

Carlsbad 1819

Like another Chouannerie

Jules Barni and the comedy of the republican freeholder ethic

May 19, 2017 by Nulle Terre Sans Seigneur

[This elucidates previous ideas I've been discussing, but states them in a much more direct manner. It also gave me the opportunity to introduce a few ultra-royalists that I will be revisiting later, and it's my first attempt at comparative analysis via feudal law, something that I will be doing more of in the future.]

We will be looking at the story of a Kantian. It isn't Donald Trump, though I am eagerly anticipating how he will complete the system. By all indications, The Donald seems like a fan of Fichte's *Addresses to the German Nation*, so perhaps a synthesis of the Ego and the Gesellschaft will be the key. One can only speculate.

The Kantian in question is Jules Barni, long-time traveler in left-wing causes during the Second Empire and Third Republic, having published in Jules Simon's liberal newspapers, and having been a member of the League of Peace and Freedom, a pacifist organization joined by such luminaries as Garibaldi and Bakunin. Following his own idol Kant, himself a theoretician of republicanism and internationalism in *Perpetual Peace* (1795), Barni was to become a prime philosopher of modern liberal (as opposed to classical) republicanism, though largely unknown in the Anglosphere.

Writing in 1795, one of Kant's Preliminary Articles for peace consisted of opposition to dynastic inheritance, justified thusly: "For a state is not a property (patrimonium), as may be the ground on which its people are settled. It is a society of human beings over whom no one but itself has the right to rule and to dispose. Like the trunk of a tree, it has its own roots, and to graft it on to another state is to do away with its existence as a moral person, and to make of it a thing. Hence it is in contradiction to the idea of the original contract without which no right over a people is thinkable. Everyone knows to what danger the bias in favour of these modes of acquisition has brought Europe (in other parts of the world it has never been known). The custom of marriage between states, as if they were individuals, has survived even up to the most recent times, and is regarded partly as a new kind of industry by which ascendancy may be acquired through family alliances, without any expenditure of strength; partly as a device for territorial expansion. Moreover, the hiring out of the troops of one state to another to fight against an enemy not at war with their native country is to be reckoned in this connection; for the subjects are in this way used and abused at will as personal property."

Putting aside the question as to why a “moral person” cannot morally contract himself, Barni’s *Manuel républicain* (1872) was a pivotal work in entrenching the revolution that Kant envisioned and which impassioned many men into carrying it out. It is an excellent statement of political modernity, and it ought to be reckoned with. We will be sampling the two most important chapters, Principles and Mores (of the republicans).

Now, we are going to do a little thought experiment here. We will take a contemporary legal treatise on Anglo-Norman feudal tenures and toy around with it as an analytical framework by which to elucidate the practical substance of Barni’s claims. Thomas de Littleton’s *Tenures* (circa 1480) is a good choice as any, a true classic.

Let us apply it in decoding [this paragraph](https://fr.wikisource.org/wiki/Les_Principes_et_les_M%C5%93urs_de_la_R%C3%A9publique/Les_principes_r%C3%A9publicains/I)

(https://fr.wikisource.org/wiki/Les_Principes_et_les_M%C5%93urs_de_la_R%C3%A9publique/Les_principes_r%C3%A9publicains/I):

Public affairs, that is to say, all that interests all the members of a society constituted as a State, for example, the integrity of the national soil, the independence and honor of the country, The rights of the citizens, etc., this thing of all must be the work of all: all must participate by suffrage, by tax, by military service.

Hence it has been rightly said that the republic was the government of all by all.

In this system there is no longer a master, king or emperor, and subjects, but citizens who are also subject to the common law which they have given to themselves in the interest of all. The government is no longer above or beyond the nation; it is mixed with the nation itself.

Judging by this, we may say that under Barni’s republic, everyone is to be a degenerated version of a *grand serjeant*, which Littleton [defines thusly](https://archive.org/stream/littletonstenure00littiala#page/74/mode/2up).

