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Milton On Liberty

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MILTON ON LIBERTY, *by* PHILO M. BUCK, JR.

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I

During the hundred years from Elizabeth to Cromwell European thinkers became acutely conscious of many of the problems and ideas that concern us most intimately even today. In philosophy, in science, in the arts, and in theories of sovereignty and of the state, the foundations were laid for later thought and practice. The most serious wars, unlike the national jealousies of the eighteenth century which were often dynastic, were fought in defense of some conscientious scruple, however much their significance might be clouded by royal ambition or greed.

Three of these in particular give us a group of thinkers on the powers of the state, the question of sovereignty, and above all the meaning of liberty. The Civil War in France between the League and the Huguenots anticipates in a curious way the war a half century later in England between the Parliament and Charles I, and chiefly in the way in which both parties, Catholic and Protestant, set about a search for motives for the deposition of a sovereign who outraged the religious and political scruples of a considerable number of his subjects. The Dutch likewise in their long war for freedom from Spain were compelled to buttress their faith by searching for sound principles of political science. The constitutional revolt that gave France Jean Bodin and the Netherlands Althusius and Hugo Grotius, gave England, among others, John Milton.

The first result of the Protestant reformation was not the encouragement of any large measure of political freedom. On the contrary the earliest reformers, Luther, Melanchthon, Calvin, were not directly concerned with the theory of the state, but with the question of getting the reformed creed established in the state, and compelling adherence to its discipline. Only that sovereign, to them, lost his sacred character who refused full and free tolerance to the new religion. All others were called of God to be his deputies and to them full obedience was a religious and moral duty.[1] Only the despised sect of the Anababtists seemed in these early days to have caught the idea of complete religious tolerance. All others in theory as well as practice encouraged political absolutism.

It is a significant fact that the question of liberty in the seventeenth century became acute only because large minorities in the nation felt the pressure of an ecclesiastical order which had joined forces with a political tyranny. When there was no question of forcing conscience into an uncongenial mould, that is, when there were no large religious differences of opinion, a complete despot was endured with comparative indifference. Such was the case in France under Louis XIV; and the same thing might easily have happened in England under James II, had this king possessed the elastic conscience of Henry of Navarre. In most cases, too, the demand for religious tolerance suddenly ceased when an oppressed minority like the Presbyterians in England came for the moment into control, and in turn began to set up an absolute creed.

(All page references in Milton's prose are to the Bohn Edition.)

[1] For example: "Insurrection is never justified, it never brings the amelioration desired." Luther. "Magistrates are ordained by God, authorized by him, and in everything represent his person, and act as his vicars." Calvin.

II

From his very earliest days, Milton was an ardent lover of liberty. But at first it was an instinctive love, with little or no reason and conviction to lend moral force to his affection. To him then liberty was a shy goddess, a mountain nymph to whom the poet in his love of all things beautiful paid homage.[2] The spell of his master Spenser was still upon him; and he dwelt in a world of his own creation, a world in which the gathering clouds of civil conflict yet cast no shadows. Later in "Comus" he spoke quite in the conventional classical manner. Virtue alone is free; and all the infernal powers cannot prevail against it. For until he had been dragged, against his will apparently, into the conflict of the Civil War, when his domestic peace had been shattered, when he had seen in their naked significance the religious and political issues, he remained the poet of a world of pure ideas. Even as late as 1644 when in the "Areopagitica" he asserted the sublime character of liberty, he yet clung to what was chiefly a moral and intellectual ideal. "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties." It might seem probable that had Milton not been drawn into the service of the Long Parliament and of Cromwell, and thus into the very vortex of political discussion, he would have remained to the end, the retired scholar-poet.

But under the retiring scholarship of the poet, and quite paradoxically, there burned the fires of the eager controversialist. Even his most composed earlier poems show how he was slowly maturing his wrath against the day. "Comus" is a scarcely veiled declaration of war against the infernal allurements of Court and its servile brutishness. In "Lycidas" he openly declares war against his pet tyranny, that of the bishops; summons the apostle-

[2] L'Allegro, line 36.

elder of the church, Saint Peter, as an ally; and proclaims that from henceforth the pastoral pipe is abandoned for a more austere instrument. In the face of this eager anticipation of the incessant wars of the pen he was to wage for liberty for nearly twenty years, it is a little curious to read in his "Second Defense" and elsewhere his longing for the quiet life of the cloistered scholar. There were times, too, when Cromwell longed for the orderly routine of a country gentleman and farmer.

So intense was Milton's feeling on the subject that when he paints the picture of the cosmic arch-rebel, against his own conscience he is unable at first to make him other than a cosmic hero. Satan's "better to reign in Hell than serve in Heaven" has become the battle cry of more than one individualist in his struggle against seated law. Nor does the infernal hero lose the reader's sympathy until from challenging the supremacy of the Almighty he stoops to the easy seduction of a simple and weak woman. The climax of the tragedy seems far too petty for the magniloquent opening.

Milton has drawn for us two magnificent individualists, Satan and Samson — two arch-rebels, both drawing freely from the well of sublimest poetry to express the utter worth of freedom; and both finding their liberty restricted by the results of sin.

> "Hail horrors, hail
> Infernal world, and thou profoundest Hell
> Receive thy new possessor; one who brings
> A mind not to be chang'd by place or time.
> The mind is its own place, and in itself
> Can make a Heav'n of Hell, a Hell of Heav'n." [3]

> "To live a life half dead, a living death,
> And buried; but (O yet more miserable!)
> Myself my sepulchre, a moving grave.
> Buried, yet not exempt

[3] Paradise Lost, I, 250.

By privilege of death and burial
From worst of other evils, pains and wrongs;
But made hereby obnoxious more
To all the miseries of life,
Life in captivity
Among inhuman foes." [4]

But here the resemblance suddenly ends. Samson's meek acquiescence in the justice of his punishment is a standing reproach to that strenuous school of individualists to whom the gospel of all revolt is sacred. But not so to Milton, for in the character of Samson he wrote more than a little of the allegory of his own life. To the unjust Harapha the Israelite is all defiance.

" Go, baffl'd coward, lest I run upon thee,
Though in these chains, bulk without spirit vast;
And with one buffet lay thy structure low,
Or swing thee in the air, then dash thee down
To the hazard of thy brains and shatter'd sides." [5]

But the larger quarrel with the Philistines, now that he has fallen from his great mission through disobediance, he transfers to his superior.

" This only hope relieves me, that the strife
With me hath end; all the contest is now
'Twixt God and Dagon; Dagon hath presum'd,
Me overthrown, to enter lists with God,
His deity comparing and perferring
Before the God of Abraham. He, be sure,
Will not connive, or linger, thus provok'd,
But will arise and his great name assert." [6]

Perhaps from this comparison of the two heroic characters in his poems we get the first clue to Milton's definition of liberty. Samson recognizes a just God, and the truth

[4] Samson Agonistes, 100.
[5] Ibid, 1237.
[6] Ibid, 460.

that the only possible liberty comes through following the Divine will. After his sin he recognizes at once its punishment as just, and before his God he is all humility and obedience.

