

ELLEN MEIKSINS WOOD

LIBERTY & PROPERTY



A Social History of Western
Political Thought from Renaissance
to Enlightenment

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Finally, a note on sources: I have tried to keep the number of footnotes under control and make it easier for readers to locate citations from the political thinkers discussed in this book. Instead of footnoting page numbers from one particular edition or translation I have, wherever possible, cited the original chapter, section and paragraph numbers that can be found in any standard editions of the works quoted. Where such citations may not be specific enough, I have included footnotes with page numbers (as in the case of works by Bodin and Rousseau in Chapter 6); and, for readers who would like to identify specific translations, here is a list of the translated works that, in subsequent chapters, will be cited without footnotes in the body of the text:

John Calvin, *Institutes*, transl. H. Beveridge (Edinburgh: Calvin Translation Society, 1845).

Niccolò Machiavelli, *The Prince*, transl. W.K. Marriott (London and New York: Everyman’s Library, 1992); *The Discourses*, transl. L. Walker (Harmondsworth: Penguin Books, 1983); *History of Florence and the Affairs of Italy* (New York: Harper Torchbook, 1966).

Charles-Louis de Secondat, Baron de Montesquieu, *The Spirit of the Laws*, transl. T Nugent (New York: Hafner, 1962).

Benedict Spinoza, *The Political Works*, transl. A.G. Wernham (Oxford: Oxford University Press, 1958).

Francisco Vitoria, *Political Writings*, eds. A. Pagden and J. Lawrance (Cambridge: Cambridge University Press, 1991).

TRANSITIONS

The decline of feudalism and the rise of capitalism, from its agrarian origins to the early phases of industrialization; the religious ruptures of the Reformation; the evolution of the nation state; the growth of modern colonialism; cultural landmarks from the Renaissance to the Age of Enlightenment; modern philosophy and a scientific revolution, rooted in the empiricism of Francis Bacon or the rationalism of René Descartes – all these momentous historical developments, punctuated not only by wars among states but by popular uprisings, rebellions and revolts of various kinds, up to and including civil war, have been ascribed to the so-called early modern period.

It may not be surprising, then, that the canon of Western political thought is disproportionately populated by ‘early modern’ thinkers. While historians may differ about the inclusion of this or that name, the period has more than its share of towering figures – from Machiavelli or Hobbes to Locke and Rousseau – whose canonical status is as unassailable as that of Plato or Aristotle. Yet all the historical landmarks that mark out the era and even their conventional names – Renaissance, Reformation, Enlightenment, to say nothing of ‘feudalism’ or the ‘rise of capitalism’ – regularly provoke controversy among historians. So, for that matter, does the designation ‘early modern’ itself. It seems, on the face of it, a fairly innocent, if imprecise, descriptive label indicating rough chronological boundaries, somewhere between the middle ages and full-blown modernity. We shall use the label here in that more or less neutral sense, just for the sake of simplicity and for lack of anything better. But there is more at issue than chronology. Whatever dates we settle on – let us say approximately 1500 (or 1492?) to 1800, or maybe 1789 or even 1776 – the early modern presupposes an idea of the modern, as distinct from the ancient, the medieval or at least the ‘pre-modern’, an idea of modernity that raises questions of its own.

Much intellectual effort has been expended on clarifying the idea of ‘modernity’, and we shall, what follows, have occasion to confront some of the questions it poses. For the moment, it is enough to say that, although there has been disagreement about what exactly constitutes the ‘modern’ and whether it is good, bad or morally neutral, there is, in ‘Western’ culture, a deeply rooted and tenacious conception that cuts across divergent schools of thought which may agree on very little else. Even when sharp distinctions are made among various national histories, there remains a single overarching narrative of European history and the advent of modernity, a narrative defined by discontinuities and at the same time transitional processes, passages from one age to another marked by fundamental transformations.

In that narrative, the modern era, whatever else it may be, is a composite of economic, political and cultural characteristics, uniting capitalism (what classical political economists liked to call ‘commercial society’), legal-rational political authority (perhaps, but not necessarily, with a preference for its liberal democratic form), and technological progress – or ‘rationalization’ in its various aspects as manifest in markets, states, secularism and scientific knowledge. Emphases on causal primacies may vary, and different balances may be struck among the factors of modernity – economic, cultural or social. There may be fierce dispute about the processes of transformation the

produced the modern age. The critical transition may be defined as a passage from feudalism to capitalism, the rise of the bourgeoisie, the forward march of liberty, a destructive rupture from tradition, and much else besides. But it is difficult to find a notion of the modern in which the culture of 'rational' inquiry, advances in technology, the market economy and a 'rational' state are not, in one way or another, for better or worse, inextricably connected.¹

In recent years the lines between the early modern and the modern have been more sharply drawn in some historical accounts, as the early modern has tended to merge with the 'late medieval'. Among historians of political thought in particular, there are those who question the idea of an early modern period, on the grounds that there was no significant rupture between medieval thinkers and those described as early modern. Political ideas, in this account, remained strikingly consistent throughout the historic transformations that brought the 'middle ages' to an end. But even here, the concept of modernity, and the conventional narrative associated with it, have been remarkably persistent.

There are, to be sure, those who reject the very idea of modernity. It makes some people uneasy because of its association with conceptions of progress, which smack of teleology or, after the horrors of the twentieth century, appear in questionable taste. Others are opposed to 'grand narratives' of any kind and prefer to discard the *longue durée* in favour of a focus on the local, the particular and the contingent. Since 'modernity' implies a very long historical sweep from ancient to modern, with at least implicit explanations of how one led to the other, this refusal of a longer view makes it hard to sustain an idea of the modern.

Yet, these controversies notwithstanding, the notion of modernity is rarely challenged from a vantage point that, while systematically questioning the conventional paradigm, still takes a long view of history. The most influential 'grand narratives' – from Enlightenment conceptions of progress, to Marxist or Whig interpretations of history or Weberian historical sociology, and all the varied legacies – have tended to leave the conventional composite portrait of the modern era fundamentally intact, however divergent their judgments of modernity have been. The challenge to the standard story of modernity has more often come from various kinds of disconnected or fragmented history, 'postmodernist' or 'revisionist' accounts with no long view and little explanation of historical causality or, indeed, historical process – though even then the stubborn concept of the modern has tended to return through the back door.

Early Modern Europe?