(<https://archive.org/stream/littletonstenure00littiala#page/74/mode/2up>):

Tenure by grand serjeanty is, where a man holds his lands or tenements of our sovereign lord the king by such services as he ought to do in his proper person to the king, as to carry the banner of the king, or his lance, or to lead his army, or to be his marshal, or to carry his sword before him at his coronation, or to be his sewer at his coronation, or his carver, or his butler, or to be one of his chamberlains of the receipt of his exchequer, or to do other like services, &c. And the cause why this service is called grand serjeanty is, for that it is a greater and more worthy service, than the service in the tenure of escuage [Ed.’s note: rendered today as “scutage,” a payment for tenants in knight-service in lieu of direct military service]. For he, which holdeth by escuage, is not limited by his tenure to do any more especial service than any other, which holdeth by escuage, ought to do. But he, which holdeth by grand serjeanty, ought to do some special service to the king, which he, that holds by escuage, ought not to do.

Now, to get from serjeanty of old to the new degenerated serjeanty of the free republic required quite a few transitions, but the root phenomenon from which the degenerate form descended is still visible.

In the first place, there is no “person” of the king anymore, so one cannot render services like being his butler, or anything like that. Instead, since governance is the “work of all” per Barni, there is no lord paramount to stand atop the hierarchy of duties. But if every man is his own lord paramount and not owing obligations to his lieges, then this means that every man is a completely independent hierarchy

unto himself. Yet if this is the case, then there is no common law or interest at all, rather we have a massive proliferation of fully autarkic magnates. You want to see what a state of nature looks like? Here you have it.

In the second place, in order to achieve equality before the law, the act of dignitaries (ennoblement) had to be abolished. Being that there are two ways to ennoble someone, by enfeoffment (giving him an estate conferring titular privileges) or by writ (conferring titular privileges not bound to an estate), one must abolish both. All is dandy. Except for one trouble, which is that you have now turned a formal system of privileges into an anarchic cluster of patron-client relationships.

If you strip the magnates of their titles and make them mere “citizens” without taking further action against their status, you will entrench a livery-and-maintenance system. That is to say, the people being governed do not suddenly become free men. They go from being vassals to being clients. The magnate (now just a wealthy patron), having no recourse to legally offer services to his tenants despite still being a figure of influence even after leveling of status, must continue to support his subordinates by turning them into his retinue: men who informally pledge loyalty rather than formally swearing an oath of fealty. This retinue must then somehow be mobilized and governed, hence the need to turn it into a distinct identifiable group to fill in the legal void created after leveling of status: hence the giving of *livery*, which was traditionally status markers like badges and hats. And whereas before our magnate had the right to his own jurisdiction inside his estates, he now must obey the central courts like anyone else. But as a magnate (now patron), he has to offer the protection formerly coded into customary law to his vassals (now clients), and thus emerges the practice of maintenance: bribery, suggestion and threats employed against officers of the peace to give his clients what was once offered by custom of the estate, but since abolished.

Besides broadly corresponding to what is known in historiography as “bastard feudalism,” you have just butchered a legal hierarchy and turned it into a warlord anarchy, even though it was your intention to rid yourself of a supposed warlord anarchy that you alleged had existed prior!

So, of course, you must do away with the Second Estate entirely! Which really just means sanctioning the Third Estate as the only one that is permitted to be in. Which means that whereas dignities were before explicitly laid out and granted, they are now forcefully extracted by rent-seeking interest groups. We see therefore that our new constitution is entirely *circular*. Every node is a root node that revolves around itself and that branches out to nothing. Any structure of obligations is completely indeterminate.

And so Barni waxes about liberty.

(https://fr.wikisource.org/wiki/Les_Principes_et_les_M%C5%93urs_de_la_R%C3%A9publique/Les_principes_r%C3%A9publicains/II):

It is precisely to ensure the exercise of all these natural freedoms and the enjoyment of the goods derived from them, that laws and public authorities are instituted. Unfortunately, governments have almost always used their authority to oppress people for their own benefit. Such is the tendency of all monarchical and aristocratic governments; they treat men like flocks. The spirit of republican government is, on the contrary, to respect in them the dignity inherent in their title of men, and to make them into free citizens.