> " Appoint not heavenly disposition, father,
> Nothing of all these evils hath befall'n me
> But justly; I myself have brought them on,
> Sole author I, sole cause: if aught seem vile,
> As vile hath been my folly, who have profan'd
> The mystery of God given me under pledge
> Of vow, and have betray'd it to a woman,
> A Canaanite, my faithless enemy." [7]

But Satan is a rebel against a just God; and not improperly the just Angel Abdiel chides him.

> " Apostate, still thou err'st; nor end wilt find
> Of erring, from the path of truth remote:
> Unjustly thou deprav'st it with the name
> Of servitude to serve whom God ordains,
> Or Nature: God and Nature bid the same,
> When he who rules is worthiest, and excels
> Them whom he governs. This is servitude,
> To serve th' unwise, or him who hath rebell'd
> Against his worthier, as thine now serve thee,
> Thyself not free, but to thyself enthrall'd;
> Yet lewdly dar'st our ministring upbraid." [8]

Satan fails to distinguish between a true and a false king, between a tyrant and a righteous monarch. This, then, is Satan's sin, pride, appetite, desire to rule, and a refusal to recognise the true nature of liberty. For liberty is a far different thing from mere absence of restraint; at times it allows, even glorifies, complete subjection.

But Milton has gone farther in " Paradise Lost " in his effort to define liberty. Its motive, whether in Heaven or on earth, is always the same; and the tragedy of the erring

[7] Ibid, 373.
[8] Paradise Lost VI, 170.

angel, who in a search for what he fancied a larger freedom, found only spiritual bondage, and instead of freedom established for himself and all his like the most hideous of tyrannies, is the precise parallel of the fall of man, who likewise in his search for a more specious liberty lost its substance. Indeed looked at from this point of view the theme of the whole poem has an ethical rather than a theological significance. Nowhere is Milton closer in thought to the classical Roman Stoic than in his effort to define theology in terms of ethics. Seneca and Marcus Aurelius and perhaps most of all Boëthius would have found much of their own to wonder at in this Puritan Christian poem.

God's law is identical with reason, and " what obeys Reason is free, and Reason he made right." (P. L. IX, 351) There had therefore been no law in heaven before Satan's revolt, and " Liberty and Heaven to heavenly souls had been all one." (P. L. VI, 164.) Where Satan erred was in his passionate fancy that subordination to a worthier was servitude, and to this sophistry the bold Abdiel made the supreme challenge. Satan's fall unloosed from the government of reason the clamoring appetites, which in their unruly riot established a manifold tyranny. And into this servile state, after his fall, man also comes, as into a just inheritance.

" Yet know withal,
Since thy original lapse, true Liberty
Is lost, which always with right Reason dwells
Twinn'd, and from her hath no dividual being:
Reason in Man obscur'd, or not obey'd,
Immediately inordinate desires
And upstart passions catch the government
From Reason, and to servitude reduce
Man, till then free. Therefore, since he permits
Within himself unworthy powers to reign
Over free reason, God in judgment just
Subjects him from without to violent lords;

> Who oft as underservedly inthrall
> His outward freedom. Tyranny must be,
> Though to the tyrant thereby no excuse.
> Yet sometimes nations will decline so low
> From virtue, which is reason, that no wrong,
> But justice, and some fatal curse annext,
> Deprives them of their outward liberty." [9]

Quotations might be added indefinitely to show how greatly Milton was interested in this problem of man's freedom and the means of securing it, and how intimately it all is bound up with the question of character. In a long monoloque the angel Raphael explains to Adam and Eve the necessary supremacy of reason and the dangers of allowing the troublesome faculties of will and passion to get the upper hand — a rather heavy diet for so naïve and unschooled a pair, but fortunately easier for a reader who knows a thing or two about Plato's "Republic." Yet the resulting anarchy in character is precisely what comes to the first pair when appetite first gained the supremacy over the more austere reason. Milton has drawn a convincing picture of the first discord that

> "Shook sore
> Their inward state of mind, calm region once
> And full of peace, now tost and turbulent:
> For Understanding rul'd not, and the Will
> Heard not her lore; both in subjection now
> To sensual Appetite, who from beneath
> Usurping over sovran Reason claim'd
> Superior sway;" [10]

Studied thus the whole poem of "Paradise Lost" becomes an allegory of the loss of the "state of nature" as Rousseau has taught us to call that far off and mythical event — a term by the way that Milton used more than once and even his predecessors.

[9] Paradise Lost XII, 82.
[10] Ibid, IX, 1124.

This state of nature or, as Milton preferred to call it, this rule of reason,— and there is a larger dignity to Milton's phrase than to Rousseau's,— this state of perfect freedom is by no means compatible with a rule of perfect equality. The highest reason must be supreme, and the lower submit to the higher. There are hierarchies in reason as in nature,

> " For orders and degrees
> Jar not with liberty, but well consist." [11]

Servitude on the other hand comes only as the result of service tended to the unworthy.

> " This is servitude,
> To serve the unwise or him who hath rebell'd
> Against his worthier." [12]

Perhaps the most shocking thing in Milton to us today and to our transcendental glorification of democracy, is his cavalier contempt for the ignorant —

> " The common rout,
> That wandering loose about,
> Grow up and perish, as the summer fly;
> Heads without name, no more remembered." [13]

All this may be tolerable in the mouth of Samson. But it is more than a stretch of modern orthodoxy to hear their failings remorselessly set forth in the dispassionate words of the Messiah:

> " A herd confus'd,
> A miscellaneous rabble, who extol
> Things vulgar, and, well weigh'd, scarce worth the praise?
> They praise and they admire they know not what,
> And know not whom, but as one leads the other;

[11] Paradise Lost V, 791.
[12] Paradise Lost VI, 178-180.
[13] Samson, 674-677.

And what delight to be by such extoll'd,
To live upon their tongues and be their talk?
Of whom to be disprais'd were no small praise,
His lot who dares be singularly good.
Th' intelligent among them and the wise
Are few, and glory scarce of few is rais'd." [14]

In his poetry, accordingly, Milton reveals plainly the full significance of his definition of liberty. The Puritan theology serves admirably for the allegory of an idea borrowed largely from the ancients and chiefly from Plato and the Stoics. Liberty is life according to reason; the highest reason is found only in the Deity. Worthy princes or leaders are to be followed and implicitly obeyed by the less gifted; for it is only by such subordination that the appetites and passions and erring wills can be kept in control. The brutish, ignorant, and wayward are to be held in constant check; and so far as their voice is to be heard or their advice sought in matters of policy, they are less than nothing, for freedom to them is synonomous with obediance; if once they are given the bit their capricious stupidity will throw off the yoke of reason and order. It is an aristrocratic theory with just enough determinism in it to satisfy an orthodox Calvinist. But even Calvinism may trace something to classical parentage.

III

But Milton's views were not merely those of a theorist; if his poetry reflects his criticism of life expressed in a general theory of liberty, the years of close contact with the many practical problems of administration and his close touch with the hord of political pamphleteers and politicians, and with the numerous attempts at constitution making, gave him also a practical insight into the necessity of compromise. In most of his political phamplets he is

[14] Paradise Regained III, 49.

grappling with the practical question of securing the liberties half won by the Civil War. And in these he shows what a close student he was of political thought from the beginning and of the meaning of the various remedies that were proposed by the conflicting interests.