What, then, does it mean to speak of early modern political thought? The growth of the 'modern' state, with its entrenchment of national boundaries, political, economic and cultural, is certainly a central feature of the early modern period; and, in one way or another, it affected all forms of political organization that came within its field of force. But the canon of Western political thought, which is the subject of this book, was in that period also shaped by political forms as diverse as the city-states of Italy, the bewildering variety of German jurisdictions, and the commercial republics of the Netherlands – to say nothing of the Holy Roman Empire, simultaneously a self-conscious throwback to imperial antiquity and an aspiring if ultimately unsuccessful nation state, in constant tension with all other claimants to sovereignty, secular and ecclesiastical. The concept of the early modern encompasses not just the early manifestations of the modern state or the modern economy but cultural and intellectual developments rooted in very different, and not conspicuously modern, social and political forms, such as the Italian city-states in which the Renaissance came to fruition or the Electorate of Saxony where Martin Luther, at least according to historical convention, launched the

Reformation.

These cases differed not only in their political form but in the particular interactions among public power, private property, and the producing classes; and these differences would give rise to distinctive traditions of political discourse. This was true even among the city-states and principalities joined one time or another under the rule, however tenuous, of the Holy Roman Empire: the Germans and the Spanish, the Italians and the Dutch. To be sure, Italians and Germans, Spanish and Dutch, or, for that matter, English and French, all shared a common cultural legacy; and our period begins at a moment of particular cultural unity, manifested in the Latin that united Western European scholars, the whole apparatus of Christian theology, the revived Greek classics of political philosophy, the 'republic of letters' constituted by European humanism. Yet this common intellectual vocabulary simply makes the variety of national traditions that much more striking. The inherited languages of Western political theory have been remarkably flexible in their adaptation to varying contextual circumstances, and, as each specific historical form has posed its own distinctive problems, the same traditions of discourse have been mobilized not only to give different answers but in response to different questions.²

Is there, nonetheless and despite all these divergences, a sense in which it is meaningful to speak of 'early modern Europe', or, more particularly, does it make sense to think of Western Europe as an entity distinct from other regions, which is, in the period covered by this book, experiencing a pattern of historical development that distinguishes it from others? In what follows, there will be much emphasis on the specificities of national development, but let us for the moment consider the common foundations.

In the first volume of this social history of political thought, it was argued that Western political theory, in all its variations, has been shaped by a distinctive tension between two sources of power, the state and private property. All 'high' civilizations have, of course, had states, and some have had elaborate systems of private property; but developments in what would be Western Europe, with roots in Greco-Roman antiquity and especially the Western Roman Empire, gave property, as a distinctive locus of power, an unusual degree of autonomy from the state.

Consider, for instance, the contrasts between the Roman Empire and the early Chinese imperial state. A strong state in China established its power by defeating great aristocratic families and preventing their appropriation of newly conquered territories, which were to be administered by officials of the central state.³ At the same time, peasants came under the direct control of the state, which preserved peasant property as a source of revenue and military service, while ensuring the fragmentation of landholdings. Rome, by contrast, achieved imperial expansion without a strong state, governed instead by amateurs, an oligarchy of landed aristocrats, in a small city-state with a minimal government. While peasants were part of the civic community, they remained subordinate to the propertied classes, and as the empire expanded, with the help of conscript peasant soldiers on military service far from home, many peasants were dispossessed. Land was increasingly concentrated in the hands of the aristocracy, much of it – at least in Roman Italy – worked by slaves. When the republic was replaced by an imperial state with its own structure of office, the landed aristocracy continued to amass huge properties; and, while in China great riches were typically derived from office in the central state, in the Roman Empire land remained the only steady and secure source of wealth. Even at its height, the imperial state was, by comparison with China, 'undergoverned', administered through a vast network of local aristocracies.

The Roman Empire represents the first known example of a strong imperial state combined with

strong private property. This powerful, if sometimes uneasy, partnership is expressed in the Roman concepts of *imperium* and *dominium*. The Roman concept of *dominium*, when applied to private property, articulates with exceptional clarity the idea of private, exclusive and individual ownership with all the powers this entails, while the *imperium* defines a right of command attached to certain civil magistrates and eventually the emperor himself. While, in the history of Western legal and political thought, the distinction between private property and public jurisdiction would not always be so clear, the Romans certainly did break new ground in distinguishing between the public power of the state and the private power of property, in both theory and practice. In contrast to China, where there was a direct relationship between the state and the peasants whose labour it appropriated, in Rome the primary relation between appropriators and producers was not between rulers and subjects but between landlords and subject labour of one kind or another, whether slaves or peasants exploited tenants and share-croppers. When the empire disintegrated, what remained was this primary relationship, which would survive as the foundation of the social order for centuries to come.

The existence of two poles of power, the state and strong private property, together with a mode of imperial rule dependent on propertied classes with a substantial degree of local self-government, had created a tendency to fragmentation of sovereign power even in the Roman Empire. In the end, the tendencies towards fragmentation prevailed, leaving behind a network of personal dependence binding peasants to landlords. When the empire disintegrated, and after several attempts at recentralization by the Merovingian monarchy, the Carolingian empire and the successor states, the autonomy of landed aristocracies asserted itself in what might be called the privatization of public authority, the feudal 'parcellization of sovereignty',⁴ with the devolution of public functions to local lords and various other independent powers. This devolved public power was at the same time a power of appropriation, the power to command the labour of producing classes, appropriating its fruits in rent or in kind, particular from peasants who remained in possession of land but worked in political and legal subjection to lords. We can, for lack of a better term, apply the much-disputed concept of feudalism or 'feudal society', to this specifically Western parcellization of sovereignty, which invested private property with public power in historically distinctive ways. The 'medieval' period for our purposes is roughly marked out by the dominance of that distinctive configuration and its decline.⁵

This feudal parcellization existed in various forms and to varying degrees. Feudal monarchies were stronger in some places than in others; and parts of Europe were in varying degrees under the sway of higher authorities, the Holy Roman Empire or the papacy. But political parcellization affected even European political entities that did not conform to the model feudal system. Italy, for instance, has been called the 'weak link' of European feudalism because, especially in the north, urban patricians were dominant, in contrast to seigneurial landed classes elsewhere. Yet, not only did the city-states of northern Italy have their own fragmented governance – what might be called a kind of urban feudalism – but the great commercial centres like Florence and Venice were what they were in large part because they served a vital function as trading links in the fragmented feudal order.

Wherever we choose to place the dividing line between the 'medieval' and the 'early modern', we can, by the late fifteenth century, identify a new configuration of political power, with new relations between property and state different from feudal parcellized sovereignty. Lords and autonomous corporate bodies did, to be sure, continue to play a prominent role; but centralizing monarchies, especially in England, France and the Iberian peninsula – were now taking centre stage, imposing a new political dynamic even on different political forms, such as the Italian city-states or German principalities. While northern Italy, for instance, had been a battleground for rivalries between the

Holy Roman Empire and the papacy, the challenge to the autonomy of city-states was increasing coming from the territorial ambitions of monarchical states such as France and Spain.

