CHAPTER - II

GENESIS OF LIBERALISM IN EUROPE

Liberalism, in both its classical and its more contemporary, or "revisionist", forms, is essentially a modern phenomena. It is the heir of a rich tradition. Liberty, constitutionalism, and toleration were known to the ancient world, and the Western Liberalism of England, Europe, and America is the beneficiary of several religious traditions, of Greek philosophy and literature, of Roman Law and constitutionalism. ¹ In ancient world, liberalism is the culmination of a development that goes back to the Hebrew Prophets, the teachings of the Pre-Socratic philosophers, and the Sermon on the Mount, from all of which there emerged a sense of the importance of human individuality, a liberation of the individual from complete subservience to the groups, and a relaxation of the tight hold of custom, law, and authority.² They thought of a man as essentially a member of a community, Plato's Republic, for example, is concerned to define the good community, not the good individual, with the loss of political liberty from the time of Alexander onwards, individualism developed, and was represented by the Cynics and Stoics. According to the

Stoic philosophy, a man could live a good life in no matter what social circumstances. The Stoic conception of a free individual became the foundation of the construct of juridical person (bearer of legal rights and duties) developed by the Roman jurists, whereas the idea of the interdependence of politics and the law characteristic of Greek political thought found its expression in legal terms of Cicero's conception of the state as a public law community.

Such a guiding ideal must be found reflected in the great political philosophy of Athens. But although Plato and Aristotle belong to their time as much as Rousseau to his, their interests are more universal, and therefore, their rendering of the ideals is combined with the expression of many different principles of political science. We must therefore confine our attention to the single conception of liberty, and avoid the discussion of the whole political philosophy of Plato or of Aristotle. Athens was under the eyes of these two, and each in his own way reacted to the popularly received view of what was valuable in political life.

The Greek philosopher Plato was among the most important and creative thinkers of the ancient world. His

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work set forth most of the important problems and concepts of Western philosophy, psychology, logic, and politics, and his influence has remained profound from ancient to modern times. Central to Plato's thought is the power of reason to reveal the intelligibility and order governing the changing world of appearance and to create, at both the political and the individual level, a harmonious and happily life. The Laws, Plato's longest and most intensely practical work, contains his ripest utterances on ethics, education, and jurisprudence, as well as his one entirely nonmythical exposition of theology. The immediate object is to provide a model of constitution making and legislation to assist in the actual founding of cities. The problem of the dialogue is thus not the constitution of an ideal state as in the Republic but the framing of a constitution and code that might be successfully adopted by a society of average Greeks.

In the ethics of the Laws Plato is rigid and rigorous - for example, homosexuality shall be completely suppressed and monogamous marriages with strict chastity shall be the rule. (In the Republic the guardian class enters into temporary unions or "sacred marriages", with a community of wives and children, to foster a concern for the common good) In politics, he favours a mixed constitution.

one with elements of democratic freedom and autocratic authoritarianism, and suggests a system for securing both genuine popular representation and the proper degree of attention to personal qualifications. Education is regarded as the most important of all the functions of government. The distinction between the sexes is to be treated as irrelevant. He still retain his plan for the equal education of women and for their sharing in military and other civic duties, though they are denied membership of the highest ruling body. Members of the supreme council of the state shall be thoroughly trained in the supreme science, which "sees the one in the many and the many in the one", i.e., in dialectic."\(^5\)

Plato draws a sharp distinction between states where the rulers stand above the laws, and those where the law is supreme:

"For that state in which the law is subject and has no authority, I perceive to be on the highway to ruin, but I see that the state in which the law is above the rulers, and the rulers are the inferiors of the law, is preserved, and has every blessing which the Gods can confer".\(^6\)

In describing the governmental organization of his polity Plato avowedly seeks a mean between monarchy and democracy.

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These two forms he takes as representative of the contradictory principles of authority and liberty. Either principle carried to excess results in disaster to the state, as may be seen in the history of Persia and of Athens. Moderation is essential to the maintenance of good feeling between rulers and ruled, and Plato attributes the highest importance in politics to this relation - to the principle of friendship, as he calls it. Indeed, he lays it down as according to nature that government should be "the rule of law over willing subjects, and not a rule of compulsion" - a proposition which is much like the "natural law" of modern days, that government rests on the consent of the governed.

In respect to property Plato concedes that the communism of The Republic is impracticable. The principle of private property is therefore, admitted, but the evils of an inequitable distribution are guarded against by precautions that to the modern mind seem fatal to the principle. The philosopher fully appreciates the economic basis of political discord. A tranquil state will be one in which there is neither extreme poverty nor extreme wealth, hence the laws must promote equality of possessions. Especially must the ownership by citizens of

7. Laws: III, 693 et seq.
8. IBID.: III, 690, Cf. VIII, 832.
equal shares of land be safeguard, and through the discouragement of commercial pursuits by all possible means the accumulation of wealth in other forms must at least be impeded. Advocating equality in the sphere of consumption, Plato proposes that all necessity produce be divided into three parts. Two parts should be consumed by the free members of society and by the slaves respectively, and the third part, exchanged for handicraft goods:

"Such being the case, let no one of the three portions be greater than either of the other two - neither that which is assigned to masters of the slaves, nor again that of the stranger, but let the distribution to all be equal and alike and let every citizen take his two portions and distribute them among slaves and freemen, he having power to determine the quantity and quality."