It might be well here briefly to characterize the most notable of the political parties that appeared between the years 1642 and 1660, during which time Milton was more or less incessantly at work on his pamphlets.

In the first place there were the Royalists who were never a homogeneous party. It was only after the death of King Charles that these men began to subscribe generally to the more extreme notions of royal irresponsibility. There were always among them constitutionalists like Falkland who could never quite accept the other extreme notion of parliamentary irresponsibility; and they preferred to let time fight on their side for the old constitutional principle of King, Lords, and Commons as a joint seat of sovereignty. Later this party was strengthened by large accessions of Presbyterians who after the Second Civil War felt their efforts at ecclesiastical domination threatened by the Independents under Cromwell and by the Sectaries in the New Model Army who openly clamored for toleration. Milton's resentment against these turncoats was doubly keen as he saw them toss aside as of no consequence the ideal of liberty and grasp after their own variety of church tyranny. An illustrious example of such a political renegade was the pamphleteer Prynne.

Shortly before the execution of the King the Parliamentary party split into a number of lesser parties hard to define, but extremely active in the political confusion that finally led to the Protectorate of Cromwell. A large group of the Presbyterians, desiring constitutional freedom less than their peculiar discipline, went off into sullen and quiescent royalism. The Rump that was left was mostly Independent in church affiliation or Baptist. A large issue on which this remnant of the Parliamentary party split was the question of the seat of sovereignty. The Republican party in general as it was gradually organized by Bradshaw and later led by Ireton, acted, at least, on the theory that Parliament itself, even though it had been purged of the "malignants," was the ultimate source of the nation's sovereignty; and that its acts were in effect the constitution of the state; and its interpretation and execution of these acts amply justified by sound political theory. Ireton was no democrat. "Men as men," he wrote, "are corrupt and will be so."

To the Levellers, or the more popular party, today we might call them Progressives, the acceptance of these far from modest claims of sovereignty, was the exchange of one tyranny for another equally odious. To them sovereignty could lodge only with the people, whose representatives sat in Parliament with only delegated powers. These under such leaders as Lilburne and Walwyn sought by endless attempts at constitution-making, addresses, pamphlets, intrigues in the army, army soviets, army agitators, to define the original law of the nation and thus clip the wings of the ambitious Parliament. In theory, and at times in practice, these Levellers were complete democrats; and in their soldier committees at times suggest a quite modern effort at constitution making by revolution and class consciousness. They dreaded likewise a state church, which the moderate republicans were willing to concede, on the ground that a state church established by Parliament or by any other oligarchy might easily violate the fundamental law of the sovereignty of the people.[15]

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[15] There is much in the doctrine of the Levellers that is of very great significance to political theory today. The quarrel between that curious individual Lilburne and Parliament was due to a motive important to an understanding of the theories of liberty at that time. Parliament had repeatedly insisted on its special prerogatives and privileges, and had insisted upon a recognition of its

That the list of radicals may be made complete it might be appropriate to mention the Fifth Monarchy Men, who, under Harrison, had no small influence; and the out and

legislative, executive, and judicial functions. It had asserted its rights not only to make law, but to interpret and apply it as the highest court in the Commonwealth. This according to Leveller doctrine was a violation of the essential sovereignty of the people. "The Parliament men are as great princes as any in the world, when whatsoever they please is privileges of Parliament." Lilburne is thus attempting, by an insistence upon the recognition of the fundamental law of individual rights against the usurption of parliament, to define clearly the status of parliament. The movement is essentially a constitutional one. For the first time in English history these thinkers clearly caught the difference between individual and collective rights. It is interesting, also, to note the frequency with which the term reason is used as a definition of the fundamental law, or law of nature. Parliament is but the representative of the collective will of the people. "For the effecting whereof [freedom] we possessed you with the same Power that was in ourselves to have done the same: for we might justly have done it ourselves without you, if we had thought it convenient." ("The Remonstrance of Many Thousand Citizens," 1646.) For this reason the Levellers were enthusiastically in favor of universal manhood suffrage. Lilburne thought little of the danger, for like Rousseau he was convinced of the general good sense and good will of the people. If only an excellent constitution could be framed, he felt convinced that by persuasion people could be brought to act wisely and preserve their freedom. Like Milton and others he also based his argument on theological premises, the only ones at that time which were universally understood. Man's original sin had corrupted his will, and for this reason he needed a government and a judge. But his reason was still unimpaired, and this could be trusted under the stimulus of right logic and adequate persuasion to act wisely in the solution of any political problem. There is a deal of Rousseau in these Puritan radicals of the middle seventeenth century. An excellent study of "The Leveller Movement" has been made by Pease. The book is perhaps a little less critical of the movement than might be appropriate.— 1916, American Historical Association.

There is also a strong similarity between the political ideas of the Levellers and those of La Boëtie. See his "Servitude Volontaire."

out communists, the Diggers. These latter were never numerous; indeed the stir they made was out of all keeping with their numbers. Their leader, Gerard Winstanley, was a harmless, conscientious eccentric, who ended his life consistently as a Quaker. But the Anabaptist attempt at Leyden at a spiritual and material communism was yet too near in people's memories, and there were still many Anabaptists in England whose enthusiasms were always contagious. But these last were never a political party. At the most their demands were for complete toleration, and for the opportunity of spilling ink on the subject of pedo-baptism and antipedo-baptism.

The Fifth Monarchy Men on the contrary were politically of considerable importance. They sought to set up immediately a commonwealth of saints in anticipation of Christ's imminent second coming. Political discussions and constitution-making were to them largely irrelevant, for was not the day at hand when Christ should establish his empire An oligarchy of saints was their demand, and a setting in order of the house of England. They and the Levellers, and we shall see later Milton, were the only consistent theorists of this time.

Saurat in his " Milton Man and Thinker " suggests that it is more than possible that Milton may at this time have belonged to this party; and adds that " Milton certainly held this view at the end of his life." It is true that in the " Treatise on Christian Doctrine," after his description of the Day of Judgment, he proceeds to describe the Millenium that shall precede the Last Day, the thousand years of peace, the reign of Christ, etc. etc., as these are described in the Apocalypses of " Revelations " and " Daniel." But Milton certainly does not add that he believed this time to be imminent. What Milton asserts was at the time current Christian and especially Protestant doctrine. The opinion that the end of the world was not far distant was also one that many quite respectable thinkers shared, notably Sir Thomas Browne in his "Religio Medici," and yet no one would attempt to make him one of the fantastic Fifth Monarchy group.

All this time there remained in the background the large and excellently equipped and successful New Model Army. It was the instrument by which freedom from royal despotism had been achieved; and in its numerous conflicts with Parliament it was insisting, and with a measure of right on its side, that the fruits of victory be not lost by any political indecisions. Though in general it responded to the ideas of Ireton and Cromwell, it was always potentially dangerous, and in its lower ranks always open to the insidious approach of Leveller doctrine. More than once it disputed with Parliament on the crucial matter of representation, and regarded itself as the true voice of the people. Though it never might strictly be called a political party, it was always on the point of becoming one; and more than once by its arbitrary and unconstitutional action it averted or precipitated a political crisis. To the end it remained the most potent political instrument in England.