The civil bond which unites them imposes, it is true, certain obligations which seem to restrict their liberty; But in the republican system, on the one hand, the laws and the public authorities to which they are subject, far from undermining it, merely ensure the legitimate exercise, by granting the freedom of each with that of all, and, on the other hand, these laws and public authorities, established by all in the interest of all, emanate from themselves.

In short, self-government, whether in the individual or in the whole people, is freedom.

It is the first principle of republican government.

Equality is the necessary consequence.

Note that expression “title of man” (*titre d’homme*). A title it is. Unfortunately it is a *feudum dignitatis* not annexed to a *feudum nobile*, i.e. it is a mere name conferring no authority. Our newly ennobled Man can sleep safely knowing that his title means nothing but a sign that he is united under a “civil bond.” Moreover, the title of Man being common to all, it has been inflated away into worthlessness.

But, continuing with regard to freedom:

The republic supposes of its citizens the love of liberty. Without this love, they would make cheap of a form of government which imposes on them a glorious task, no doubt, but painful, that of self-government, and they would willingly allow themselves to despotism, which rid them of this care. Hence the love of liberty has always been regarded as one of the essential qualities of the republican. But this love must be enlightened by an exact idea of freedom.

Freedom is not licentiousness; it is not only the abuse of that, but the negation of it. He who imagines that his liberty consists in doing whatever pleases him without regard to that of others, would not be the friend but the enemy of liberty; he would ruin it in principle. Freedom does not go without a rule which restricts for each one the exercise to the respect of that of the others. Therefore it is identical with the true order.

[...]

The true love of liberty rejects fanaticism, whatever side it may be... He knows, moreover, that it would be folly to want to put all heads under one cap, and that the very diversity of the manifestations of thought is one of the conditions of the search for truth.

In all, freedom, that is to say, the free development of all faculties, the free exercise of all activities, the free development of all resources, is at the same time the right of everyone, the best instrument of the common good. Public freedoms are only the consecration and the guarantee of this freedom. It is that which must be loved; it is that which must be claimed and defended against the usurpations of power, whatever it may be; It is that which any true friend of the republican government ought to be able to practice on his own account and respect in others. There is no republic worthy of the name and lasting without the manners of liberty.

What is this “glorious task of self-government,” really? Since it has been established that the State is an equal community under common law, we have a tentative answer: it’s like holding a burgage tenure.

Littleton to the rescue again (<https://archive.org/stream/littletonstenure00littiala#page/78/mode/2up>):

Tenure in burgage is, where an ancient borough is, of which the king is lord, and they, that have tenements within the borough, hold of the king their tenements ; that every tenant for his tenement ought to pay to the king a certain rent by year, &c. And such tenure is but tenure in socage.

And the same manner is, where another lord spiritual or temporal, is lord of such a borough, and the tenants of the tenements in such a borough hold of their lord to pay, each of them yearly, an annual rent.

So it means bypassing mesne lords and holding a fief straight down from the lord paramount himself.

This is fine and could carry many advantages. Provided, of course, per Littleton, that the king is lord. Well, we have neither in this case.

Since everyone is given the title of Man and is bound only to a political community answering to the people, it follows that liberty means being a tenant-in-chief... to one’s self, an inviolable individual among an undifferentiated mass known as “the people.” No one is on top of this hierarchy, as it just cuts off at the root node. Only an abstraction reigns.

But what good is it being a tenant-in-chief when everyone has equal and public freedoms from the beginning? Nay, a *public freedom* – this is a contradiction in terms! A freedom is always a specific privilege, granted privately either to an individual, a corporation or a feud. A “public freedom” is tantamount to incorporating a mass of individuals into a homogenized blob, declaring it to be a civic community and proceeding to regiment it. This type of “freedom,” by declaring the same set of standards to wildly differing classes of people, is really a tyranny.

Barni, however, goes on to perform some intriguing mental gymnastics regarding crime and the law:

We do not ask citizens to love the law, as we ask them to love freedom, equality, fraternity, because we know that even in the best republic, the law is not constantly the exact translation of these great principles and that it is not always made to be loved. But we ask them to respect it, whatever it may be, as soon as it exists and as long as it exists, which in no way precludes criticism and reform, but which excludes disobedience and recourse to strength. **Disobedience and the use of force may be a right and even a duty in the face of the tyranny of a sovereign or a faction; they are a crime in a republican state.** Respect for the law is the preservation of republics. It is therefore also one of the essential elements of republican virtue. Citizens must become accustomed to it. This is all the more necessary in republics, that they enjoy a greater liberty, and this liberty would degenerate too easily into license, if they did not impose this restraint on themselves.