The organisation of everyday life in the second state, is governed by the idea of promoting the conformity of opinion and fostering the spirit of collectivism among the citizens. Though Plato concedes the citizens the right to have individual families, he provides for an elaborate law-governed system of education committing children to the charge of numerous state officials. Political rights are

10. IBID.: 742.
11. IBID.: 848 C.
granted, only to the citizens of the state, their main concern being to preserve and strengthen the existing state system. Citizens have equal rights but the very principle of equality is treated by Plato in a typically aristocratic manner:

"For to unequals equals become unequal, if they are not harmonized by measure", and both by reason of equality, and by reason of inequality, cities are filled with seditions.\(^\text{12}\)

The peace of the household also demands that we lay down a right rule for the treatment of servants. A master must, for his own sake as well as for his servant's make it a rule to be even more scrupulously fair in his treatment of his slaves than he is in his behaviour to his equals.\(^\text{13}\)

The significance of Aristotle, in the history of political theories, lies in the fact that he gave to politics the character of an independent science. In all sciences and arts the end is a good, and the greatest good and in the highest degree a good in the most authoritative of all\(^\text{14}\) -- this is the political science of which the good is justice, in other words, the common interest. All men

\(^{12}\) IBID.: 757.

\(^{13}\) IBID.: 777.

\(^{14}\) Cp. I. 1252\(\alpha\)2, Nic. Eth. I.1094\(\alpha\)I.

* CHAPTER

** NICOMACHEAN ETHICS
think justice to be a sort of equality, and to a certain extent they agree in the philosophical distinctions which have been laid down by us about Ethics. Ethics becomes then a department of Politics. It would seem that this is the most authoritative architectonic science or faculty and such is evidently the political, for it is the political science or faculty which determines what sciences are necessary in states, and what kind of sciences should be learnt, and how they should be learned by particular people. We perceive too that the faculties which are held in the highest esteem, e.g. strategy, domestic economy, and rhetoric, are subordinate to it. But as it makes use of the other practical sciences, and also legislates upon the things to be done and the things to be left undone, it follows that its end will comprehend the ends of all the other sciences, and will therefore be the true good of mankind. For although the good of an individual is identical with the good of a state, yet the good of the state, whether in attainment or in preservation, is evidently greater and more perfect. For while in an individual by himself it is something to be thankful for, it is nobler and more divine in a nation or state. It is

17. The Ethics Of Aristotle: BK.I.CH.I.
the last and the perfect association. Originating in the bare needs of living, it exists for the sake of complete life. And because the individual can fulfil the end of his existence - can live a complete life - only in the state, Aristotle declares that man is by nature a political animal. And therefore, men, even when they do not require one another's help, desire to live together, not but that they are also brought together by their common interests in proportion as they severally attain to any measure of well-being. This is certainly the chief end, both of individuals and of states.\textsuperscript{18}

The general system of authority through which the functions of the state are performed is the constitution. In the constitution are determined the number and inter-relationship of the various organs of governments, the methods through which they are manned, and, particularly, the abode of the supreme or sovereign power.\textsuperscript{19} On this last point depends the difference between constitutions, for the governing body is sovereign, and makes the constitution what is. Accordingly, where the people is the governing body, the constitution is a democracy.\textsuperscript{20} In such a democracy the law says that it is just for the poor to have no more advantage than the rich, and that neither should be masters,

\textsuperscript{18} Politics: 1278b.
\textsuperscript{19} IBID.: VI, i, 10.
\textsuperscript{20} IBID.: III, VI, 1.
but both equal. For if liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost. And since the people are the majority, and the opinion of the majority is decisive, such a government must necessarily be a democracy. But describing the tendencies of extreme democracy, he says:

"Equality is held to signify the rule of the majority, and liberty and equality to mean that each may do as he will. Hence, in democracies each follows his own inclinations. But this is evil. For life in subjection to the constitution is not to be regarded as slavery, but as the highest welfare."

The function of government, he constantly reiterates, is to enable men to live the good life, and the good life, as he defines it is the life of the spirit. "Some think,"he says", that a very moderate amount of virtue is enough, but set no limit to their desires of wealth, property, power, reputation, and the like. To whom we reply by an appeal to facts, which easily prove that mankind does not acquire or preserve virtue by the help of external goods, but external goods by the help of virtue, and that happiness, whether consisting in pleasure or virtue, or both, is more often

22. IBID.: V, IX, 15.
found with those who are most highly cultivated in their mind and in their character, and have only a moderate sphere of external goods, than among those who possess external goods to a unless extent but are deficient in higher qualities ... Let us assume then that the best life, both for individuals and states, is the life of virtue, having external goods enough for the performance of good actions". 23 Thus, the art of government is the art of finding a proper equilibrium for the forces in the state. In individual ethics Aristotle saw the good life in the mean, in the ethics of the state, he saw it in an equilibrium between power and liberty, between authority and its checks. 24 By contrast, political authority derives from the relations of freedom and equality and is essentially different from the authority of the father over his children or the master over his slaves. The community of the barbarians is therefore non-political and antecedent to the emergence of the state. Politics, political justice and the state are, according to him, below the gods and above the barbarians. Between the gods and the barbarians stands the morally developed Hellene - the citizen of the state: "He who by nature and not by mere accident is without a state, is either a bad man or above humanity". 25


Aristotle makes a firm stand for the rights of an individual, the right to private property first and foremost, and comes out in defence of an individual family asserting its specificity and independence from the State. Private property, in Aristotle's opinion, derives in the final analysis from man's nature, his natural love of his own self. In Ethics he regards egoism (Self-respect) as a very important virtue, since a man, "is specially a friend to himself and so he is bound to love himself the most." Such egoism, in Aristotle's view, attests to moral excellence and is commendable in contrast with unjust and reprehensible egoism commonly held in contempt. The legislator therefore should recognise private property as a rational and virtuous principle. The legislator or statesman is concerned entirely with the state, a constitution or government being an arrangement of the inhabitants of a state. But a state is composite, like any other whole made up of many parts, - these are the citizens, who compose it. How are we to define a citizen? He is more than a mere denizen, private rights do not make a citizen. He is ordinarily one who possesses political power, who sits on juries and in the assembly. But it is hard to find a definition which applies to all so-called citizens. To define him as the son of citizen parents is futile.