It is a little difficult also to call the Rota a political party, for in its debating club were found persons with all shades of political beliefs. But its founder, Harrington, was a political genius, or a charlatan, of no small gifts. What he proposed was rather the making of a constitution than a political definition of liberty. But in general he, like the Levellers, sought jealously to safeguard the fundamental sovereignty of the people, and proposed a Parliament backed by popular assemblies based upon the principle of rotation of membership. There were to be annual parliaments and assemblies, and members for both were to be drawn by lot. All this, it was supposed, would allow for the freest and fullest expression of the will of the people.

Finally there was Cromwell, a political party in himself. He had no illusions about government. Though he was far from being a democrat, he felt himself peculiarly chosen to guard the liberties of the people; and if pressed for an answer he would probably, like Milton later, have agreed in principle with the doctrine of the sovereignty of the people, though he would likewise have added that most people like minors are unfitted to exercise that sovereignty. Likewise he was constantly anxious to associate with himself a Parliament or representative council; but he assessed rights by the pragmatic test of fitness; and the Parliaments he called were unable to meet the test. To him the fact of success was a divine vindication of his position, and a quiet conscience a sure evidence that the thing was of God.[16]

In his earlier days he had been a Parliamentarian and a complete tolerationist. But he flouted parliaments and dismissed them like school boys: and for reasons of state maintained a state church with tithes, though he allowed ample freedom of worship to those who could not conform. It was no wonder that men with abstract theories of liberty could see little in Cromwell, the Lord Protector, to justify their high hopes in Cromwell, the regicide. The logic of events was too much for Cromwell.

Milton belonged to no one of these parties, though he had sympathies with some of the ideas of nearly all. He was clear sighted enough to see that no constitution, however excellent, would work if there were not some means of

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[16] Morley's "Oliver Cromwell." There is no doubt that Cromwell tried as patiently as his temperament would allow to work with Parliament. Yet he appeals against it to the *Salus populi.* He saw through the essential weakness of the appeal to the sovereignty of the people — "That's the question, what's for their good, not what pleases them!" Yet he was clear sighted enough to recognize that "what we gain in a free way, it is better than twice as much in a forced, and will be more truly ours and our posterity's." His tragedy was due to the fact that he could not find a government that was acceptable. He saw easily the faults of a democracy. "The character of this rule tends to anarchy. For where is there any bound or limit set if men that have but the interest of breathing shall have voices in the election?"

gaining the adherence of the best minds of the country; and further he also saw that almost any constitution with proper men to devote themselves to the country, would guarantee the fundamentals of liberty. Always we see him place men above political machinery, and reason above the letter.

IV

To Milton liberty is far too complex a thing to be defined by a single formula. His sense of fact is too acute to allow him to be drawn off into the sheer sentimentalism of the Leveller movement, much as he seems attracted by some of their more generous impulses; at the same time he will not whole heartedly follow Cromwell into what amounts almost to political opportunism. Liberty with this stern individualist is a matter of character.

> "If men within themselves would be governed by reason, and not generally give up their understanding to a double tyranny, of custom from without, and blind affections [passions] within, they would discern better what it is to favor and uphold the tyrant of a nation. But being slaves within doors, no wonder that they strive so much to have the public state conformably governed to the inward vicious rule by which they govern themselves. For, indeed, none can love freedom heartily but good men; the rest love not freedom but license." [17]

Liberty then concerns a man's whole life, and is not merely a thing of governments and laws. It is this truth, which Milton seemed to have grasped early, that may account for his seeming reluctance to enter upon the large problems of constitutional reform, first in the days that followed the defeat of the king, then later after the death of the king, and above all in the series of crises which gradually brought Cromwell into supreme power. Milton

[17] "Tenure of Kings and Magistrates," p. 1.

during these years must have looked anxiously for the gradual development of the ideal of self-discipline, without which there could be no liberty. It is only in the very last days of the Commonwealth, when already the Parliament has assembled which in a frenzy is to recall the Stuarts, that he defines a constitution — a last hope — not a free constitution, but a make-shift under which the ideals may be nurtured which finally may restore the nation's liberty.

In the meanwhile he was not backward about making it clear that liberty is a prize above compare, a thing not primarily concerned with constitutions, but within the grasp of the whole nation. The "Second Defense of the English People" was published in May, 1654. The time was a critical one. Cromwell was ruling as dictator, army appointed, with the title of Lord Protector. The Rump Parliament had been dissolved for months; the Barebones Parliament, carefully selected by Cromwell himself, had assembled and dispersed after recommending certain powers to the Protector. As a result the whole question of the efficiency of the legislature was raised by friends and foes alike. Cromwell was, with the army, desperately concerned over the question of a constitution. Milton seized the occasion to write the people of England, not a proposed constitution, but the most significant defense of liberty that is in the language. As a state document, for such it is, it is the more astonishing. For it is Milton writing, not primarily in refutation of the anonymous author of the "Regii Sanguinis Clamor," but to Cromwell, to Bradshaw, to Overton, and to the others who had made the revolution, and above all to the people of England who were to enjoy the benefits of the new age.

> "For it is of no little consequence, O citizens, by what principles you are governed, either in acquiring liberty or in retaining it when acquired. And unless that liberty which is of such a kind as arms can neither procure nor take away, which alone is the fruit of

> piety, of justice, of temperance, and unadulterated virtue, shall have taken deep root in your minds and hearts, there will not long be wanting one who will snatch from you by treachery what you have acquired by arms."

Precisely, liberty is a matter of character. "To be free is the same thing as to be pious, to be wise, to be temperate and just, to be frugal and abstinent, and lastly, to be managnanimous and brave."[18]

If these are the internal qualities of freedom, the external tokens likewise are none the less ethical. In the same concluding paragraphs he lists them with meticulous care. There is little here about constitution and voting, but a deal that might be translated into a definition of the fundamental law, or the law of nature, upon which all true government rests. He begins with an appeal for wise leaders and trust in their leadership — the significance of this in the dark days of '54 could hardly have been lost. Next he demands complete liberty of conscience and a church free of state control — an ideal that even Cromwell was unwilling to grant. The request for fewer laws comes appropriately from the author of the "Areopagitica." He asks then for an abandonment of efforts at repressive legislation, "for the intention of laws is to check the commission of vice; but liberty is the best school of virtue." Unwise laws, though planned with the best motives in the world are in reality "impediments in the way of good." Nor must there be any fetters placed on the free exercise of the intelligence, rather should there be encouragement of the "free discussion of truth without any hazard to the author"; and an equal willingness to hear it discussed, or falsehood as well, which implies a larger toleration. After all these things are achieved,

[18] "Second Defense," p. 295, 298.

> "If there be any one who thinks that this is not liberty enough, he appears to me to be rather inflamed with the lust of ambition or of anarchy, than with the love of a genuine and well regulated liberty."

For some who might be tempted to add that all this is quite in accordance with an ideal of a benevolent and wise despotism, he adds the significant phrase, "The circumstances of the country, which has been so convulsed by the storms of faction, which are yet hardly still, do not permit us to adopt a more perfect or desirable form of government." At this stage there seems to be no great difference between the ideals of Milton and of Bacon.