In other words, crime is only a thing when you’ve flattened all hierarchy to bask in the glory of being an unaccountable tenant-in-chief to yourself.

Well, let us compare Jules Barni’s words to those of another Jules: Jules de Polignac, the last ultra-royalist Prime Minister of the Bourbon Restoration, before being driven to exile by the Orleanist revolution of 1830, and later incarcerated. While in prison, he penned down a few, shall we say, *Considérations politiques* (1832). On regime transition (<https://books.google.com/books?id=n6NBAAAAcAAJ&pg=PA63&output=text>):

The conditions of the various political bodies of the state were no longer the same; they were invested with a different title; The organization of society had been altered, its constitutive principle had been changed, new interests had arisen over the remnants of the old interests; Some, however, could not have been injured by the incriminated act, since the date of their creation was later; The others had no more organs to expose their grievances, henceforth no vengeance to exercise, no reparation to ask.

Any government which substitutes for another, which entirely destroys the old order of things, and gives to political society a new physiognomy, can not, without accusing itself, undertake to pursue the offenses committed against the government it wanted to overthrow. This observation naturally finds its application here. After the withdrawal of the ordinances [referring to anti-liberal July Ordinances], the old Charter [of 1814] could be preserved: it was not done. After the letter of Charles X, announcing his determination, and that of the Dauphin to abdicate the crown, the elder branch of the Bourbons could also be maintained on the throne. I do not examine by what motives one has not done what one might have done; I reason, and do not pretend to judge; But I can say that, since the ancient order of things could be preserved, but was not preserved, it is because it was not desired.

When Louis XVIII returned to the throne of his ancestors in 1814, he did not say to the advisers of Bonaparte: "You had sworn to observe the institutions of the empire which I have just destroyed, and yet you have distorted your oaths. Acts that violated individual liberty, abducted defendants from their natural judges, ordered the levying of illegal taxes, which gave force of law to decrees which had not been discussed or rendered in accordance with the forms sanctioned by the Constitution, offenses under the constitution of the empire; offenses that you have committed and for which you will have to answer in court." True, such was not the language which he held for them; He only said to them: "Go in peace."

When Bonaparte overthrew the Directory, he did not order the indictment of the directors or their ministers; He did not defer to the tribunals the numerous and revolting violations with which they had been guilty of the constitution of the year III. It would have been an absurdity on his part.

How lenient that royalist Polignac is! Whether tyranny, faction or republic, he is in favor of letting past grievances go.

What of public spirit? Barni writes

(https://fr.wikisource.org/wiki/Les_Principes_et_les_M%C5%93urs_de_la_R%C3%A9publique/Les_m%C5%93urs_r%C3%A9publicaines/VII):

The republic, on the contrary, which is, as its very name indicates, the government of public affairs by the citizens themselves, by calling upon all of them to take part in this government, develops in them the public spirit and represses selfishness. But here it is the case to repeat what we have said previously in a general way: in their turn, morals must come to its aid. Citizens must accustom themselves to subordinate and to sacrifice, if need be, their personal interests to the public interest; They must be capable of disinterestedness and devotion. If they were avid for places, if they saw in the functions in which they could be called only a means of fortune, if they could not suppress their personality and dominate their ambition, if, in a word, they had in view in all their actions their own interest than the public interest, the republic would be lost.