26. Ethics: IX, VIII, 1168b,
27. Politics: BK. CH.1, 1275.
Some say that his civic rights must have been justly acquired. But he is a citizen who has political power, however, acquired. The good citizen may not be a good man, the good citizen is one who does good service to his state, and this state may be bad in principle. In a constitutional state the good citizen knows both how to rule and how to obey. The good man is one who is fitted to rule. But the citizen in a constitutional state learns to rule by obeying orders.\textsuperscript{28} Therefore, citizenship in such a state is a moral training. The citizens should be educated to obey when young and to rule when they are older. Rule is their ultimate and highest function. Since the good ruler is the same as the good man, our education must be so framed as to produce the good man. It should develop all man's powers and fit him for all the activities of life, but the highest powers and the highest activities must be the supreme care of education.\textsuperscript{29}

Ordinary states are founded on erroneous ideas of justice, which lead to discontent and revolution. Of revolutions some are made to introduce a new constitution, others to modify the old, others to put the working of the constitution in new hands. Aristotle finds to be the craving of men for equality when men think that they are

\textsuperscript{28} IBID.: BK. CH.4, 1277.  
\textsuperscript{29} IBID.: BK. VII, CH.14, 1333.
equal to others who have more than themselves, or, again, the desire of inequality and superiority, when conceiving themselves to be superior they think that they have not more but the same or less than their inferiors, pretensions which may and may not be just. Inferiors revolt in order that they may be equal, and equals that they may be superior such is the state of mind which creates revolutions.  

Although many persons in the twentieth century find the cause of revolution in conspiracies of evil men, and its remedy in intimidation by investigatory committees or in repression by antirevolutionary legislation, Aristotle states that "poverty is the parent of revolution and crime", and that "when there is no middle class, and the poor greatly exceed in number, troubles arise, and the state soon comes to an end". Because he realized that political stability depends on an equitable social and economic order, he was opposed to selfish class rule by either an excessively wealthy plutocracy (called by him "oligarchy") or by propertyless proletariat (called by him "democracy").

The Athenian ideal might be summed up in a single phrase as the conception of free citizenship in a free state. The concept of freedom was central to all political

30. IBID.: BK. V. CH.2, 1302.
31. William Ebenstein: Great Political Thinkers, P.70.
thought and practice of the ancient Greeks and represented their basic value and chief concern. To be sure, the ancients' freedom was not universal being denied to the majority of the population - the slaves. These were also excluded from the sphere of politics understood as legal relations of citizens, i.e. full members of the polis with respect to the common interests, and could not be subjects of public rights and duties. In the eyes of the ancient Greeks, politics and all kinds of practical and intellectual activity relating to it belonged under the head of freedom and were only for the freeman to tackle, whereas the slaves' lot was mainly to do physical work and provide the necessities of life. All relations of production, as well as family relations, were regarded as lying beyond the limits of freedom and, consequently, as falling outside the province of politics. The master-slave and householder - family relations based on the principles of authority and subordination were viewed as non-political. This conception lies at the root of the traditional antithesis between the Hellenic polis life and the "barbarian" rule, i.e. between freedom and tyranny, characteristic of ancient political thought.

We can hardly, speak of any politics or political theory in the Middle Ages as a separate or distinguishable factor or subject of study. Politics, economics, ethics, theology - all these run into one and are blended together,
or, more strictly speaking, politics and economics are subordinated to ethics, which itself is revealed ethics, and therefore theology. Here – with the one and fundamental difference of revelation – the Middle Ages are like the ancient Greek World, and medieval theory comes nearest to that of Plato. For in the ancient Greek world also politics and economics were subordinated to ethics, and in the thought of Plato ethics was in turn dependent, if not upon revelation, at any rate upon a system of metaphysics which had its analogies with medieval theology. There is indeed a remarkable parallel between medievalism and platonism – the Platonism of The Republic and The Laws. For Plato too desires the control of all human life by a single wisdom, which for him is vested in the philosopher Kings, as for the Middle Ages it was vested in the clergy – a control of the family and property, a control of culture and education, of music and poetry and drama. Do we not hear the Middle Ages speaking, when we read in Plato of the Philosopher Kings, how "one feature they will erase, and another they will put in, until they have made the ways of men, as far as possible, agreeable to the ways of God"?32 And what can be more medieval than the system of persecution which Plato

advocates in the Laws against all who deny the articles of his creed of natural religion?