But there is probably more of Milton in this last saving clause than we might at first sight perceive. He is writing chiefly to the Levellers and those desiring a larger democracy and a free and annual Parliament. But in 1654, and in the years that had preceded it and the years that were to follow, order was above all things necessary, order that would permit the country to breathe and to take complete stock of its ideas. And Cromwell and his followers were the only possible authority that could hope to give that order and the liberty that would permit free discussion. The search for a perfect constitution would have to wait.

But Milton on the other hand is not less outspoken to Cromwell. He praises him magnanimously as the person to whom the country owes its liberties. But at the same time he reminds him of the responsibilities of his new position. "You cannot be truly free unless we are free too; for such is the nature of things, that he who entrenches on the liberty of others, is the first to lose his own and become a slave." So far as political irresponsibility goes there was small difference between Cromwell and the despot Charles I desired to become; but to Milton there was one very vital difference, a difference between the rule of reason and the rule of pure caprice.

> "Charles is the victim of persuasion, Charles the dupe of imposition, Charles the pageant of delusion; he is intimidated by fear or dazzled by hope; and carried about here and there, the common prey of every faction, whether they be friends or foes." [19]

There is every reason to believe that Milton might have written a treatise on a constitution suited to England in the years 1650-1660, for he was well acquainted as we shall see with contemporary political thought. But to the poet-philosopher it was more important that the recently acquired liberties be secured by discipline and order; and then gradually the constitution best fitted for the genius of the people could be discovered without much difficulty or danger. For Milton is never more in accord with the best political thought of much later ages than when he announces that political constitutions are relative things depending upon the character of the people.

> "So that wise and prudent men are to consider and to see what is profitable and fit for the people in general, for it is very certain that the same form of government is not equally convenient for all nations, nor for the same nation at all times; but sometimes one, sometimes another may be more proper, according as the industry and valour of the people may increase or decay. But if you deprive the people of this liberty of setting up what government they like best among themselves, you take that from them in which the life of all civil liberty consists." [20]

This is no chance thought with Milton. He repeats it with emphasis in his "Defense," for the idea is a somewhat new one to his age.

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[19] "Second Defense," p. 283.

[20] "Defense," p. 79, Chap. III. In this idea Milton is quite in accord with the thought of Jean Bodin, "The Six Books of the Republic." Milton quotes Bodin in his "Commonplace Book."

> "So that the institution of magistracy is *jure Divino,* and the end of it is, that mankind might live under certain laws, and be governed by them. But what particular form of government each nation would live under, and what persons should be intrusted with the magistracy, without doubt, was left to the choice of each nation."[21]

> "But it is not to the purpose of us here to dispute which form of government is best, by one single person, or by many. I confess many eminent and famous men have extolled monarchy; but it has always been upon this supposition, that the prince was a very excellent person, and one that of all others deserved best to reign; without which supposition, no form of government can be so prone to tyranny as monarchy is."[22]

Even monarchy, though he does not like it, and for a very good reason, is not under certain circumstances undesirable.

> "Indeed, if the race of kings were eminently the best of men, as the breed at Tutbury is of horses, it would in reason then be their part only to command, ours to obey."[23]

The difficulty is to find a good king.

> "It is not fitting or decent, that any man should be a king, that does not far excel all his subjects."[24]

Even Julius Caesar was tolerable to him.

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[21] "Defense," Chap. II.

[22] "Defense," Chap. V. Among those who had extolled monarchy were Buchanan in the "De Jure Regni apud Scotos," Francois Hotman in the "Franco-Gallia"; Claude de Seysell; all of whom had qualified monarchy as does Milton. The last is mentioned in the "Tenure," and Hotman and Buchanan in the "Defense."

[23] "Defense."

[24] "Defense," Chap. II.

> "But they that killed Julius Caesar, did not prosper afterwards. I confess, if I would have had any tyrant spared, it should have been him. For although he introduced a monarchial government into a free state by force of arms, yet perhaps himself deserved a kingdom best;" [25]

All this argument is in the nature of a reply also to the Levellers who were eager for an immediate and formal discussion of constitutional reform and the immediate calling of new and freer parliaments. To Milton, as to anyone who could see the precarious nature of the times, such experiments in a time of storm could have only one result. When the experiment of the Fifth Monarchy Men and the government of saints in the Barebones Parliament had failed, and this group had been hand-picked by Cromwell and the Army Chiefs, what hope was there for a parliament picked by universal suffrage, with the country torn as it was by conflicting passions and antagonistic creeds. Milton was one of a very small minority who retained enough cool judgment to prescribe for the country, and his advice in effect was to wait until passion had cooled and political thought crystallized; then and only then could an appropriate constitution be discovered.

V

In consequence of his enforced indifference to constitutional theories Milton in his prose pamphlets takes up one by one the several obstacles to liberty. He describes in the "Second Defense" the manner in which he undertook the task. His first attack was against the episcopal hierarchy "for the deliverance of man from the yoke of slavery and superstition." This was the first object of his care, as freedom of conscience "would exert a salutary influence on the manners and constitution of the republic."

[25] "Defense," Chap. V.

"When the bishops could no longer resist the multitude of their assailants, I had leisure to turn my thoughts to other subjects; to the promotion of real and substantial liberty; which is rather to be sought from within than from without; and whose existence depends, not so much on the terror of the sword, as on sobriety of conduct and integrity of life. When, therefore, I perceived that there were three species of liberty, which are essential to the happiness of social life — religious, domestic, and civil; and as I had already written concerning the first and the magistrates were strenuously active in obtaining the third, I determined to turn my attention to the second, or the domestic species; as this seemed to involve three material questions, the conditions of the conjugal tie, the education of the children, and the free publication of the thoughts, I made them objects of distinct consideration. . . . .

"I then discussed the principles of education in a summary manner, but sufficiently copious for those who attend seriously to the subject; than which nothing can be more necessary to principle the minds of men in virtue, the only genuine source of political and individual liberty, the only true safe-guard of states, the bulwark of their prosperity and renown. Lastly, I wrote my Areopagitica, in order to deliver the press from the restraints with which it was encumbered; that the power of determining what was true and what was false, what ought to be published and what to be suppressed, might no longer be entrusted to a few illiterate and illiberal individuals, who refused their sanction to any work which contained views or sentiments at all above the level of the vulgar superstition. On the last species of civil liberty, I said nothing, because I saw that sufficient attention was paid to it by the magistrates;" [26]

It is hardly fitting here to go farther into the theme of his divorce pamphlets, the "Areopagitica" or of the "Tractate on Education." These are well known. The

[26] "Second Defense," pp. 258-259.

purpose of each was to bring into clear relief his ideas on moral and intellectual discipline and to allow reason and the will of God, which to Milton are synonomous, to prevail. It is for this reason that in the " Areopagitica " he condemns so vigorously, not only the censorship of the press, but all repressive legislation, for one variety of repression leads naturally to another.

> " Great art lies to discern in what the law is to bid restraint and punishment, and in what things persuasion only is to work. . . . . For God sure esteems the growth and completing of one virtuous person, more than the restraint of ten vicious. . . . . Look how much we thus expel of sin, so much we expel of virtue; for the matter of them both is the same. Remove that, and ye remove them both alike." [27]

His divorce pamphlets likewise look to the rule of reason in domestic relations; and his letter on education to reason in education. In all of these he is preparing the way for a rule of reason in government. To be a free nation Englishman must first be a nation of free men.[28]

With the execution of Charles I the whole complexion of affairs underwent an immediate change. Civil wars and even the murder of a sovereign were things not unknown; and the theory of the right of the subject to resist a tyrant had been copiously debated for a hundred years and more; but here was a minority aggressive enough to bring a sovereign to a legal trial and to the block. It was a thing without precedent. And it is not to be wondered at that

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[27] "Areopagitica," p. 74, 75.