The Comte de Vaublanc would like to have a word with that. Among the most loyal of the ultras, having survived being on a suspect list during the Reign of Terror, lasting through the Directory and through Bonapartism, he had observed the substance of this meddling "public spirit." In *Du gouvernement*

représentatif en France (1820), he comments on the paradoxes of representative institutions (<https://books.google.com/books?id=ySlcAAAAQAAJ&pg=PA38&output=text>), that the republic sanctions:

But I suppose that these chiefs and the party which they direct are evidently opposed to the determined object, which you have recognized as good and useful [countering revolutionary fervor]; That, instead of supporting the prerogative of the crown, they weaken it; That, instead of opposing the deeds of the ministers, or the display of their personal incompetence, they attack the government in itself, and diminish its consideration and power; then you are the master of disavowing the chiefs and of withdrawing yourself from the party which they direct. But it is on the condition of making a frank and loyal declaration, highly and publicly. Staying in the party, voting in a different way, would be a betrayal. We must be in a generous enemy assembly, but above all a faithful ally. It is here that we must recall the solemn action of Mr. Burke. When he perceived that the revolutionary maxims had passed from France to England, he not only separated himself from the party of the opposition; But he declared that he would no longer see his old friend, Mr. Fox. He announced loudly that all liaison between them was now broken. Tears flowed from Mr. Fox's eyes, and the assembly listened in solemn silence to this loyal and energetic statement.

But now, what of *fraternity*.

(https://fr.wikisource.org/wiki/Les_Principes_et_les_M%C5%93urs_de_la_R%C3%A9publique/Les_principes_r%C3%A9publicains/IV):

But respect for strict law is not enough in society. It is not enough not to attack the liberty of others and not to injure the equality which derives from the very principle of liberty; For a society of men to be truly human, they must look upon themselves as forming part of one family, and as they love each other as brothers.

This new element, which forms a bond between them, not only of respect, but of reciprocal affection, is what is called fraternity.

[...]

Through it, the springs soften, the obstacles disappear, the social problems which, without its intervention, will never be completely solved, are sliced or simplified. However perfect the constitution of a State may be, it will always be an indispensable complement to it.

Let us add at once that in extending to all men, to any race or nationality they belong, it must concur to extinguish wild hatreds from people to people, and to eliminate, by the union of various branches of the human family, that atrocious barbarism called war.

Now, recall earlier that military service was identified by Barni as a public duty for every citizen, rather than a tenurial duty for specific classes. It is therefore worth bringing up Jacques Mallet du Pan, one of the eminent royalist and anti-revolutionist journalists of his time. He was regarded as the most erudite (<https://archive.org/stream/malletdupanfrenc00mall#page/334/mode/2up/search/carlyle>), royalist theoretician by Thomas Carlyle and Hippolyte Taine alike. For a time, he was quite popular with learned men in England, only to fall into historical obscurity. Mallet du Pan was not a balls-to-the-wall counterrevolutionary, since he had a lot of respect for the English constitution (as many Bourbon Restoration-era personalities in fact did, Vaublanc and Montlosier among them as well).

Commenting on the National Convention and the passions engendered

(<https://books.google.com/books?jtp=35&id=i8xWAAAAMAAJ>). by the *levee en masse*:

The Anabaptists of Munster, the levellers of Cromwell, the wars of the peasants in many states? Religious Sects happily condemned at their very birth to depression and obscurity, have preceded the Abbe Sieyes and his demoniacs. But what a difference in the character of the times, and in the means. How can you compare the narrow circle in which moved a few and instantly repressed fanatics, with an empire of thirty-four thousand square leagues, subdued almost without resistance, by a sweeping alliance of poverty and crimes.

But we have as yet considered the Revolution in one point of view only. It has an invincible tendency to assume, it has already assumed a second character, and for this it will be indebted to the War. The enthusiastic inhabitants and those without property being generally armed, serve to maintain the conquest it has made. France is one vast barrack, all the Revolutionists are soldiers, or destined to be soldiers; by free will or by force, the very discontented and oppressed themselves, for the sake of some chance of safety, will be obliged to devote their arms to the defence of their tyrants; A Convention to give orders, and camps — this is the whole of the Government in the French Republic. The representatives of the people, are nothing else but the representatives of the army; their grand function is to rob with one hand, and with the other to share the plunder with the soldiers. Thus it was that Cartouche conducted himself; — but Attila and Mahomet; the Beys of the Mammelucs, and the Scheicks of the Arabian wanderers, founded also their authority on a similar conduct.