The thirteenth century, in which St. Thomas Aquinas lived, was a time when the Papal Monarchy, as a political institution, was a fact of the first order in the social organization of Europe. It was an institution known to St. Thomas both as a territorial sovereignty related to other secular Kingdom and as the seat of a universal spiritual jurisdiction claiming and wielding a supreme authority above them all. St. Thomas's theory of law and justice is the channel through which the doctrines of Aristotle, the Stoics, Cicero, the Roman Imperial Jurists and St. Augustine, blended into a rounded whole, were transmitted to modern times. His analysis and definitions of the two concepts gave much precision to the vague and ill-formulated ideas in which they had long been enveloped. Like Cicero, he started from the notion of Law (LEX). Law he defined as "an ordinance of reason for the common good, promulgated by him who has the care of a community." Justice, St. Thomas, following substantially the Roman Jurists, defines as the fixed and perpetual will to give to

33. F.J.C. Hearnshaw: The Social And Political Ideas Of Some Great Medieval Thinkers, P.85.
35. Quaedam rationis Ordinatio ad bonum Commune, et ab eo qui Curam Communitatis habet promulgata - Summa Theologica, II, l, 90, 4.
every one his own rights. But the Aristotelian doctrine is also closely followed, in explaining the fundamental principle of justice to be that of equality. Equality, St. Thomas then shows may be based either upon nature itself, "as when one gives so much that he may receive back precisely the same", or upon human determination, as when popular custom or princely decrees require that two things shall be regarded as equal. This distinction differentiates natural right (Jus Naturale) from positive right (Jus Positivum), the latter resting upon the Lex Humana. Written human laws are thus fully recognized as a source of rights and justice. But Thomas insists that they derive their force, not from being written, but from nature itself. Accordingly, written law is vitiated and loses binding force whenever and so far as it deviates from natural justice.

In the De Regimine Principum, Aristotle's fundamental principle is adopted, that man is by nature a social being (animal sociale et politicum), that social existence makes government (aliquod regitivum) necessary for the common welfare, and that the city (civitas) is the self-sufficing and perfect association. But here Thomas feels

36. Constans et perpetua voluntas ius suum cuique tribuere - Summa Theologica, II, 2, 58, I.
37. IBID.: II, 2, 60, 5.
that Aristotle did not go far enough, and accordingly declares that a "province" including a number of city-states, has a higher degree of self-sufficiency because of the greater resources for defence against enemies. 39 He prefers a State or Kingdom in which the power is given to one president, who has under him others also possessing powers of government. And he shows that a government such as this is in reality one shared by all the people, since all are eligible to govern, and since the rulers are chosen by them all. 40 This, he says, is the best form of polity:

"partly Kingdom, in so far as there is one president, partly aristocracy, in so far as many have authority, and partly democracy or popular government, for the rulers can be elected from the people, and to the people belongs the choice of their rulers." 41

As the slavery, there is presented in the "Rule Of Princes" a rather striking addition to the justifying principles adduced by Aristotle and Augustine. The former based the institution on differences in intellectual endowment, the latter regarded it as a divine system for the punishment of sin, but St. Thomas looks upon it as also designed to stimulate bravery in soldiers that the vanquished, will be ensalved is an effective inducement not to be Vanquished, and for this view he cites not only the practice of the

40. Summa Theologica: Ia 2ae, Q. CV, a.I.
41. Aquinos has a Caveat as to the qualifications of political knowledge on the part of the electorate necessary for the rational use of their powers in elections, F.J.C. Hearnshaw: The Social And Political Idea Of Some Great Medieval Thinkers, p.96.
Romans, but also the precepts of God in Deuteronomy. He is explicit as to the end or purpose of society, or the state, which is the same as that of each person who enters into it, and this is the greater good of each in the virtuous life. He is no less explicit in regard to the source of the authority to govern, which is a necessity for the common good once society is organised. This source of authority is God, the supreme Governor of all things. From God the legitimate authority to govern passes to the whole group of individuals concerned, and they, in turn, may constitute one, or several, of themselves as their representative in this matter. The people, under God, are sovereign. They may, according to circumstances, entrust their sovereignty to a King or monarch, to an aristocracy, or to a republican form of government. His own personal choice, based upon psychological reasons, is a compromise.

42. De Regimine Principum, II, 10.
44. Summa Theologica: Ia 2ae, Q. XC III, a.3.
46. Summa Theologica: Ia 2ae, Q. XC, a.3.
47. F.J.C. Hearnshaw: The Social And Political Ideas Of Some Great Medieval Thinkers, PP.95-96.
The other medieval political philosopher was Marsilio of Padua, in The Defensor Pacis, sets out a theory of politics already to a great extent Italian, practical and secular, though still touched by the idealism of the Middle Ages and expression in scholastic terms. It is based on an interpretation of Aristotle on lines more in sympathy with the original than can be found in the writings of St. Thomas. The minute analysis to which Marsilio subjects all the conflicting claims of the secular and the spiritual authorities results in reducing the role of the latter to as humble proportions as those assigned to the former by the extremist pro-papal debaters. His attack on the hierarchy is as keen on the side of doctrine as on that of external history. The power of the keys and the power to bind and loose, which summed-up the largest pretensions of the priesthood, are shattered by his powerful attack. Not only does the authority implied in these terms include nothing of temporal import, it does not even signify real power in the spiritual sense. It is not the priest that forgives the sin and remits the penalty to the sinner. God alone judges in these matters, and the function of the priest is merely to certify to the divine act. The priest is indeed the bearer of the keys of the kingdom of heaven, but he bears them in the capacity merely of turnkey (claviger) - no wielder of jurisdiction, but a humble servitor.48

48. Defensor Pacis: II, 6, end.
Marsilio reaches a definition of the function of the priest:

"The function of the priest is to know and teach those things which, according to Scripture, it is necessary to believe, to do, or to avoid, in order to obtain eternal salvation and escape Woe." 49

Marsilio believed that the church should be organized on a democratic basis, final authority residing in a general church council, which should include secular as well as ecclesiastical delegates. The pope should be chosen by the people as represented in the council, and this body should also have the right to depose the pope. The church, moreover, should limit its activities to purely spiritual affairs, and the power to convolve the church council and to enforce even spiritual penalties should rest with the political authority. The clergy, as members of the state, should be treated in the same way as other citizens, and should have no exemption from political obedience because of their religious character. Marsilio stated far-reaching principles concerning the popular basis of government in state and church, and the subordination of the church to state. Influenced by the Greek concepts of democracy and by the Roman doctrine of popular sovereignty, he held that the