Many explanations have been offered for the decline of feudalism. Some historians have argued that just as the emergence of feudalism was marked, or even caused, by a contraction of trade, commercial expansion and the growth of the money economy inevitably brought feudalism to an end; while others have persuasively argued that trade and money were very much part of, and not intrinsically inimical to, the feudal order. Much is often made of the demographic collapse that occurred in the time of the Black Death, the pandemic that affected Western Europe in the 1340s; and it has been argued that the relationship between lords and peasants was fundamentally transformed as the drastic decline in population gave peasants an advantage in bargaining with lords in need of labour. Peasants, according to some historians, may have had yet another bargaining advantage, an escape route provided by the growth of urban centres as commerce expanded. Popular rebellions of various kinds were thus provoked by the efforts of lords to reimpose and intensify peasant dependence; and, though rebellions in the West were successfully suppressed, the feudal order was effectively dead.

The development of the modern nation state may be attributed to the needs of landed aristocracies for a stronger central power to maintain order against the threat of rebellion, or – and perhaps at the same time – feudal monarchies may have been under greater pressure to consolidate their positions, as revenues derived from peasants became more precarious and the competition with landlords for access to peasant labour became more intense. The pressures became that much greater when aristocratic rivalries spilled over into wars between aspiring territorial states, as happened most dramatically in the Hundred Years' War, which began as a dynastic struggle over the monarchy in France and continued as a battle over the territorial boundaries of the French and English states. The incentive to consolidate centrally governed territorial states was further intensified by the commercial and geopolitical challenge of the growing Ottoman Empire, which made deep incursions into Europe and commanded east–west trade routes.

Yet, however important any or all of these factors may be, this cannot be the whole story. Commercial expansion, plague and demographic changes, peasant revolts and dynastic conflicts occurred in various parts of Europe; and we may even accept, as a very general principle, that all of them played a part in the decline of feudalism. But, quite apart from the variety of 'feudalisms', there was a wide variety of outcomes; and the feudal order gave way to more than one 'transition'. Serfdom, for instance, ended in Western Europe, while Eastern Europe saw what has been called the 'second serfdom'. Even in Western Europe, which is our main concern here, relations between landlords and peasants turned out to be very different in, say, England than in France; and these differences were associated with divergent paths of state-formation. In England, where the monarchy had developed in cooperation with an unusually united aristocracy, lords had gained control of the best land, including properties left vacant by the demographic collapse. In France, the monarchical state, which consolidated the dominance of one aristocratic family against its rivals, helped to ensure that peasants remained in possession of by far the most land, as a vital source of tax revenues for the centralizing state.

In these different contexts, commercial expansion, too, had divergent effects. All the major Western European states, to say nothing of the highly developed economies of Asia and the Arab Muslim empire, were very much engaged in trade, both domestic and international; but a distinctive *capitalist* 'commercial society' arose 'spontaneously' only in England and produced a historic dynamic unlike any other, even in the most commercialized societies.⁶ Capitalism, as it emerged in England, was not simply more of the same, more trade and more expansive commercial networks. The

‘rise of capitalism’ cannot be explained as just a quantitative process, ‘commercialization approaching some kind of critical mass. England, indeed, was very far from being the dominant commercial power in Europe when its economic development began to take a distinctive turn, giving rise to something different from traditional modes of commerce, the old forms of profit on alienation or ‘buying cheap and selling dear’. English capitalism, which was born in the countryside, produced a new kind of society, with an economy uniquely driven by compulsions of competitive production, increasing labour productivity, profit-maximization and constant capital accumulation. When other European economies later developed in a capitalist direction, they were in large part responding to military and commercial pressures imposed by English capitalism.

Which ‘Modern’ State?

In the following chapters, we shall look at various distinctive patterns of development in Western Europe as they affected national ‘traditions of discourse’; but for the moment, and to illustrate the contextual history proposed in this book, we can concentrate on the one overarching development that had effects on all of them: the evolution of the ‘modern’ state, especially in England and in France.

Quentin Skinner, in his *Foundations of Modern Political Thought*, tells us that in the period from the late thirteenth century to the end of the sixteenth, ‘the main elements of a recognizably modern concept of the state were gradually acquired.’ He goes on to elaborate his definition of the modern state in terms derived, as he acknowledges, from Max Weber:

The decisive shift was made from the idea of the ruler ‘maintaining his state’ – where this simply meant upholding his own position – to the idea that there is a separate legal and constitutional order, that of the State, which the ruler has a duty to maintain. One effect of this transformation was that the power of the State, not that of the ruler, came to be envisaged as the basis of government. And this in turn enabled the State to be conceptualized in distinctively modern terms – as the sole source of law and legitimate force within its own territory, and as the sole appropriate object of its citizens’ allegiances.⁷

The elements of this modern state, Skinner explains, were by the sixteenth century visible at least in England and in France. The transition to a modern discourse of the state, he suggests, ‘first appears to have been accomplished in France’. This was so not only because the intellectual preconditions were present – inherited from Italian humanism – but because ‘the material preconditions’ were more fully developed in France: ‘a relatively united central authority, an increasing apparatus of bureaucratic control, and a clearly defined set of national boundaries’.⁸ ‘The next country in which the same fundamental conceptual shift took place’, Skinner continues, ‘appears to have been England’, where by the 1530s, ‘a similar set of material as well as intellectual preconditions for this development had been achieved: an increasingly bureaucratic style of central government, together with a growing interest amongst English humanists in the problems of “politics” and public law.’⁹

This formulation obscures a wealth of differences between the two cases, both in the nature of the states and the forms of ‘discourse’ they engendered. Those differences also cast doubt on some other standard conventions about ‘modernity’ and especially about the connections between the capitalist economy – or ‘commercial society’ – and the ‘rational’ state. In subsequent chapters, we shall look more closely at the varying traditions of political discourse that emerged out of divergent patterns of historical development; but a broad preliminary sketch of the differences between England and France

will serve to illustrate the 'social history' on offer here.

The story begins at least as early as the Middle Ages, at a time when the Frankish empire was disintegrating while the Anglo-Saxon state was the most effective centralized administration in the Western world.¹⁰ Medieval Europe was generally characterized by what we have called 'parcellization of sovereignty', the fragmentation of state power, as feudal lordship and other autonomous powers took over many of the functions performed in other times and places by the state, combining the private exploitation of labour – typically the labour of peasants – with the public role of administration, jurisdiction and enforcement. Yet England, for all the power of the barons – and, in some ways, precisely because of it – never really succumbed to parcellized sovereignty, while France never completely overcame it, even under the absolutist monarchy; and the centralizing project of the state remained on the agenda to be completed by the Revolution and Napoleon.