Whilst the crowd of wise men, with whom the Revolution is nothing more than a seditious tumult, wait patiently with the countryman in Horace until the river shall have flowed out; and whilst declaimers amuse us by turning sentences on the fall of industry and of the arts, few are those who perceive that the Revolution, by its destructive nature, brings inevitably in its train, a military Republic. Its founders could not have taken a surer road to it, than by the ruin of all the arts of luxury, manufactures, foreign commerce, and every sedentary employment. Thus then, from this immense body of unemployed workmen, they largely recruit, they supply the legions already formed of thieves and loungers, of half-starved wretches and vagabonds, whom they arm alternately with the dagger and the musket. By suppressing the workshops, the dockyards, navigation, commerce and manufacture, they establish for themselves a nursery of tools for their atrocities at home, and for their regiments abroad. The foreign war then has developed that discipline which, by the exclusion of all others, has reduced twenty millions of men to two professions only, War and Agriculture. Thus is verified that maxim of their tribunes, so often treated with contempt, that the wealth and the power of nations would hereafter consist entirely in iron.

The time is at hand, when nothing shall be seen in France but the plough-share and the the bayonet. Every militant Sans-Culotte, will be entitled to the distribution of land and of plunder; the fact is so at this moment; and presently it will be legalized by a Constitution in form. One consequence will immediately flow from this establishment. These ferocious savages will continue armed in the midst of peace; from the conquest and pillage of their own country, they will proceed to their neighbours, and waste them by their incursions. Their policy and instinct will unceasingly urge them to conquest by their arms, and by their principles.

Such is “fraternity” applied to military planning. And with that prose of Mallet du Pan that I cannot hope to top, I will conclude here. This has been the republican freeholder in all his glory.

This entry was posted in Anti-republicanism, Feudalism, Monarchy, Political philosophy. Bookmark the permalink.

10 thoughts on “Jules Barni and the comedy of the republican freeholder ethic”

1. Vladimir says:

May 19, 2017 at 4:20 pm

“Mallet du Pan was not a balls-to-the-wall counterrevolutionary, since he had a lot of respect for the English constitution...”

Was there ever any significant balls-to-the-wall counterrevolutionary who actually didn't have a lot of respect for the English Constitution? De Maistre, to take the most notable example, certainly did.

Of course, there are two different things this could mean, one fundamentally reactionary, another wildly progressive. One can correctly see the English Constitution as rooted in the ancient institutions and customs of England and admire the English for the qualities of their unique system. It is an altogether different thing to believe that this system could (and should) be imposed everywhere else with the same results.

Reply

◦ Nulle Terre Sans Seigneur says:

May 19, 2017 at 4:35 pm

> Was there ever any significant balls-to-the-wall counterrevolutionary who actually didn't have a lot of respect for the English Constitution?

No such thing as a “significant counterrevolutionary” by definition, but: Saint-Bonnet, Linguet, Jarcke, any ultramontanist in general...

Saint-Bonnet in particular is a fucking beast. He makes Carlyle look timid. And he's a founding father of sociology, no less (though an obviously forgotten one). I told Michael Rothblatt in an earlier comment section that I have to devote an essay specifically to him. I don't know when I'll do it, but I'll try to make it as outstanding as I can. And of course, I will be quoting him in the future.

Reply

◦ Michael Rothblatt says:

May 26, 2017 at 9:44 pm

>He makes Carlyle look timid.

So, he's even bigger a Communist? 😊

I have come to trust in your judgment, so I am every bit sure that you'll extract the good stuff without getting distracted by wankery.

Reply

2. Pingback: [This Week In Reaction \(2017/05/21\) - Social Matter](#)

3. Vladimir says:

May 28, 2017 at 3:19 am

I'd be interested to see on what counterrevolutionary grounds one could reasonably condemn the British Constitution circa 1800.

Certainly any such critique starts with the difficulty that it's hard to argue with success. To a good approximation, England has continuously been the best governed country in the world ever since Alfred the Great.

Reply.

- o marcusmontisursinensis says:

May 30, 2017 at 10:29 pm

What is the definition of "best governed country"?

The one with elites that successfully perpetuate an aristocratic spirit, capable of making good decisions efficiently, with a strong sense of responsibility, yet not void of paternal compassion? Such a spirit enabling the authority of the elites to be extolled... so that they can rule by good judgement, based on mores and customs, much more than written acts.