49. IBID.: I, VI, 8.
aim of the state is the welfare of its people, that the essence of the state is in the making of law, that the source of law is in the whole body of citizens, and that the administration of government should be in the hands of persons choosen by the people and responsible to them. He thought that the people should have right to punish their rulers for exceeding their authority or for disobeying the law, and should even be able to depose them if necessary. Law implies a legislator and Marsilio inquires who the human legislator is. The answer brings him to the heart of his political theory:

"The legislator, or first and proper efficient cause of law, is the people or whole body of citizens, or a prevailing part of it, commanding and deciding by its own choice or will in a general assembly and in set terms that something among the civil acts of human beings be done or omitted, on pain of a penalty or temporal punishment".\(^{50}\)

He made a clear distinction between the ultimate source of sovereignty in the state, which he located in the people, and the form of government chosen to execute the laws. For this purpose he decided that perhaps an elective monarch was best. The duty of the king, however, was to interpret and apply the law, not to make it, and the royal power was limited in all directions.\(^{51}\)

50. IBID.: I, XII, 3.
51. Lawrence C. Wanlass: Gettell's History Of Political Thought, P. 128.
The Middle Ages were brought to a close and the modern period was begun by the two movements known as The Renaissance and The Reformation. Its main theme was the transition from medieval to modern Europe, that is to say, the change which accompanied the gradual substitution of independence for authority, of contract for status, of freedom for tutelage, of movement for stability, of speculation for credulity, of progress for order. It depicted, on the one hand, the disintegration of Christendom, the decay of the Holy Roman Empire, the degradation of the papal monarchy, the disappearance of the ideal unity of The Faith. On the other hand, it displayed the formation of national states, the rise of strong dynastic kingships, the advent of the middle class to prominence and power, the revolution in the art of war due to the introduction of firearms, the emergence of the individual, together with the moral and intellectual transformation which was effected by the Copernican discovery of the Universe, the Iberian discovery of the New World, the Humanistic discovery of Man, and the Academic discovery of Primitive Christianity as revealed in the Greek New Testament and the writings of the Early Fathers. The central political problem of this transitional period was the position of the new national state and its secularised government in respect of the old cosmopolitan authorities, and in relation to the Christian principles which had so
long dominated Western affairs. The central social problem was how to restrain and limit the dangerous liberty of the emancipated individual, and how to turn to the advantage of the community the exuberance of his egoistic activity.\textsuperscript{52}

Sixteenth century political philosophy opens with an expression of modernity which, whether for realism or power of insight, it was never to surpass. The whole of the Renaissance is in Machiavelli. There is its lust for power, its admiration for success, its carelessness of means, its rejection of medieval bonds, its frank paganism, its conviction that national unity makes for national strength. Neither his cynicism nor his praise of craftiness is sufficient to conceal the idealist in him. He espouses Dante's dream of a united and renovated Italy with all his heart. But he is also an administrator to his fingertips, an administrator with the courage to avow that he who wills the end must will the means also. He believes in liberty, but he has been taught by grim experience that power is the price of liberty.\textsuperscript{53} What Machiavelli means by 'liberty' or 'freedom' as a quality of a state is more easily illustrated than defined. The illustration of a free state which he has constantly in mind is the ancient Roman Republic. Freedom is something which Rome possessed when she was a republic, but which she lost when Julius Caesar and the emperors who

\textsuperscript{52} F.J.C. Hearnshaw: \textit{The Social And Political Ideas Of Some Thinkers Of The Sixteenth And Seventeenth Centuries}, p.10.

\textsuperscript{53} H.J. Laski: \textit{The Rise Of European Liberalism}, p.43.
succeeded him abrogated the republican constitution and concentrated political power in their own hands. Thus, for a people to be free in Machiavelli's sense, it is not sufficient (although it is necessary) for it to be independent of domination by other states. Nor does the freedom of a state consist merely in the degree of liberty of action allowed to its individual citizens, for a despotism may be liberal, in the sense that the despot may confine his interference with the lives of his subjects to a minimum. But a liberal despotism is not what Machiavelli means by a free state.\textsuperscript{54}

In the first he compares free states with princedoms, and affirms the superiority of the former. But as regards prudence and stability, I say that the people are more prudent and stable, and have better judgement than a prince, and it is not without good reason that it is said, "The voice of the people is the voice of God", for we see popular opinion prognosticate events in such a wonderful manner that it would almost seem as if the people had some occult virtue, which enables them to foresee the good and the evil. And as to the people's capacity of judging of things, it is exceedingly rare that, when they hear two orators of equal talents advocate different measures, they do not decide in favour of the better of the two, which

\textsuperscript{54} E.M. Sait: \textit{Masters Of Political Thought}, Volume 1, PP. 279-80.
proves their ability to discern the truth of what they hear. We also see that in the election of their magistrates they make far better choice than princes, and no people will ever be persuaded to elect a man of infamous character and corrupt habits to any post of dignity, to which a prince is easily influenced in a thousand different ways .... We furthermore see cities where the people are masters make the greatest progress in the least possible time, and much greater than such as have always been governed by princes, and this can be attributed to no other cause than that the governments of the people are better than those of princes ..., for if we compare the faults of a people with those of princes, as well as their respective good qualities, we shall find the people vastly superior in all that is good and glorious. And if princes show themselves superior in the making of laws, and in the forming of civil institutions and new statutes and ordinances, the people are superior in maintaining those institutions, laws and ordinances, which certainly places them on a par with those who established them.  