[28] The idea that the rule of reason is the rule of nature and the law of God, though stressed by Milton as by no one else, is not by any means an uncommon one. It is found in the " Vindiciae contra Tyrannos," a pamphlet probably by Du Plessis Mornay published in 1579; again in Althusius, among others; and finally in the pleas of the Levellers. But there was a vast difference between what these last regarded as the will of God, and Milton's reading.

the very concreteness of the issue drew Milton from the theories of discipline to the task of justifying his faith in liberty. His "Tenure of Kings and Magistrates," though it advances no new theories, is in itself an amazing document, as amazing as the dramatic gesture with which Bradshaw, Cromwell, and the others dismissed the sovereign.[29]

There is no new argument advanced in the "Tenure." What chiefly distinguishes it is the fervor of his appeal, and the essentially religious motive that prompts it. His problem was perfectly clear, to justify to the outraged conscience of many a waverer the unprecedented trial and conviction of a sovereign. That he is making his appeal to the general reader rather than to the cultured, is easily seen by the list of authorities he quotes in support of his thesis, that a magistrate, even a king, may be deposed; and, if safety demands, tried and killed. He quotes men well known, Calvin, Zwingli, Bucer, Paraeus, Cartwright, Fenner, Goodman, Wittingham. The last four were Puritan clerymen more noted as sectarian leaders or popular clergymen than scholars. The first two certainly are not quoted in entire fairness to their complete political theories, for certainly Milton and Calvin politically have little in common. But the notable thing is that the argument follows closely other thinkers less well known to Eng-

[29] Many of the leaders who had been indefatigable in defeating Charles by no means concurred in his execution. Even Lord Fairfax who had been generalissimo of the Parliamentary New Model Army would take no part in the final act of the trial. At his death among his papers were found these verses he wrote when in retirement:

> "O let that day from time be bloted quitt,
> And belief of't in next age be waved.
> In deepest silence that act concealed might,
> That so the creadet of our nation might be saved."

The fact that they are a free translation of some lines of Statius hardly justifies the thought that he had been engaged upon a mere poetic exercise.

lishmen, but of enormous significance to the history of political science.

He is generally, by critics from the time of Dryden, supposed to have got his ideas from Buchanan's "De Jure Regni apud Scotos." It would seem, however, from the tenor of the argument that Milton here is treading more closely in the footsteps of a French school of political thought that preceded Buchanan by a few years, Francis Hotman and Junius Brutus, the pen name of the author of the "Vindiciae contra Tyrannos."

Hotman was among the first in modern Europe to attack the question of the theory of sovereignty. He does it in a historical study, and his findings seem to support a theory of popular sovereignty. The "Vindiciae" goes farther, for the first time defines clearly the theory of the social compact, and talks of natural rights and the law of nature. Its author bases his study upon the scriptures.

> "Princes are chosen by God, but installed by the people. The Prince is superior to each particular individual, but inferior to all together and to those who represent the people, that is to say the magistrates or leaders. There is in the institution of royalty a contract between the prince and the people; a contract tacit or expressed, natural or civil, of which the officers of the king are the guardians."

If the prince is manifestly unrighteous the people have a right to disobedience and even resistance within certain definite limitations. Between the king and the people are the magistrates, the Council, selected from the estates of the realm, or the Parliament. These represent the people, and to these alone belongs the right of resistance. But, and here is a qualification of exceeding importance to Milton, a minority of these representatives may undertake the task of restoring the lost liberties. When liberty is at stake the usual rule of the majority is set aside, and even a Rump Parliament may speak in the name of the whole people. Thus a large guarantee is offered to the liberties of the people and that by a perfectly constitutional means. If the prince violates the *natural rights* of the nation or the law of nature, or reason, or the law of God — and these to the author are synonomous — it is the duty of the representatives to take action even though the tyranny may have been of long duration and seemingly to have established itself.

The basis of the contract between the magistrate or king and the people is utility. Civil power is given in order to defend the citizens from abuses by the administration of justice. The king is thus weighted with responsibility and not with honor. "Non honos, sed onus, non immunitas, sed munus, non vacatio, sed vocatio." [30]

Furthermore the "Vindiciae" was not published as a mere academic exercise, but was a pamphlet uttered in the heat of the controversy not many years after the Massacre of St. Bartholomew. It has all the fervor of a partisan shouting in the midst of a battle. Such also is Milton's "Tenure." There is much in common in the style of the two little books.

Milton's argument in the "Tenure" is likewise in large part scriptural, for it was largely to the Old Testament that the Independents and Presbyterians looked for guidance in earthly matters. A reference to Plato or Aristotle, though it might have carried weight with heads of the better sort, would have received scant respect from the larger audience to whom he addressed his appeal. For the same reason he does not refine his argument nor attempt to build a complete social theory. This can be left for those who understand; and his warnings are most impressive to those clergymen who forgetting their ministry are

[30] Buchanan has this idea of the responsibility of the sovereign, but rejects the theory of utility, though he mentions it.

mixing in affairs that do not concern them. He admonishes and urges the " pulpit firebrands " to cease " to be disturbers of the civil affairs, being in hands better able and more belonging to manage them; but to study harder, and to attend the office of good pastors, which if they ever well considered how little leisure would they find to be the most pragmatical sidesman of every popular tumult and sedition."

Quite in the style of the " Vindiciae " he bases his argument for the deposition and trial of the prince upon the " law of nature " and the social compact.

> " They tell us, that the law of nature justifies any man to defend himself, even against the king in person: let them shew us then, why the same law may not justify much more a state or whole people, to do justice upon him, against whom each private man may lawfully defend himself; seeing all kind of justice done is a defense to good men, as well as a punishment to bad; and justice done upon a tyrant is no more but the necessary self-defense of a whole commonwealth." [31]

The social compact, the basis of all government, is more carefully defined and its implications clearly shown.

> " No man, who knows aught, can be so stupid to deny, that all men naturally were born free, being the image and resemblance of God himself, and were, by privilege above all the creatures, born to command, and not to obey: and that they lived so, till from the root of Adam's transgression falling among themselves to do wrong and violence, and foreseeing that such courses must needs tend to the destruction of them all, they agreed by common league to bind each other against any that gave disturbance or opposition to such agreement. Hence came cities, towns, and commonwealths." [32]

[31] " Tenure of Kings and Magistrates," p. 44.
[32] Ibid, p. 9.