By circa 1800, you probably mean before the Representation Reform Act of 1832?

A few points not going against your claim, but only adding some context.

First, 1800 comes after an entire century of Whiggery since the Inglorious Revolution, which (not only according to Kuehnelt-Leddihn) inspired movements such as freemasonry, American Secession during the reign of George III and the continental, particularly French Enlightenment (which itself distorted and perverted a fair portion of things). Still, such a beacon as Edward Gibbon or David Hume and the empiricist school of philosophy are forces of revolution that eventually seek the eschaton in this world. Whiggery is not the offspring of the old British Constitution, but successfully was born and grew up to overshadow it.

Second, a potential succession of a legitimate healthy descendant to Henry VIII and his Spanish (first) wife could have resulted in a strong absolute monarchy with Catholic kings Henry IX, Henry X and a situation which would be similar to that of France (e.g. Protestantism would be introduced and find its supporters among noblemen etc). However, a great difference I find between England and France is the fact that the working classes and the proletariat in big cities was (almost) never an important pressure group in England that would be mobilized for the interests of the King or some other party on the top. Ancient Rome is similar to France with respect to that.

Third, England as the world's supreme maritime power, a status visible at the end of the War of Spanish Succession, is a result of clever military alliances (with France against the Dutch in the 1650s and 1660s; with the Emperor against France from 1680s to 1740s); with Prussia against France and the Emperor beginning with the Seven-Years' War. Each peace agreement would be a gain for Britain, and a loss both for her foe and her ally (the latter being, for instance, Austria in the War of Spanish Succession). A marvelous score. Things would be different if England acted alone, out of pride, as did Spain during the reign of Philip II and France under Louis XIV.

Reply.

4. Vladimir says:

June 1, 2017 at 6:31 am

marcusmontisursinensis,

I think there are some reasonable ways to look at quality of government where England scores incredibly well, arguably without serious competition.

We can look at the basic public safety and security of life and property. Obviously, even in England there have been periods of civil wars and upheavals, as well as the royal looting of Church property during the Reformation. However, compared to just about any other place, for the overwhelming majority of the past thousand years, England has clearly been far better in this regard than just about any other place in the world. Perhaps Venice, some Swiss cantons, or parts of Scandinavia have managed a similar or better record, but one has to look for such extreme examples to find anything comparable.

Then there is the law and the legal system. As far as I see, the English common law, and even more so the system of public adversarial trials with the right of cross-examination, are by far the greatest and more effective safeguards against error and abuse in government ever devised by any political order. (Indeed, I'd go so far to say that the single greatest liberty and dignity one can enjoy under a political system is this right to be untouchable by the public authority unless convicted in a public adversarial trial where one can freely confront the witnesses and evidence against oneself.)

But as the most important point of all, England remarkably escaped that horrible Scylla and Charybdis of modern era politics, i.e. the dangers of despotic centralization versus weak government that makes a country easy prey for foreign conquest.

In Europe, since at least the 16th century, we've seen a consistent pattern where countries that kept their ancient constitutions and liberties and resisted royal absolutism (and later nationalist and totalitarian centralization) were vanquished by those whose rulers had in the meantime crushed all traditional liberties of their subjects and developed powerful means to squeeze them for money and soldiers. Free Italian states (except Venice) were all conquered and destroyed during the Habsburg-Valois wars. Poland with its "Golden Liberty" was helpless to resist the encroachment of Russia, Prussia, and Austria. The Swiss, Dutch, and German states were easily run over by the French Revolutionary armies. Not to even mention what happened later when Hitler and Stalin were rampaging across Europe.

England, however, managed to keep a system of incredible decentralization and liberty that nevertheless allowed it to face powerful absolutist states on equal terms. Indeed, it punched far above its weight — during the period of the greatest Anglo-French rivalry, from Louis XIV to Napoleon, England had a population four or five times (!) smaller than France. While the continental rulers were competing in the game of who would squeeze his unwilling subjects the hardest, England was ruled by a true aristocracy who would make gentlemen's agreements and deals within its political institutions, and faithfully follow these without the need for centralized coercion, even when it required considerable cost and sacrifice.