This meant, too, that there were major differences between England and France in the relationship between state and dominant classes. In England, even at a time when English law was at its most ostensibly feudal and the manorial system was at its height, the process of state centralization continued. The Norman Conquest, when it brought feudal institutions with it from the Continent, also and above all, brought a military organization, which vested power in a central authority and built upon the foundations of a centralized state that already existed in England. The Normans established themselves in England as a more or less unified ruling class, a conquering army that imposed itself on both a dominant class of great landholders and a governing power; and the central state was always its instrument. Thereafter, the centralization of the post-feudal state would remain a cooperative project between monarchy and landed aristocracy. This certainly did not rule out fierce dynastic rivalries and, though some historians have questioned the very existence of, for example, the 'Wars of the Roses', there certainly were powerful incentives for battles over control of an already well-established central state. When, in the sixteenth century, the Tudor monarchy embarked on a programme of state centralization, which has (controversially) been described as the 'Tudor revolution', it was not inventing but building on a long-standing unified state apparatus, which, when the Reformation came to England under Henry VIII, would have the added strength of a state Church.

This centralizing project was cooperative not only in the sense that the central state would develop a unity of monarchy and the landed class in Parliament, nicely summed up in the old formula 'the Crown in Parliament'. The cooperative project also took the form of a division of labour between the central state and private property. As legislation and jurisdiction were increasingly centralized, the aristocracy would increasingly depend for its wealth on modes of purely *economic* exploitation. Recent scholarship has shown that smallholders may not have disappeared from the English countryside as completely as historians have sometimes suggested; but the fact remains that lords in England, while lacking some of the jurisdictional powers enjoyed by their counterparts elsewhere in Europe, had control of the best land, which was concentrated in the hands of large landholders to a greater degree than in France, where peasant property prevailed. When feudalism experienced its crisis throughout Europe, and serfdom declined in the West, English landlords were in a uniquely favourable position to exploit the purely economic powers that they still enjoyed, even as the state became increasingly centralized.

The English landed class was, in this respect, markedly different from those Continental aristocracies whose wealth derived from 'extra-economic' power, or what has been called 'political constituted property', of one kind or another, various forms of privilege, seigneurial rights and the fruits of jurisdiction.¹¹ The concentration of landed property in England meant that land was worked

to an unusual extent by tenants – increasingly on economic rents subject to market conditions – which landlords without access to politically constituted property came to depend on the productive and competitive success of their tenants. The result of this distinctive development was agrarian capitalism, which was ‘capitalist’ in the sense that appropriators and producers were dependent on the market for their own survival and the maintenance of their positions, hence subject to the imperatives of competition, profit-maximization and the need constantly to improve labour productivity.

Because of uniquely English relations between large landowners and tenants whom we might call capitalist farmers, English agriculture began to respond to new requirements of market competition with no historical precedent. The particular relations between landlords and tenants, in the context of this distinctive kind of domestic market, meant that already in the seventeenth century both parties were compelled to enhance the land’s productivity for profit – to promote what they called *improvement*. Improvement and profitable production became the preferred strategy for the ruling landed class. What this meant was not – at least in the first instance – mainly technological innovation. It had more to do with methods and techniques of land use; but it also meant, and more fundamentally, new forms and conceptions of property. Agricultural improvement and the enhancement of profit for capitalist agriculture ideally called for a concentration of property; but above all, they required the elimination of various customary rights and practices that interfered with capital accumulation. Improving landlords and capitalist tenants needed to be free of obstructions to the productive and profitable use of property.

Between the sixteenth and eighteenth centuries, there was growing pressure to extinguish customary rights – for instance, disputing communal rights to common land by claiming exclusive private ownership; challenging customary tenures which granted smallholders rights of possession without outright legal title; eliminating various use rights on private land; and so on. This meant the establishment of property that was literally *exclusive* – excluding other individuals and the community, eliminating various kinds of restrictions on land use imposed by custom or communal regulation.

The detachment of economic from ‘extra-economic’ powers meant that the processes of state centralization and capitalist development, although sometimes in tension, were closely intertwined. There were obviously conflicts between the landed class and the monarchy, which would come to a head in the Civil War. But those conflicts had a particular character and intensity precisely because of the underlying partnership between dominant class and monarchical state. The interests of the English ruling classes were, from very early on, deeply invested in a unitary Parliament, with legislative powers, which was very much a part of the centralized state. The aristocracy was also committed to a national system of law, and jurisdictional conflicts between king and the nobility ended quite early. Even in the early thirteenth century, at a time of violent tension between monarchy and barons, when Magna Carta claimed the rights of the barons to be tried by their peers, it did not assert their rights of jurisdiction over other free men. The common law – which was, in the first instance, the king’s law – became the favoured legal system for the aristocracy as well as for free peasants who could seek protection from the Crown, while the rule of law was understood to mean that the monarchy itself was subject to the law.

This uniquely unified system of law, in an unusually centralized state, produced a distinctive type of ‘free’ man, subject only to the king and to no other, lesser lord. Landlords enjoyed great local power but outside the manor they acted as delegates of the Crown in relation to free men. There remained land subject to manorial lordship; but the ‘free’ Englishman, with an individual ‘interest’ in freehold property recognized in common law and free of lordly claims or obligations, was a unique formation.

In France, for example, even charters of freedom did not dissolve seigneurial obligation; and even for peasants with access to royal protection could still be subject to seigneurial jurisdiction.¹²

The English common law did eventually come to represent parliamentary power *against* the Crown with Parliament asserting its supremacy as the interpreter of common law. In the Civil War in the seventeenth century, the conflict between monarch and Parliament, common lawyers tended to side with Parliament, against the prerogative courts allied with the king. But this was not a case of parcellized jurisdictions asserting themselves against the central state. On the contrary, it was an assertion of the aristocracy's essential role in the partnership that constituted the central state, at a time when that partnership was being challenged by the monarchy. At the same time, while the ruling class was claiming its share in the public sphere of the central state, it was also asserting its power in the private sphere of property, as landowners rather than as officers of state. From this point of view the issue was less an assertion of public jurisdiction than of private rights, intended to protect the ruling class against the Crown's violation of its partnership and the division of labour between property and state.