Thus the king was established, " lest each man should be his own partial judge." But the king must be one whom " for the eminence of his wisdom and integrity they chose above the rest." To protect themselves against his arbitrary power,

> " The only remedy left them was to put conditions and take oaths from all kings and magistrates at their first instalment, to do impartial justice by law: who, upon those terms and no other, received allegiance from the people, that is to say, bond or covenant to obey them in execution of those laws, which they, the people, had themselves made or assented to. And this ofttimes with express warning, that if the king or magistrate proved unfaithful to his trust, the people would be disengaged. They added also counsellors and parliaments, not to be only at his beck, but with him or without him, at set times, or at all times, when any danger threatened, to have care of the public safety." [33]

All this is tame enough reading today, and its soundness is beside the mark. There is, however, one further argument to which he alludes distantly, but of which he makes much in the " Defense of the English People " and which is the heart of the " Readie Way to Establish a Free Commonwealth," the right of a minority in Parliament to act for the whole people; and it is this that brings the thought of Milton closest to that of the author of the " Vindiciae." The whole history of the Commonwealth had been a story of a series of usurpations of power by a minority, now the Rump Parliament, now the Army, and now Cromwell. This fact had been a standing reproach to all who held the more democratic views of the sovereignty of the people and the sanctity of their representatives. Leveller theorists and others who were close to the political thought of La Boëtie, a seventeenth century Roussean, were twitting

[33] Ibid, p. 11.

the new government on its inconsistency in substituting an irresponsible power with no precedent, for a power which at least was a historical tradition.

In his "Tenure" Milton only distantly alludes to his own idea that some questions cannot be answered by counting noses. But in his "Defense of the English People" he speaks without qualification:

> "But whosoever, I say, among the dregs of that common people, has but sucked in this principle, that he was not born for his prince but for God and his country; he deserves the reputation of a learned, and an honest, and a wise man more, and is of greater use in the world, than yourself. For such a one is learned without letters; you have letters, but no learning, that understand so many languages, turn over so many volumes, and yet are but asleep when all is done." [34]

His reason is a perfectly obvious one —

> "For nature appoints that wise men should govern fools, not that wicked men should rule over good men, fools over wise men; and consequently they that take the government out of such men's hands, act according to the law of nature." [35]

In the "Second Defense" he expressly meets the criticism that the question of Charles' punishment should have been referred to the nation. Parliament had been "invested with full power to act as they thought best on the most momentous points." This is as much as to say that sovereignty had been delegated to the representatives of the people; and that the aggressive had the right to act on matters that exceeded the capacity of the multitude.

A little later in the "Second Defense" he gives the reason for this faith. The masses are easily led, and if

[34] "Defense," Chap. I.
[35] "Defense," Chap. V.

the prudent, aggressive, and courageous dictate the policy the people in time will not fail to add their support.

> "Those who excel in prudence, in experience, in industry, and courage, however few they may be, will, in my opinion, finally constitute the majority, and everywhere have the ascendant." [36]

The history of Cromwell probably would support this view. The order he gave England and the vigor of his personality won for him the respect of even the Royalists, and it is probably true that at his death he had the support of a larger part of the whole country. It was no small matter to have secured the loyalty of Milton.

Quite in keeping, too, with the argument of the "Vindiciae" is Milton's constant reference in the "Tenure" and the two "Defenses" to the utter legality of the proceedings against the king. Salmasius had attacked the manner of the king's trial, and had implied that the whole affair had savored somewhat of the irresponsibility of a mob. To him Milton replies with almost pardonable savagery:

> "Have you the impudence, you rogue, to talk at this rate of the acts and decrees of the chief magistrates of a nation, that lately was a most potent kingdom, and is now a more potent commonwealth? Whose proceedings no king ever took upon him by word of mouth, or otherwise, to vilify and set at nought." [37]

For Milton looked at mob action and disorder with the instinctive dislike of a thorough-going aristocrat. Indeed the prose pamphleteer had the same contempt for the vulgar that the poet had shown in the "Paradise Lost" and the "Samson." In the "Eikonoclastes" he calls it

[36] "Second Defense," p. 265.
[37] "Defense," Preface.

"an inconstant, irrational and image-doting rabble." Or again he exclaims in the same book: "What a miserable, credulous, deluded thing that creature is, which is called the vulgar." Yet he makes a serious reservation. Even among the humblest may be found those who deserve titles of nobility. And it is in defense of this aristocracy of nature that he bluntly chides Salmasius.

> "But take this into the bargain. Some of those who, you say, be scarce gentlemen, are not at all inferior in birth to any of your party. Others, whose ancestors were not noble, have taken a course to attain to true nobility by their own industry and virtue, and are not inferior to men of the noblest descent. They had rather be called "sons of the earth," provided it be their own earth, (their own native earth), and act like men at home, than being destitute of house or land, to relieve the necessities of nature in a foreign country by selling of smoke." [38]

He is quick enough to see that an aristocracy of intellect and ability can be recruited from people of every rank and birth. In this theory of the fitness of only a portion of the people to bear the responsibilities of government, Milton is in spite of himself a Calvinist in political principles.

It is safe to generalize, then, that up to the time when the death of Cromwell made the question of a constitution one of vital necessity, Milton was concerned chiefly with the ethical aspect of liberty, and with the encouragement of that social religious and political disinterestedness which alone can justify a free constitution. He had, however, one further task, to still the consciences that had been horrified by the trial and execution of the King, and to define the limits of magisterial power in terms of the law of nature and the social compact, terms which a French school of political theorists had made popular. In undertaking this

[38] Ibid, Preface.

he must be careful to avoid the popular and attractively easy doctrines of the Levellers, the specious ideas of popular sovereignty, responsibility of representatives to their constituents, and the rule of the majority. In the whole of his argument it is quite obvious that to Milton order under the control of a reasonable dictator was far wiser than a period of constitutional experiments and its attendant danger of disorder and the return of tyranny. To him the ecclesiastical tyranny which was wedded to the house of Stuart was a far more serious danger than the unconstitutionality of Cromwell. The Protector at least allowed almost perfect liberty to conscience. When the new regime had once become firmly established and people had learned to tolerate sects and look to reason for guidance it would be time to undertake the larger question of constitutional reform.

For this reason it is probable that Milton studied with tolerant interest the Ireton draft of the 1649 " Agreement of the People " — a compromise with the Leveller politicians — with its ten constitutional demands. In many ways it is an admirable document, for Ireton was one of the most level-headed political thinkers that English Constitutional history furnishes. Had the times been more settled, had there been fewer factions, had it been possible to call a free Parliament, the plan would have had much to commend it. In the same way Milton must have had much sympathy with the Levellers and their doctrines, most of which had to wait until the nineteenth century to be understood and adopted. Likewise the political theories of " Mercurius Politicicus," the official journalist of Parliament and the Council of State, whose work in 1651 passed under Milton's review,[39] may have received the poet-censor's official approval. But so far as we can tell by

[39] Masson's " Life of Milton," Vol. IV, Book II, Chap. 6. See also Prof. E. N. S. Thompson, " War Journalism Three Hundred Years Ago." Pub. Mod. Lang. Assn., March, 1920

his writings, none of these represented the poet's own views at that time.

VI

All this was true until 1659 when political order failed, and neither Parliament, what was left of it, nor the Army had any remedy to offer to preserve the Commonwealth. Those were dark days for lovers of liberty like Milton. All that the years of struggle had promised was being thrown away because there was no one to whom they could turn. It was a time of divided counsels and impotence, as one can easily see by the mere enumeration of the hord of political tracts that smothered Parliament and the Army leaders like Lambert and Monk. One may easily catch the uncertainty of even the lesser officials from a reading of the earlier entries in " Pepys' Diary."