What's more, these aristocratic political institutions, and even more so the English law, were at the same time incredibly adaptable to the ever more rapidly changing economic and technological circumstances. Consider that as we write this, around the English speaking world, lawsuits about internet commerce are conducted within a legal system that's been in continuous operation since the Norman Conquest. I really can't think of anything similar anywhere else in the world.

Interestingly, Hungary (including Croatia) was to some degree another such example, with a decentralized and ancient system that gave counties and municipalities the powers of self-government and even nullification, but which nevertheless provided enough cohesion to survive for centuries in incredibly difficult circumstances between the Ottoman invasions and the Habsburg

attempts at centralization. Unfortunately, unlike the English, that system failed to adapt to the modern times, so that by the middle of the 19th century, it was only a question of which way it would fail.

Reply.

- Michael Rothblatt says:

June 1, 2017 at 9:14 am

What are you talking about?!? Medieval England was no different than any other Western European country. And post-Reformation England was no better than any other absolutist country, and was well on its way to become like France when the Whigs put the stop on it. Whatever good government came out of England was only accidental, the consequence of power struggles between Whigs and Tories, for Whigs were no more supportive of liberty (which was a corrupted form of Scholastic political thought) than Tories, but it was useful talking point to them when Tories were in Power, and a really easy one, since Tories had awful policies (for example, one famous proposal was to take the children from the age of four and above from parents and force them into public workhouses where they were to be kept slaving-away for at least twelve hours a day).

Reply.

- Vladimir says:

June 2, 2017 at 6:02 am

“Medieval England was no different than any other Western European country.”

I don't think that's true at all. While I am certainly sympathetic towards local and decentralized political power in general, medieval Europe often suffered badly from an excess of that. There's something to be said for being able to travel more than a few miles without running into extortionate tolls set up by every village lordling, or for not ending up as collateral damage when local young nobles get bored and decide to go out rampaging or stage a melee with live weapons in your neighborhood.

While England wasn't completely immune from such excesses of feudalism, my understanding is that things were much less bad than on the continent. Ever since Alfred the Great, the English royal governments maintained, by the standards of the time, an enviable level of public safety, infrastructure, and freedom of travel and commerce.

“And post-Reformation England was no better than any other absolutist country, and was well on its way to become like France when the Whigs put the stop on it.”

That's just absurd. French kings managed to rule for almost two centuries without having to summon estates of the realm, and the very pinnacle of the power and prestige of the French crown (i.e. the era of Louis XIV) occurred during that period. Compare that with Charles I trying to establish personal rule, an attempt so pathetic and futile that it would be suitable for a comedy if it hadn't eventually led to a bloody civil war.

Reply.

- Michael Rothblatt says:

June 2, 2017 at 10:52 am

Eastern Roman Empire for one, wasn't feudal at all. There were no tolls, levies, dues, corvées, banalités, or serfdom. There was freedom of contract, commerce, and travel. It was the richest country in the world during the most of its existence.

Then there were Song China, and Ming China.

Then there were Eastern European countries. They were feudal, but much less so than their Western counterparts. For example, Dušan's Code in Serbia (points 120, 121, 122) explicitly forbade charging of tolls and customs.

But even compared to the Continental part of the Western Europe, there was nothing special about England in the Middle Ages. Not all countries suffered from lawlessness. Kingdom of León, for example, had a Parliament (Cortes) before England. And it was a general trend everywhere. Remember Scholastic ideal was a mixed monarchy presiding over an ordered liberty (Classical Liberalism was a perversion of Scholastic political thought). And then came the Renaissance, and with it the Machiavelli and proto-absolutism. It completely ended the Medieval trends. The only unique thing about England is that its Parliament survived the Age of Absolutism. On the other hand, its Parliament proved too powerful which is why England degenerated into what it is today.

Tudors did what they wanted, and used Parliament merely to legitimize their decisions. Had Charles been just a little politically wiser he would have reigned unmolested. Don't forget that Louis XIV had to crush many rebellions in order to establish his absolutism.

Reply.

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