The English Revolution – the whole period from the Civil War in the 1640s to the so-called Glorious Revolution of 1688–9 – saw major upheavals, and, as we shall see in a subsequent chapter, it produced uniquely radical ideas. But it did not fundamentally transform social property relations in England which were hardly less capitalist before the Revolution than after. Nor, for that matter, did it fundamentally transform – bar the ‘interregnum’ – the relation between Parliament and monarchy. Even if we attach great importance to the settlement of 1688 in establishing parliamentary supremacy it did little more than consolidate what was already on the table before the Revolution, before the Stuart monarchy attempted, unsuccessfully, to establish a Continental-style absolutism in a society where there was little political support and even less social foundation for any such project. If the old cooperative enterprise between monarchy and Parliament was increasingly giving way to parliamentary supremacy (and we should not exaggerate the extent to which this was true even in the eighteenth century), what remained was the characteristic division of labour between state and property, the separation of economic and extra-economic powers, which had marked out Britain from its neighbours.

The long history of partnership between aristocracy and central state, and the role of Parliament as the public face of private property, has meant that the ruling class in Britain has, on the whole, been consistently committed to parliamentarism. But the other side of the coin is that the dominant historical narrative and mainstream political culture have marginalized the truly revolutionary and democratic traditions that emerged during the English Revolution, the tradition of the Levellers, Diggers and other radical movements. Democratic popular forces were defeated by the parliamentary oligarchy; and, though their legacy has never completely disappeared from the British labour movement, the dominant parliamentary tradition owes more to the victorious propertied classes.

The process of state-formation in France was quite different. If in England there was a transition from feudalism to capitalism, in France it was rather a transition from feudalism to absolutism, absolutism not simply as a political form but the absolutist state as a form of politically constituted property, a means of enriching office-holders by exploiting the peasantry. The monarchy emerged out of feudal rivalry, as one aristocratic dynasty established itself over others in a context of parcellized sovereignty. The monarchical state continued to confront the challenge of feudal parcellization, not only opposition from dynastic rivals but claims to independent powers and privileges by the aristocracy and various corporate entities, guilds, estates, provinces and towns.

The monarchy certainly did pursue a centralizing strategy with some success; and royal courts d

emerge, which, among other things, could be used to protect peasants from lords (not least, in order to preserve the peasantry as a source of state taxes). But the dominant class continued to depend to a great extent on politically constituted property – that is, on means of appropriation deriving from political, military and judicial powers, or ‘extra-economic’ status and privilege, in contrast to the English landed classes and their dependence on competitive production. In France, in contrast to England, even in the eighteenth century peasants still dominated agricultural production, and relations between landlords and tenants had very different effects. There was, for instance, nothing like the culture of ‘improvement’ nor the improvement literature that had been so important in seventeenth-century England. Village regulation of production and restrictions on land use continued to be important in agriculture even beyond the Revolution. For French landlords, extra-economic strategies – political and legal – for enhancing their power to squeeze more surplus out of peasants were still more important than agricultural improvement. This meant, among other things, that peasants were more plagued by taxes than by attacks on their property rights.

The state developed as a competing form of politically constituted property, a primary resource, a mode of direct appropriation for state office-holders by means of taxation, which some historians have called a kind of centralized rent. If the absolutist state was able to undermine the independent power of the aristocracy, it did so in large part by replacing those powers with the lucrative resource of state office for a segment of the aristocracy. An elaborate bureaucracy developed not just for political and administrative purposes but as an economic resource for office-holders, proliferating state offices as a form of private property.

Nor was there anything in France like England’s long parliamentary tradition. No such tradition existed before the Revolution. There was, to begin with, a stark historical contrast between the unitary national Parliament in England, with its early legislative role, and the fragmented estates in France. The estates had no legislative function and were divided by locality – even on the rare occasions when they met on the national plane of the Estates General. They were also divided by corporate hierarchy. Above all the division between, on the one hand, the two privileged estates, the nobility and the Church, and, on the other hand, the Third Estate, which encompassed both bourgeoisie – the most prosperous non-privileged classes, often urban notables – and peasantry. The emergence of a representative legislative body in France had to await the Revolution; and one of the most striking differences between England and France is that, in France, even when estates were replaced by a national assembly, important sectors of the dominant classes remained opposed to the Republic. The revolutionary transformation created both a new parliamentary tradition, even a radical republicanism, and at the same time a dangerously anti-parliamentary, anti-republican formation, which persisted well into the twentieth century and explains much that would happen in France in the Second World War.

The French legal system also developed in ways sharply different from the English. Not only was there a long-standing division between the Roman law which survived in the south and the Germanic customary law of the north, but in addition, on the eve of the Revolution there were still approximately 360 different law codes in France, with various seigneurial, local and corporate powers contesting jurisdiction with the monarchy, and customary law challenging the supremacy of state legislation. Although the absolutist state succeeded to a considerable degree in limiting seigneurial and local jurisdiction, jurisdictional conflicts remained a constant feature of the ancien régime and a major preoccupation of French courts. The aristocracy and corporate bodies clung to their autonomy and independence from the national state, while the monarchy continued its efforts to co-opt and integrate them.

When monarchical absolutism gave way to Revolution, the centralizing project of the state continued. The French *état légal* evolved not as a defence of private rights against public incursions but as a means of asserting the power of the central state against fragmented jurisdictions and independent local powers. This limited the independence of the judiciary, effectively absorbing it into the civil service. It remained for Napoleon to complete the project begun by the Revolution. While the judiciary would regain some of its autonomy in the Fifth Republic of 1958, the historic function of the law in asserting state sovereignty against autonomous jurisdictions remains a powerful legacy.

Relations between central state and landed aristocracy, then, were quite different from the English case. In contrast to the close English partnership between the aristocracy and monarchy, in France the tensions between aristocratic privilege and monarchical power, between different modes of extra-economic exploitation, persisted until the Revolution. At the same time, the aristocracy itself was divided between those with power in the central state and the many who remained dependent on the privileges and local powers; and this division continued to be fluid. The centralizing project of the state can be understood as in large part an attempt to overcome that division by replacing autonomous aristocratic powers with perquisites and privileges deriving from the state – for instance, by granting privileged exemption from royal taxation in place of seigneurial jurisdiction.

As for the bourgeoisie, throughout the ancien régime and beyond, state office would be a favoured career. Notwithstanding the conventional conflation of ‘bourgeois’ with ‘capitalist’, the French bourgeoisie was not in essence capitalist. While France was certainly a major trading nation, the majority of ‘bourgeois’ were urban notables or functionaries of various kinds, office-holders, professionals, intellectuals; and even those engaged in commerce (who might also be inclined to use their wealth to buy ennobling office) were operating on familiar principles of non-capitalist commercial profit-taking.¹³ When the Revolution came, the revolutionary bourgeoisie – typically consisting precisely of those office-holders, professionals and intellectuals – was less concerned with breaking the shackles impeding the development of capitalism, as is often suggested by the notion of the ‘bourgeois revolution’, than with preserving and enhancing their access to the highest state offices, ‘careers open to talent’. It was, indeed, a threat to the access they already enjoyed under the absolutist monarchy that probably more than anything else provoked the bourgeoisie into revolution and confrontation between bourgeoisie and aristocracy.

