dominant factions: but in most of them, popular government has been successfully carried out. At Berne, the extreme revolutionary party had long been in the ascendent: but the nobles, who since 1831 had held themselves aloof from public affairs, at length resumed their proper place in the State, while they solemnly renounced any intention of recovering their power, as a privileged order. Henceforth, the different classes of society laboured together, for the public good. Geneva was, for many years, convulsed by the strife of factions, and religious discords: but its councils have been lately directed by greater moderation, and in a more conciliatory spirit.

Political condition of Switzerland.

The constitutions of the several cantons, and of the confederation itself, have become democratic: but rank and property have, by no means, lost their legitimate influence. Formerly it was sought, by invidious privileges and disabilities, to secure their ascendency: but when these artificial supports were withdrawn, the social consideration of the noble and wealthy, and their public services, generally sufficed to secure for them an important place in the councils of the State. They have been distinguished in the federal government, and in the administration of their own cantons. The French had striven to force upon Switzerland a uniform democracy: the great powers had encouraged the revival of the old family and local influences: but since

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she has been left to herself, her own social forces have moulded a constitution, which represents the natural conditions of a varied and composite nationality.

Difficulties of federal union in Switzerland.

The difficulties of a close federal union in Switzerland have been obvious, throughout the entire course of its history. All the conditions of the country, and of its society, contributed to divide, instead of uniting, the different cantons. Mountains and lakes have separated them, by barriers so strong as almost to create distinct nationalities. The land has been peopled by different races: no less than four languages are spoken by its inhabitants: the cantons are divided by differences of language, of religion, of ancient customs, of social development, of industries, and of material interests. As we have seen, their political and religious dissensions have often led them into civil wars: but they have been less violent, cruel, and vindictive, than the civil wars of most other countries. These causes of disunion, and conflict, have been gradually overcome by the principles of confederation, judiciously and temperately applied to the circumstances of the country. In matters of internal government the independent rights of the several cantons are upheld: every diversity of race, of language, and of religion is respected: every social interest is represented. The aristocratic citizen of Berne, and the democratic peasant of Schweitz, sit side by side, in the Federal Diet, with equal rights, as members of the national council, without sacrificing any of their independence as natives of their own autonomous cantons. No state, however governed, having such social and religious diversities, can avert occasional dissensions. Empires and monarchies have been convulsed by the strife of discordant nationalities,

and hostile religions. Switzerland still has her religious troubles: but she has contrived to harmonise the national discords of her countrymen, by toleration, and concessions, until her government has become nearly as strong and stable as a constitutional monarchy.[1]

Intellectual character of Switzerland.

While Switzerland was thus advancing to national freedom and unity, it was acquiring a European fame in learning and literature. Without the original genius of the Italians, the Swiss have displayed remarkable powers, in science, in political philosophy, in history, and in letters. A country which has given birth to Rousseau, Necker, Madame de Staël, Horner, Müller, Dumont, Pictet, Rossi, Sismondi, and Daubigné, must be allowed an honourable place in the learned fellowship of Europe. In practical engineering, the Swiss may challenge rivalry with any other nation. And the remarkable resources of modern schools and universities, and the zeal of the rising generation for learning, promise well for the intellectual future of Switzerland.

Maintenance of the principles of a pure democracy.

The principles of a pure democracy which had marked the early institutions of Switzerland, have ever been cherished by the people, throughout all the political vicissitudes of their history. The primary doctrine of such a democracy is the absolute sovereignty of the people—whether exercised personally, as in some of the Greek cities, and in the rural cantons of Switzerland itself, or through their representatives, as in later and more artificial constitutions. And this doctrine has been maintained in Swiss institutions, from the

[1] 'The Swiss confederation, in its origin a union of the loosest kind, has gradually drawn the federal bond tighter and tighter, till, within our own times, it has assumed a form which entitles it to rank beside Achaia and America.'—Freeman, *Hist. of Federal Govt.* i. 6. See other remarks, ibid. 118.

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earliest times, until the present day. It has ever been the sole principle of the rural cantons; and there can be little doubt that in most of the towns the original scheme of government was equally simple. As society advanced, and the administration of affairs was entrusted to senates and councils, the reference of important questions to assemblies of the people was still recognised, and a traditional right was asserted of reserving such questions for their final determination. General assemblies of the citizens gradually fell into desuetude; and the popular claim to review the decisions of the governing body became little more than theoretical. At Geneva, during the long contests between the aristocracy and the burghers, in the eighteenth century, the scheme of summoning general assemblies for the revision of the acts of the executive government, and of the council, was revived by the popular party, by whom it was claimed as an ancient constitutional right: while, by the aristocrats it was stigmatised as a democratic innovation, tending to anarchy.[1]

When the reactionary policy of 1815 was reversed, and popular principles were once more in the ascendent, the doctrine of the sovereignty of the people was strongly urged by the democratic party, throughout Switzerland. A popular franchise, and complete freedom of election, were not enough to satisfy the democratic susceptibilities of the Swiss. They were still jealous of the plenary powers of their delegates. Representatives, it was urged, may be deceived, or corrupted: they may betray their constituents, or exceed their powers: they cannot be trusted to make laws, abso-

[1] Planta, *Hist.* iii. 224.

lutely binding upon the whole people. It is for them to deliberate and to mature laws for the government of the State: but it is for the sovereign people to approve or reject them. In a monarchy, the king signifies his royal assent, or veto, to the laws agreed upon by his Parliament: in a republic, this supreme right is reserved for the sovereign people.[1]

Distrust of delegates.