Machiavelli gives the name of 'Virtue' to this quality of vigour in a people, and hence he hold that a people must possess 'Virtue' in order to be free. Where 'virtue' is lacking, the people is corrupt, and a corrupt
people can be reduced to order only by the drastic regime of a prince. Thus Machiavelli says: "To endeavour to make a people free that are servile in their nature is a hard a matter as to keep them in servitude who are disposed to be free". In another chapter, discussing the problem of "how in a corrupt state a free Government may be maintained assuming that one exists there already, and how it could be introduced, if none had previously existed, he concludes as follows:

"From these combined causes arises the difficulty or impossibility of maintaining liberty in a republic that has become corrupt, or to establish it there anew. And if it has to be introduced and maintained, then it will be necessary to reduce the state to a monarchical, rather than a republican form of government, for men whose turbulence could not be controlled by the simple force of law can be controlled in a measure only by an almost regal power."

And finally, to sum up this matter, we say that both governments of princes and of the people have lasted a long time, but both required to be regulated by laws. For a prince who knows no other control but his own will is like a madman, and a people that can do as it pleases will hardly be wise. If now we compare a prince who is controlled by

56. IBID.: III, 8.
57. IBID.: I, 18.
laws, and a people that is untrammelled by them, we shall find more 'virtue' in the people than in the prince, and if we compare them when both are freed from such control, we shall see that the people are guilty of fewer excesses than the prince, and that the errors of the people are of less importance and therefore more easily remedied.

Of all French political philosophers in the eighteenth century (other than Rousseau) the most important was Montesquieu. His whole purpose in the "Spirit of the Laws" can now be restated in terms of this ideal of liberty. It is nothing less than to give concrete practical advice, based on historical precedent and other empirical evidence, about how to achieve liberty. He saw quite clearly that different peoples could achieve liberty (in his sense of the word) only in quite different ways, and also that different peoples were capable of different degrees of liberty, and hence that it would only end in misery and misfortune if we attempted to treat all men alike. In fact, his whole problem was simply to help statesmen everywhere in achieving "the object of legislation", which, in the words of Solon, is to give a people "the best laws which they can bear". Of Liberty, Montesquieu says: "Liberty consists in the ability to do what one ought to desire and in not being forced to do what one ought not to desire." Liberty

59. IBID.: With A Special Introduction By P.R. Coudert, Volume I, P. xiii.
is a right of doing whatever the laws permit, and if a citizen could do what they forbid he could be no longer possessed by liberty, because all his fellow-citizens would have the same power. In its broadest sense of liberty consists, he says, in the belief that one has that he is acting according to his own will.

There are two species of this liberty, political and civil. Political liberty consists in the power to act, not absolutely as one wishes, but as one ought to wish, or, making the conception conform to the broad definition of liberty, in the security one feels that he can act thus. Such security can exist, he holds, only under a government that is based on law, therefore political liberty consists in the security one feels that he may do whatever the laws permit. Civil liberty is not concisely defined by him, but its meaning is indicated by the fact that it has the same relation to chattel slavery that political liberty has to despotism, the relation, that is, of logical contradictory. Concretely civil liberty and political

60. "Omnes legum servi sumus ut liberi esse possimus" - Cicero, "Pro Cluentio", 53.
62. IBID.: XII, 2.
63. IBID.: XI, 3.
64. IBID.: Compare the last reference with BK. XV, 13.
liberty are widely different in their incidents, but civil slavery and political slavery are often hardly distinguishable. Liberty can exist only where the possessors of governmental power are subject to limitations. Not that these limitations necessarily insure liberty: power always tends to be abused, and unless a constitutional system is so arranged that one power is checked by another, the citizen still may lack that security in which liberty consists.

In every government there are three sorts of power:

"The legislative, the executive, and ... the judiciary .... When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty .... Again, there is no liberty if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control, for the judge would then be legislator. Were it joined to the executive, the judge might behave with violence and oppression."66

The political liberty of the subject is a tranquillity of mind arising from the opinion each person has of his safety. In order to have this liberty, it is requisite the government be so constituted as one man need not be afraid

65. IBID.: XI, 4.
of another. There would be an end of everything, were the same man or the same body, whether, of the nobles or of the people exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals.

In most of his writings, not merely in the Contract Social, Jean Jacques Rousseau was obsessed by the demands of life in society, by the relationships of dependence and subordination which it creates among men, and by the rivalries and enmities which it engenders. Society, which should bring men together, in fact sets them apart and makes them enemies to their fellow men. Rousseau first became aware of this paradox not in terms of clearly conceived ideas but of deeply felt experience. In the course of a tormented and eventful life, he felt poignantly the injustice of a social order founded on the inequality of status. He further plea that the individual as such - the 'unsocial, uncivil individual' - is the mere creature of his 'physical appetites' and selfish interests, real or imaginary - in one word, a 'stupid and limited animal', that it is the civil state which alone trains and unfolds his faculties, which alone teaches him the 'mastery of himself', and gives him 'moral liberty, which alone, therefore, 'makes of him a reasonable being and a man'.

on man, the Contrat Social is a treatise on the citizen, both are inspired by the same ideal - they are intended to safeguard liberty, which is constantly threatened by social relationships and social institutions. "The greatest good", said Rousseau in Emile, "is not authority, but liberty". Relationship of authority are almost always arbitrary or tend to become so. "Dependence among men being without order or rule", authority gradually transforms itself into domination and obedience into servitude. If, therefore, liberty is to be preserved, this dependence among men must be eliminated or at least subjected to regulation. From this point of view, the requirements of liberty create the same task for the legislator as for the educator. Similarly, the art of politics consists in making each citizen extremely dependent upon the polis in order to free him from dependence upon other citizens. 68