Although private property in office was abolished by the Revolution, state office remained a lucrative career, in which office-holders appropriated the surplus labour of peasants through taxation. Even after the Revolution, even after Napoleon, the state continued to serve this economic function for the bourgeoisie. The peasantry, which remained in possession of most land in France, continued to be exploited by extra-economic means, through the medium of state taxation. The Revolution did not radically transform the social property relations between the state and small agricultural producers which had prevailed in absolutist France.

While the Revolution may have been ‘bourgeois’, then, there was little that was ‘capitalist’ about it. If, in its political principles and in its legacies it went far beyond the ‘bourgeois’ impulses that first set it in motion, there remained strong continuities between the ancien régime and the post-revolutionary state. What is so striking about the post-revolutionary period, throughout much of the nineteenth century in France, is the persistence of the tax/office structure, in which appropriation took the form of direct exploitation of peasant producers by the state through taxation. Not only did the economy continue to be based on small-scale agricultural production, but the state continued to relate to that production as a primary exploiter of direct producers through the medium of taxation, for the benefit of office-holders.

One has only to read Marx's account of nineteenth-century France in the *18th Brumaire* to see how persistent this formation was. He speaks of the 'immense bureaucratic and military organization', 'frightful parasitic body', in which the '*material interest* of the French bourgeoisie is most intimately imbricated. It is that machine which provides the surplus population with jobs, and makes up through state salaries for what it cannot pocket in the form of profits, interest, rents and fees.' This bourgeois tradition would continue well into the twentieth century, if not until today, in a culture where state office would remain the highest career, with a tradition of mandarinism, dominated by a hereditary elite of office-holders and their exclusive academies.

Economic development in a capitalist direction was, in France, largely driven from without, particular by military pressures. After the Revolution, the defeat of Napoleon not only made clear the military advantage that a victorious Britain had gained from the economic growth and wealth created by capitalism but also opened the former Napoleonic empire to the purely economic pressures of British capitalism in unprecedented ways. The state responded to those external imperatives by bringing about a state-led development of the economy. In a sense, the development of capitalism preceded social transformation; and, in contrast to England, capitalist class relations were more a result than a cause of industrialization.

Modern Political Thought?

It is certainly true that the emergence of national states with clear territorial boundaries and a more or less unified sovereign power created conditions for new developments in Western political thought but perhaps not quite in the ways that Skinner has suggested. It does make sense to identify the rise of territorial states in Europe as a major historical development, a departure from the parcellized sovereignty of previous centuries; but it helps very little to describe these states as 'modern' if the label disguises important historical differences, such as those we have already observed between England and France. Is absolutist France more modern because of its elaborate bureaucracy, the sign of a 'rational' state? Or should we give the prize to England, because its centralized state, however 'irrational' in Weberian terms, has more completely asserted its sovereignty against autonomous powers of various kinds and has largely ceased to be a form of property?

It also makes sense to single out the rise of the 'market economy' as a critical development, but what precisely makes a market 'modern' as distinct from 'ancient'? There were vast commercial networks in various parts of the world long before the advent of 'modernity', and it is not at all clear that the trade we see in 'early modern' Europe is operating on significantly different principles, the age-old practices of buying cheap and selling dear. It cannot be simply a matter of scale, or else why should Europe in the sixteenth century be more modern than India or China even centuries before? If there is a fundamental rupture in the age-old pattern of commercial exchange, it occurs in England (a point which we shall return to in later chapters), with the rise of agrarian capitalism; but England is at first a fairly minor player in the global trading network compared to, say, Venice or Portugal; so which of them is more modern? If we try to identify a uniquely modern complex of a rational state, a 'rational' economy, and a culture of 'reason', where, if anywhere, did it exist?

If the notion of the modern state conceals as much as it reveals, what does it mean to speak of modern political thought? There seems to be an irresistible temptation among historians of political thought to identify the first modern political thinker in the Western canon. Pride of place is commonly awarded to Hobbes or Machiavelli. The reasons for selecting Hobbes may have to do with his theory of government, grounded in a systematically secular, materialistic account of epistemology, human psychology and morality. Or the reason may be that, however ambiguously, he bases his theory on

politics on a conception of individual freedom and rights. Or it may simply be that, by elaborating a definitive conception of sovereignty, he best represents the triumph of territorial monarchies, or even 'nation states', over medieval forms of governance. Hobbes has even been called a 'bourgeois' thinker, an exponent of a 'possessive individualism' associated with a modern market society.

If Machiavelli is chosen, with or without denouncing his 'Machiavellian' amorality, it is likely to be on the grounds that he, before Hobbes, gave an account of politics divorced from moral or religious principles, or even that he is the first political *scientist*, on the side of the 'empirical' instead of the 'normative' study of politics, 'facts' rather than 'values'. Or it may be on the grounds that his republicanism, albeit more visible in the *Discourses* than in his most famous work, *The Prince*, mobilizes ancient ideas of civic autonomy against feudal hierarchies and in support of more modern conceptions of liberty and citizenship, a pivotal moment – as in John Pocock's 'Machiavellian moment' – in the development of modern republican ideas. Or at least, it might be said, if he has one foot in the ancient world, he is a 'transitional' figure; and, even if the city-state of Florence that produced him fails to fit the model of a modern nation state, it was, after all, a centre of commerce which is supposed to be a prelude to a modern capitalist economy.

The Cambridge School, which dominates the field of early modern political theory in the Anglo-American academy, may have muddied the waters – making it harder to award the modernity prize to any one thinker – by eschewing the very idea of a 'canon' and replacing it with discursive contexts that include a host of not-so-canonical writers who have in their various ways contributed to language 'situations'. This approach certainly has its advantages, but it may – as we have seen in the case of Quentin Skinner – simply shift the question to which political language or discourse represents a modern break from ancient or medieval precedents. The conventional language of ancient and modern persists even when traditions of discourse span centuries of historical change, indeed even when ancient and modern languages of politics are allowed to coexist in historical time, in conflict or in paradoxical unity – as in the notion of 'civic humanism' or, for that matter, 'republicanism'.

But whether applied to a single major thinker or to a collective 'discourse', the concept of modernity, in all its conflicting forms, is loaded with assumptions that shed little light on historic processes. Might it not be better to look for historic transformations, even ruptures, without being obliged to define them as breakthroughs to modernity? And what kinds of transformations might we find if we set aside the elusive search for modernity? In particular, what significant changes would we find in the discourse of politics in the era we are exploring here?