Apart from these democratic principles, the past experience of the Swiss had taught them to regard their representatives with distrust. Their franchises had, again and again, been invaded; and councils, assuming to represent them, had usurped irresponsible power. Having, at length, recovered their constitutional rights, why might they not be again betrayed? What security could there be for the good faith of their delegates, but in a final appeal to the judgment of the people themselves?

Principles of the referendum.

Accordingly, in the cantonal revolutions of 1830, and following years, there was a general return to the principle known as the *referendum*. In the Valais, and some other cantons, this principle was carried so far as to require the reference of every law, passed by the council, to the people at large, before it acquires validity. At Lucerne, by the constitution of 1841, a discretionary power was reserved of submitting laws to a popular veto; and in other cantons the same principle was applied, in various forms. By the Federal Act of 1848, as we have seen, the constitutions of the several cantons could only be revised on the demand of an

[1] According to Rousseau, 'Les députés du peuple ne sont, ni ne peuvent être ses représentants: ils ne sont que ses commissaires: ils ne peuvent rien conclure définitivement. Toute loi que le peuple, en personne, n'a pas ratifée, est nulle: ce n'est pas une loi.'—*Contrat Social.*

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absolute majority of the citizens. And since that period the policy of extending the principle of the *referendum*, to its fullest limits, has gradually found favour; and in several of the cantons, the consent of the people is now necessary to give effect to cantonal legislation. There the people have reclaimed their traditional right of passing laws, in person, and not by their representatives; and their individual legislative powers are as complete and absolute as in the primitive forest cantons.

Inconsistent with representation.

The traditions and experience of the Swiss may have justified this democratic jealousy of representative institutions. But otherwise it is scarcely consistent with the true theory of representation. The citizens of a free State may either decree laws directly, and in person, as in the forest cantons, or may delegate their powers to representatives, as in larger and more advanced communities. But, in the latter case, having surrendered their legislative authority to others, who exercise it on their behalf, they are not entitled to reclaim it, and again to use it themselves. It is true that they may give their representatives a limited commission, empowering them to deliberate, and to make laws, subject to their own ultimate approval. But it is of the very essence of representation, that the representative body should stand in the place of the people, possessing their confidence, exercising their plenary powers, speaking with their voice, and acting with their full consent. Otherwise, its legislative functions are wanting: it becomes a deliberative council—not a legislature. Its authority and its dignity are impaired: it no longer declares the popular will. Instead of being the people personified, and present in their might, it is a feeble and distrusted agent—afraid to speak, in-

capable of acting—a timid servant, not a sovereign power.

Jealousy of the central government

The same principle has been extended, on far better grounds, to constitutional laws passed by the Federal Diet. The jealousy of the cantons lest their own civil and religious privileges should be invaded by the Federal Diet; and their fear of influences, in the central government, adverse to their own sovereign rights,[1] demanded such a reference to the popular vote. Men of different races, languages and religions, distrusting the delegates of rival cantons, who might outvote their own chosen representatives, and pass laws injurious to themselves, claimed to be consulted before the irrevocable wrong was done. Revised federal constitutions have therefore been properly submitted for popular approval. It had long been the rule for federal delegates to vote in the Diet, not according to their own judgment, but in compliance with instructions expressly received from their own cantons. Often they declined to vote upon important questions, until they had consulted their constituents. They sat as delegates, with limited powers, and acting under specific instructions: they were cantonal ambassadors rather than representatives.[2]

Amendments of federal constitution.

By the federal constitution of 1848, it was declared that the members of both the councils are to vote without instructions. But that constitution was itself submitted to the popular vote; and it was provided that every future revision of the constitution is to take

[1] As an illustration of this feeling, it was forcibly said by M. Druey, a delegate from Vaud, in 1847, 'My shirt is nearer to me than my coat.'—Grote, *Politics of Switzerland*, Letter i.

[2] Grote, *Politics of Switzerland*, Letter i.

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effect, when adopted by a majority of Swiss citizens taking part in the voting, and by a majority of the cantons.[1] And such appeals to the people have since been occasionally made. In 1872, a revised constitution was passed by the Federal Diet: but on being submitted for popular confirmation, it was rejected by a majority of the people, and of the cantons. In 1874, another amended constitution was agreed to by the Diet; and was confirmed by the people, and by the cantons.[2] By that constitution the principle of the *referendum* was further extended; and all laws, passed by the Federal Assembly, were required to be submitted to the popular vote, upon the demand of 30,000 qualified citizens. And in pursuance of this provision, two important laws were met, in 1876, by a popular veto.[3] So elaborate a scheme for the passing of federal laws is not without inconvenience: but it is a fundamental principle of the Swiss confederation; and it satisfies at once the democratic traditions of the people, and the natural jealousies of the several cantons.

Permanence of the Swiss republic.

We must now close this review of the renowned Swiss confederation. It affords one of the most instructive studies of democracy, to be found in the history of European States. Alone among the nations of Europe—Switzerland, having founded a republic, has since maintained its republican constitution. Surrounded by monarchies, and empires, the Swiss con-

[1] Article 114.

[2] This provision requiring the consent as well of a majority of individual votes, as of the collective cantons, may be embarrassing, as it may happen that the majority of votes may be on one side, and the majority of cantons on the other.

[3] Viz. laws relating to bank-notes, and military taxation.

federation has outlived the wars, conquests, and revolutions by which Europe has been convulsed, and still flourishes as a democratic republic. It has had its good and evil fortunes, its glories and its shame. It has been distinguished by the valour and patriotism of its citizens: it has been tainted by their venality and corruption. It has presented examples of the purest democracy, of aristocratic encroachments, of popular agitation, of ancient franchises recovered, and of republican institutions restored and consolidated. In its past history, and in its present political life, we may find illustrations of all the virtues and vices of democracy.

END OF THE FIRST VOLUME.

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