If we now consider the famous opening sentence of The Social Contract - "Man is born free, however he is everywhere in chains". It means that man ought to be free, independent, and solitary (because this is the best life for him), but that the conventions and customs of society, the various regulations and restrictions which political and economic institutions involve, enslave him and cause his fall from his original and blessed state of freedom. "Shades of

the prison house" - Rousseau might have anticipated Wordsworth - "begin to close about the growing boy". But when we bring the sentence into harmony with the point of view adopted in the final version, the notion that man is born free but is actually in chains becomes simply the assertion that man ought to be free (but in the sense of being able to do just whatever he wants, but in the sense of being an element in a general will, of whose common life his own is a part), and that he seldom actually is free (because most states are actually founded on force, instead of on a general will, as they ought to be). Thus the freedom that Rousseau is talking about is no longer licence, it is no longer the unrestricted conduct of a separate and independent individual. On the contrary, the term now describes the kind of participation in a larger life which all the various bodily organs share in when they are functioning harmoniously in a healthy body. 69

Indeed, for Rousseau, freedom or liberty was the most precious of possessions, a gift which nature has made to men. They can no more be deprived of it rightfully than they can be deprived of life itself, nor can they be permitted to divest themselves of it for any price whatsoever. The social pact should not be interpreted as abrogating, in effect, a right which Rousseau declared

inalienable and inseparable from the essential character of man. Rousseau affirmed that the surrender of rights is only apparent and that in the end individuals regain the rights which they appear to have given up. "Instead of a surrender", he said, "they have only made a profitable exchange". In effect, the social contract is designed to secure or to restore to individuals in the state of civilization the equivalent of the rights they enjoyed in the state of nature.

Rousseau adds that, 'liberty always follows the fate of law, it reigns or perishes with it, I know of nothing more certain.' As law is identified with the general will, liberty is possible only through obedience to the general will. In the fragment entitled "Des Loix" he explains the connection between liberty and the sovereignty of law in an unambiguous way:

"I am free when I am subject to the laws, but not when I am forced to obey my fellow man because in the latter case I am doing the will of just one individual, but when I obey the law I act at the behest of the common will, which is as much mine as it is anyone else's."

71. **Lettres** ecrites de la montagne, OC, Volume 3, P.842.
72. IBID.: P. 811.
The liberty which consists in submission to the law is, in the first place, the liberty which comes from belonging to the sovereign body. Rousseau holds that the sovereignty of law makes the people free:

"A free people obeys, but it does not serve, it has leaders but no masters, it obeys the laws, but it obeys only the laws, and it is due to the strength of the laws that it does not find it necessary to obey men." 

However, Rousseau's interpretation of the relation between liberty and law (still defined as the expression of the general well) does not only consist in a simple assertion of the principle of positive liberty, but also implies a negative liberty, meaning by this protection for the individual from outside interference.

The climax of the German idealism in political philosophy was reached in the speculation of Hegel. He developed his political principles as part of a comprehensive system of philosophy. No political system, except perhaps that of Aristotle, is so rich in historical content as Hegel's Philosophy of Right. Even its systematic structure, far from being an arbitrary piece of mechanism, expresses the growing complexity of the problem of political organization in the ideal sequence of its factors: the

74. Lettres écrites de la montague, OC, Volume 3, P.342.
individual, society, the state. The mainspring of this development is freedom, which coincides with the idea of spirit, and therefore is not exhausted in the affirmation of isolated personalities, but gives rise to formations of a higher order which express the relations of individuals to one another.\textsuperscript{75}

The great distinguishing mark of the Hegelian system was the evolutionary and historical spirit that pervaded it. However, all history constitutes an evolutionary process. The ultimate goal of this evolution is true liberty. "World history is the progress in the consciousness of liberty."\textsuperscript{76} Progress, then, is the gradual realisation of the idea of freedom. And by freedom is meant not the mere absence of external restraints, not the liberty of the individual to do what he will with his own faculties and his own possessions—through, within certain limits, there are essential conditions of the true freedom, but the untrammelled development of man's power—moral, intellectual and spiritual—according to the fundamental laws of his own nature. What those laws are, is only made fully apparent in the long course of their development.\textsuperscript{77} Thus, Liberty according to Hegel, is the basic element of the spirit.

\textsuperscript{75} Guido De Ruggiero: \textit{The History of European Liberalism}, P. 229.

\textsuperscript{76} Bernard Johnston: \textit{Collier's Encyclopaedia}, Volume 12, P.11.

\textsuperscript{77} C.E. Vaughan: \textit{Studies In The History Of Political Philosophy Before And After Rousseau}, P. 153.
But liberty is only possible in a state. It is in the state that man reaches his dignity as an independent person. For in the state, as Hegel says in keeping with Rousseau's conception of the true state, it is the universal (i.e. the law) that governs, and the individual of his own free will subjects himself to its rule.\textsuperscript{78} It is apparent from the foregoing that Hegel rejected the liberal view that man is free to the extent that he is guaranteed a sphere within which he can do what he wishes without interference from others who are guaranteed a like position. Such freedom he stigmatized as negative, abstract, or merely willful. Men enjoy concrete freedom when the various orders and groups of civilized life are maintained in and by the state.\textsuperscript{79}

In his Philosophy of History, Hegel defines the state as the "realization of freedom". The state is the embodiment of concrete freedom. The state is the actually existing, realized moral life and "all the worth which the human being possesses - all spiritual reality - he possesses only through the state"... The state is "the march of God in the world", he said that the state "stands on earth and so in the sphere of caprice, chance and error, and bad behaviour may disfigure it in many respects".\textsuperscript{80} Hegel's main concern was, as he stated, to analyze the state at its best. Like Aristotle, he regarded the state as the highest

\textsuperscript{78}Bernard Johnston: \textit{Collier's Encyclopaedia}, Volume 12, P.11.