As he had done before, at this new crisis Milton came out with his pamphlet suggestions. And again he shows his indifference to the question of a constitution, and his complete absorption in the desire to restore order. In a letter to a friend " on the Ruptures of the Commonwealth," he speaks plainly that this is no time for any discussion about constitutions. " And whether the civil government be an annual democracy (the plan of the Rota) or a perpetual aristocracy, is not to me a consideration for the extremeties wherein we are." There are two vital safeguards of liberty which must be retained —" full liberty of conscience " and " abjuration of monarchy." These things had been achieved by much bloodshed, and must not now carelessly or in a moment of panic be thrown away. To safeguard these he recommended local organizations all over England to strengthen the hands of the well-disposed at the capital. These " well-ordered committees of their faithfulest adherents in every country may give this government the *resemblance* and *effects* of a perfect democracy."

He begins his " Readie Way " by arguing again the old question of the superiority of a free commonwealth, a form of government that comes nearest to the precept of Christ. Kingship implies an ever present danger. " Besides if we return to kingship, and soon repent, ... we may be forced perhaps to fight over again all that we have fought, and spend over again all that we have spent." And further a king is at best a fruitless thing, " who, even in the expression of a late court poet, sits only like a cipher set to no purpose before a long row of other significant figures, ... who, if the happens to be good, can do no more than another man; if he be bad, hath in his hands to do more evil without check than millions." " The happiness of a nation," on the other hand, " must needs be firmest and certainest in a full and free council of their own electing, where no single person, but reason only sways."

Granting the undesirability of kings, he turns next to the political axiom of the necessity of a general council or Parliament to represent the nation.

> " For the ground and basis of every just and free government is a general council of ablest men, chosen by the people to consult of public affairs from time to time for the common good. In this grand council must the sovereignity, not transferred, but delegated only, and as it were deposited, reside." [41]

The reservation on sovereignty is probably a result of the long Leveller agitation as well as a possible reflection of the able arguments of La Boëtie. It will be seen, however, that Milton attaches to the term a connotation quite inconsistent with Leveller principles. He then proceeds to define the council or Parliament; next he asks that the council, as in the days of the Commonwealth, appoint an executive Council of State.

[41] Ibid, p. 121.

So far the machinery prescribed is precisely that of the early days before Cromwell became Lord Protector. But to avoid the difficulties that led to the single person rule of Oliver he proposes a radical departure. He is evidently thinking of the Roman Senate in the best days of the Republic. At the same time he has the example of the sects and party jealousies of his own times, and of the "unbridled democracies" like the assemblies of ancient Athens. These by their very nature he may have argued are not fitted to preserve liberty. Hence he proposes that the Grand Council be perpetual, but in the "wavering condition of affairs" is willing to concede to the demands of the Rota a partial rotation in office. The functions of this central body he also prescribes with care. In general it should deal with all matters that are of concern to the whole nation, the preservation of the peace, public revenue, foreign affairs, and general laws with the consent of the local standing councils in each city.

This last reservation is interesting, for it shows that Milton felt assured that the liberties of the nation would be best secured if a large measure of self-government were left to each county or city in the commonwealth. So he provides a local assembly for each city and its immediate district. These, again to suit the popular Rota, were to be constituted on a principle of the "wariest rotation," and were to concern themselves with all matters concerning the locality, including education, "public ornaments," and the execution of the law. That their liberties might be most jealously guarded all the general laws passed by the central Parliament should be passed in review by each local assembly, and if not found desirable might be vetoed. He makes the one reservation that a single veto should not be allowed to invalidate a well considered law. All this is interesting in its bearing on the constitution of the United States.

When he comes to define the electorate Milton again has in mind the "wavering condition of affairs." Manhood suffrage was obviously unwise, for the majority of the people now wanted King Charles. The electors were to be "qualified and refined," for the selection of the Councils may not be committed to the "noise and shouting of a rude multitude." These were to nominate, and by a sifting process done by others of better breeding, it would be possible to arrive at, after a third or fourth sifting, those who were worthiest.

He meets the objection that this means minority rule by saying: "They who seek nothing but their own just liberty, have always the right to win it and to keep it, whenever they have power, be the voices ever so numerous that oppose it."

Perhaps this last is the weakest link in his chain. For it is here that would occur the grand search for those who were ready and competent to put the machine in operation. But it is easy to see, even without his assurance, that he sought, by thus making the franchise a prize to be highly esteemed, a higher standard of education and an increased interest in public welfare.

Obviously he was looking to Holland for the model of his constitution and to Dutch political scientists notably Althusius for some of his ideas. Althusius had written at length on local self-government and its effect on the nation. The example of the Dutch organization and its success in the long wars with Spain was an inspiration to the English Puritans. There were many similarities between the Dutch constitution and the one proposed in the "Readie Way." In Holland the members of the States General held office from three to six years. But the States of every city were permanent, and these according to Milton were the main prop of the liberty of the country. In his argument Milton refers to persons "who write of policy" who urge a permanent council. It has been impossible to discover who the writers were to whom he refers, perhaps to some of the pamphleteers of that day. In conclusion Milton remarks that under such a constitution the state would be, not as Holland, "many sovereignties united in one commonwealth, but many commonwealths under one united and intrusted sovereignty."

This project which at the last minute he urged on General Monk has been called hard names by more than one critic. Even Milton's great biographer failed to see that in reality, barring its one temporary defect, it might have been a practical scheme had it been tried a few years earlier when there was a strong central government to supervise its first motions. Its sincerity is perhaps the finest thing about it. It was meant to meet a very serious crisis, and it is not blind to the issues. Milton's letter to Oldenburg, December 20, 1659, has much the same frank sincerity. He does not desire to write a history of the English troubles, but to find someone who can end them.

I think in conclusion it might be safe to say that there is more of the antique Roman in Milton than any other single ingredient. His love of liberty is ethical in its origins. Even his religion is more ethical than instinctive or emotional. And when he comes to political constitutions he is only slightly affected by the newer sentimental ideas of democracy, while at the same time he avoids the opportunism of Machiavelli and the scientific coldness of Hobbes. There is no finer expression of human perfectability than in Milton's thoughts on liberty."[42] It is re-

[42] Since this paper was written there has appeared the excellent study of Milton by Professor Denis Saurat. There are some things in Part 2 that have been rendered unnecessary by this work, and some shift might be appropriate in the matter of emphasis. For example, I for one, would be unwilling to go the length to proclaim that the doctrine of individual liberty for the regenerate defined in the "Treatise of Christian Doctrine," is to be taken literally as a political axiom. In theory Milton here is with Saint Paul, but he was cool enough a thinker to realize the limitation of a theory, no

freshing in this age with its large democratic trust in the efficacy of legislation and state control, to read his pleas for the rule of reason. Milton was the first great Liberal in English politics.

matter how seductive in principle. Space here will not permit a discussion of this question; but the numerous references in his early tracts to law and laws make the conclusion, to me, unescapable, that Milton, as many others of his time, regarded law as reason codified and translated into practice; and for this reason he looked to the " best minds " of the time. It is a bit dangerous to try to draw conclusions from Milton's last book, the " Treatise on Christian Doctrine." It was written in his last years, was never prepared by him for the press, and was, as its title indicates, a treatise on Theology.