During the medieval period, at the height of 'parcellized sovereignty', there scarcely existed a distinct political sphere.¹⁴ The elaborate feudal network of competing jurisdictions, bound together when not in open conflict – by a complex apparatus of legal and contractual relations, meant that the boundaries of the 'political' were ill-defined and fluid. The main 'political' agent was not the individual citizen but the possessor of some kind of secular or ecclesiastical jurisdiction, or a corporate entity with its own legal rights, a degree of autonomy and often a charter defining its relation to other corporations and superior powers. Legal and political thinking was preoccupied not, as ancient political philosophy had been, with portraying the political transactions among citizens within a civic community, but with mapping out the spheres of authority among overlapping and competing jurisdictions or negotiating interactions among them. The emergence of territorial states in the early modern period would change these conditions (though, as we shall see, we should not exaggerate the speed or degree of these transformations), creating a new political domain, new political identities, and new political ideas to suit them.

Among the most significant developments were new conceptions of individual rights in relation

political authority. Although there has been much debate about when and how the concept of 'subjective' rights originated, the idea of rights inherent in the person, prior to and independent of civic authority or positive law, certainly had roots in the Middle Ages, in the writings of canon lawyers and philosophers. The very idea of a Christian conscience, for instance, presupposed a human capacity for understanding principles of right (in the 'objective' sense, as 'what is right') and responsibility to follow them.¹⁵ That responsibility implied both a moral obligation and a certain individual autonomy, the capacity to disregard the principles of right no less than to respect them. From that individual autonomy it was possible to deduce a notion of individual freedom from which followed certain entitlements – which might include a 'right' to be free of enslavement, or a 'right' of self-preservation and self-defence; and it also entailed respect for the same entitlements in others, only on the basis of the Golden Rule.

These principles of right did have some implications for political thought. An insistence on individual autonomy or natural freedom seemed, for instance, to require an acknowledgement that civil authority is constituted by consenting individuals – which was consistent with the prominent role of contractual relations in the feudal order. But none of this had any necessary implications for the rights of individuals in relation to the state, once established. As long as the central category of political thought remained not citizenship but jurisdiction, and as long as the principal political agent was not the individual citizen but the bearer of some jurisdictional authority – a feudal lord, perhaps, or some corporate entity endowed with legal rights and liberties – there was no obvious connection between individual rights and limitations on the state, nor, indeed, any need to demonstrate by systematic argument that individual rights do not preclude almost unlimited civil power.

A monarch might, for instance, invoke a doctrine of consent, based on rights, to buttress his own authority against the claims of popes or emperors. What may look to us like a paradox seemed to medieval thinkers not so paradoxical. The creation of the body politic was quite distinct from the conditions of rule. The idea that civil authority is constituted by the 'people' (typically conceived as a corporate body) was perfectly consistent with the view that such authority was almost unconditional, not least because the right of resistance to illegitimate authority, if it existed at all, was typically vested not in individual citizens but in jurisdictional authorities. Even in the 'early modern' period there would continue to be doctrines of resistance in which the right to resist civil authority was not the right of private individuals or citizens but an attribute of office, the authority of one jurisdiction pitted against another.

A right of private property might be emphatically acknowledged; but even that right was conceived in the context of competing jurisdictions, typically to assert lordly autonomy or to mark out a domain of private power, the power of the head of the household over his family and possessions, or perhaps the remnant of jurisdictional authority construed as a right of *dominium*, against some higher *imperium*.

If the universal possession of natural rights and natural liberty did not guarantee universal entitlements to full political rights, much the same can be said about notions of natural equality. It is as we shall see in subsequent chapters, a striking characteristic of Western political thought throughout much of its history that ideas of natural equality among men did not rule out the unequal distribution of political rights; and elaborate arguments have been constructed to legitimate relationships of rule and domination among naturally equal men. Men might all be equal under God in natural law, but some might be entitled to rule others nonetheless. The determinants of property and class could trump all natural equalities.

It has even been possible for political thinkers to go some distance in conceding the equality

women, while taking for granted their complete exclusion from the political domain – for example, on the grounds of their child-bearing functions or men’s monopoly of coercive force. Few thinkers exceed Thomas Hobbes in acknowledging the natural equality of men and women, just as few go beyond him in insisting on natural equality among all men; yet none of these concessions to equality pose any obstacles to his convictions on the legitimacy of absolutist rule. Nor is John Locke inhibited in his views on the unequal distribution of political rights among men by his belief in their natural equality, or the total exclusion of women from politics by his denial that God decreed the subjection of Eve to Adam or women to men.

The compatibility of natural equality with political inequality would remain a persistent theme in Western political thought. But the emergence of a sovereign state in which the contest among jurisdictions ceased to play a central role undoubtedly created, as we shall see, conditions for new conceptions of ‘natural right’; and, in that respect, the rise of sovereign territorial states clearly had a bearing on the development of Western political theory. Yet the differences among the European states were no less decisive in shaping ‘traditions of discourse’. If we look beyond the most formal characteristics of a centralized state, the ‘material’ conditions in the two cases identified by Skinner as the sources of ‘modern’ ideas of the state look very different. It is not unreasonable to identify those cases as, in one way or another, emblematic of the ‘modern’ state, in theory and in practice; and largely for that reason, the chapters devoted here to England and France will be longer than the others. But, even if we ignore the fact that it was England more than France that first experienced the centralization of the state unencumbered by ‘parcellized sovereignty’, while French absolutism even at its height remained in constant tension with various competing jurisdictions, their patterns of political and economic development are strikingly divergent.

This is not to deny that France and England shared a common intellectual legacy and, indeed, important material roots traceable at least to imperial Rome, its mode of imperial rule and its system of property. Nor is it to deny that their national histories were always inextricably intertwined, by virtue of proximity, shifting territorial boundaries, war, trade, commercial rivalries, and even recurrent alliances. But the historical moment we are exploring here – the moment of rising territorial states and national economies – is precisely the period of diverging national histories, with their distinctive patterns of development.

As we shall see in what follows, the national differences we have already observed had fundamental implications for the development of political thought. When, for instance, French political theory, especially in the person of Jean Bodin, clearly and systematically articulated a ‘modern’ conception of state sovereignty, it was not because the French had already established one clear and undisputed centre of political authority but, on the contrary, because the centralizing power was still contending with competing jurisdictions. Bodin’s political theory, in other words, reflected not the reality of undivided sovereignty in France but its absence. He was proposing his idea of a single, indivisible and absolute power in order to support the king’s claims to authority over the nobility and other autonomous powers, at a time, during the Wars of Religion in the sixteenth century, when the monarchy was being challenged by rebellion and radical ideas about the right of resistance.