\textsuperscript{79}Lectures On The Philosophy Of History (Hoffmeister, Volume XVIII A, P.111)

\textsuperscript{80}Philosophy Of Right: 257
social achievement of man, he also held, again like Aristotle, that within the state there should be guarantees against arbitrariness and despotism. The state, further, is "perfected rationality", absolute fixed end-in-itself", for it is the unity of the universal will and the individual will - or what is the same thing - of objective and subjective freedom, and the unity of universality and particularity is perfected rationality. As such the state is of the eternal and necessary essence of spirit.

"Law", he declares, "is the reality of the free will". Morality and right and the state rest on respect for personality as such. The end of the state is liberty: the test of its success is the reality it gives to personal liberty. No doubt Hegel is prepared to insist that liberty cannot be realized without law, but law has to submit to the criterion of whether it does make personal liberty real. This is the field in which the ideas of personality, property and contract (family, civil society and state) are developed. Freedom, as right, has always a particular object, and tends to realize a personality, something limited and organic. The first realization is already a determination of its abstract potentiality. This is

81. IBID.: 311.
82. IBID.: 257, 258.
83. F.J.C. Hearnshaw: The Social And Political Ideas Of Some Representative Thinkers Of The Age Of Reaction And Reconstruction, P.59.
precisely property, as based on an act of affirmation in which the will creates an external sphere for its own liberty, and completes the subjective energy of personality by supplying it with a proper object. Thus it would appear that, since right is based on a pure act of will, to which society and the state are together foreign, jusnaturalism is fundamentally right, and the idea of a declaration of the rights of man is sound. But in Hegel's view a right, as the expression of mere individuality, is not a concrete and independent existence, but a factor, a transcendental or abstract movement, in a process in which this primitive nucleus enriches itself by acquiring new and increasingly complex determinations. The property, which is at first asserted as the realization of the will in an object, can only develop the legal character, which distinguishes it from mere possession, in virtue of a recognition by other wills, other persons. Thus property 'passes over', to use Hegel's phraseology, into contract, the immediate right to a thing is mediated by the right towards the persons. The sphere of contract, implying the presence of various individuals and the combination of various rights, represents a higher form of liberty, but not so high that a theory of the state can be based upon it, as jusnaturalism tried to base it.\textsuperscript{84} Hegel's view of civil society, was not

\textsuperscript{84} Guido De Ruggiero: The History of European Liberalism, PP. 229-30.
merely reactionary. It did not share the illusion of the utilitarian economists that Laissez-Faire is part of the unchangeable order of nature but suggested rather Marx's treatment of it as a special phase of social development. Hegel's point of view, moreover, was well adapted to a form of nationalism in which the state was assumed to have the function of fostering trade and industry as part of its general mission of extending national power. All these are shown to be manifestations of the free will.

It must also be remembered that when he speaks of the state as the incarnation of reason and liberty, he is not referring to any particular state, but to the genuinely modern state governed by a constitutional monarchy, impersonating the spirit of the people, and shaping the law which penetrates all their relations. No law is valid unless it has the unanimous consent of all citizens fail to understand that their doctrines must necessarily lead to the dissolution of the constitution:

"If one takes the principle of individual liberty as the sole foundation of political liberty, namely, each individual must give his consent before any decision can be taken by, or on behalf of the state, then there will be, in effect, no constitution."

To conclude, the Chief Contributions of the Greeks political thought were the ideals of liberty and democracy. This love of liberty was manifest in many ways. In the first place, the Greeks insisted that each city - should be an autonomous unit, independent of external control. In the second place, Athens encouraged freedom of thought and expression. A critical attitude in philosophy and in politics was to some extent tolerated. Finally, the Greeks made some progress towards the ideal of individual liberty. Tyranny and Oligarchy they considered the worst forms of government, largely because they involved an elaborate system of espionage and of annoying interference with the lives of individuals.

The Core of medieval political thought as, it grew to maturity under the ripening influence of the Hildebrandine Movement, is thus the conception of a single universal society, living under one principle of life, which is expounded in the last resort by a single authority. The principle is divine: the authority is a divine representative, that is why We may speak of a theocracy. The Church, enthroning itself over Christian society, makes a great and gallant attempt to unify all life, in all its reaches-political, social, economic, intellectual - under the control of Christian principle.
The Middle Ages were brought to a close and the modern period was begun by the two movements known as the Renaissance and the Reformation. In historical perspective it can be seen that the complex of forces, of which classical liberalism was the rationalization, wrought great changes. The feudal system was destroyed. Capitalism replaced the static society of the Middle Ages. A functionless aristocracy was deprived of its privileges. Tyrants were challenged and curbed. The middle class was left free to employ its energies in expanding the means of production and vastly increasing the wealth of society. Representative government came into its own. With the outcome of social contract theory, limiting the sovereign power, liberals converted the ideal of Constitutional government into a reality, and they developed a doctrine of individual rights, including the right to worship freely, the right of a free press, of free speech, and of free assembly, which lies at the heart of modern democracy, endearing the right to possession and property.