Those ideas of resistance were themselves deeply rooted in the persistent tension between the central state and the remnants of parcellized sovereignty. When the French *monarchomachs* insisted on the people’s rights of resistance to the monarchy, the people they had in mind were not private citizens. They were corporate bodies, provincial aristocrats and local magistrates, who claimed a right of resistance in their capacity as office-holders. The main resistance tracts – which will be discussed in the subsequent chapter – were expressing the interests of local aristocracies and various corporate entities.

When they invoked some kind of popular sovereignty, they did so as officers asserting the jurisdictional rights against the central state; and, when the absolutist monarchy invoked the concept of state sovereignty against them, it was professing to represent a more general interest, as opposed to the particularities of these fragmented jurisdictions. It claimed to be acting on behalf of a more universal corporation than the particularistic corporate bodies that were challenging its sovereignty. Even as late as the eighteenth century, when revolutionaries challenged the existing hierarchy of corporate power and privilege, they purported to act on behalf of the corporate 'nation'. The concept of equality that has figured so prominently in French political discourse and the revolutionary tradition owes much to the Third Estate's struggles over corporate privilege and its battle for access to office, 'careers open to talent'.

In England, where there was no such fundamental conflict of jurisdiction between the monarchy and the ruling classes, there was no strategic need to assert the power of one against the other with a clear idea of indivisible sovereignty. In fact, the English tended to avoid the issue of sovereignty altogether (though a thinker like Thomas Hobbes was one striking exception, and even he formulated an idea of sovereignty significantly different from the French). The idea of a 'mixed constitution' – anathema to Jean Bodin – conformed very nicely to English conditions and the interests of the ruling class. The partnership between Crown and Parliament had created a delicate balance which neither side was anxious to upset by claiming ultimate authority. Even when the conflicts between them came to a head, as the king threatened the partnership with Parliament, parliamentarians were very slow to invoke their own sovereignty as representatives of the people. To assert the sovereignty of Parliament against the king and on behalf of the people threatened to unleash more dangerous claims to popular sovereignty from the truly radical forces mobilized by the Revolution, without the protection of the intermediate powers between Parliament and people. A degree of vagueness seemed prudent even among republican elements in Parliament.

The particular formation of the state, the distinctive relation between aristocracy and monarchy, the unity of Parliament and Crown, the evolution of a unified system of law on which the ruling class depended to sustain its property and power, meant that political conflict did not in general take the form of jurisdictional disputes among fragments of sovereignty. It also meant that corporate principles were weak. From early on, the relation between state and individual was not mediated by corporate entities, and political rights were vested in the individual rather than in corporate bodies.

In England, where the primary political relation was not among competing jurisdictions but between the individual and state, the idea of individual rights was bound to have different implications than it did elsewhere in Europe. It is significant, as we shall see, that the first systematic discussion of the relation between individual rights, the rights of private individuals, and sovereign power was produced by an English theorist, Hobbes, though not in defence of individual rights against the state but in favour of absolute sovereignty. At the same time, any theory of resistance or popular sovereignty would, in that context, represent a greater challenge to the power of propertied classes than did the French resistance tracts. When such theories did emerge in England, they effected a revolution in political thought – as, for instance, when the Levellers in the English Civil War insisted that consent to government, on which freedom depends, must be given not only once in a single transfer of power but continuously, and by a multitude of individuals, the people outside Parliament, not by some corporate entity which claims to represent them.

The differences between England and France are visible, too, in conceptions of the relation between state and economy. We are accustomed to associating 'political economy', in the tradition of Adam Smith, with the development of 'commercial society' in its Anglo-Scottish mode. Yet the very first

writer to use the term 'political economy' in the title of his work was a Frenchman, Antoine de Montchrétien. Already in the early seventeenth century, as we shall see in Chapter 6, he elaborated an idea of commerce as a means of harnessing private interests and passions to the public benefit, so that civic virtue was no longer necessary. In his *Traité de l'économie politique*, published in 1615, he insists that selfish passions and the appetite for gain, far from threatening the common good, can be its very foundation, without any reliance on virtue or benevolence. But his argument was critically different from what followed in Britain, and French arguments would continue to be different for a long time thereafter. French thinkers who, like Montchrétien, extolled the benefits of *le doux commerce* took for granted that the necessary condition for the positive effects of trade was a forceful monarchy to integrate and harmonize particular interests and transform private vices into public benefits. This assumption is rooted in the realities of absolutist France, a society in which there is still no integrated market or competitive capitalism, and where the polity is still fragmented by a welter of corporate entities and privileges. French thinkers were bound to look, as the English were not, for ways of dealing with this structural divisiveness when they reflected on the replacement of virtue by commerce.¹⁶

In the eighteenth century, the same assumptions are present in Montesquieu's views on monarchy. Unlike republican government, he tells us, monarchy has the advantage of making it possible to promote the common good with minimal virtue or self-sacrifice. Private interests can be the source of public benefits. But, while Montesquieu is less convinced than some of his contemporaries that commerce among nations need be a zero-sum game, this is not because he imagines that the common good will emerge naturally out of the interplay of private interests through an autonomous market mechanism. On the contrary, the monarchy must play that harmonizing role. Even the physiocrats, who most admired English agrarian capitalism and held it up as a model for France, shared classical French assumptions about the primary role of the state in harmonizing particular and corporate interests; and heavy traces of that view are still visible even in post-revolutionary France, and Napoleonic conceptions of the state.

The English – or, more precisely, the Anglo-Scottish – argument proceeds on the basis of different social and economic conditions. In the Anglo-Scottish version of *le doux commerce* in the eighteenth century, the burden of harmonizing private interests falls much more heavily on the market, on the discipline of competition in organizing production. The state, to be sure, plays a critical role in producing and maintaining the conditions for commercial development; but the purpose of the state is not to impose harmony on competing private interests. On the contrary, its role is to facilitate the operations of the market, which has that integration as its primary object.

What is critical, then, is not that commerce is presented as a substitute for civic virtue (more on that in a later chapter) but rather that commerce itself is conceived in new ways, in practice no less than in theory. We are now dealing with a competitive national market far more integrated than any other in Europe, and this market has a dynamic completely different from old forms of trade. The old forms of profit on alienation in transactions between separate markets really do look like a zero-sum game which inevitably leads to conflict. But the new dynamic of England's economy allows Adam Smith, for instance, to regard competition as itself an integrative force. It is precisely the discipline required to keep self-interested commercial classes in check.

The state undoubtedly plays a vital part in Smith's economy, above all to ensure that the market mechanism operates as it should – which seems to include, among other things, protection against employers combining to drive down wages. He also believes firmly in the importance of education for the lower classes. He does, to be sure, make debatable assumptions about the role of market

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