AN HISTORICAL VIEW
OF THE ENGLISH GOVERNMENT
NATURAL LAW AND ENLIGHTENMENT CLASSICS

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General Editor
An Historical View of the English Government
From the Settlement of the Saxons in Britain to the Revolution in 1688

In Four Volumes

John Millar

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Introduction by Mark Salber Phillips

The Works and Correspondence of John Millar

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John Millar’s first book, *The Origin of the Distinction of Ranks* (1771), is now regarded as a classic of eighteenth-century social inquiry, but comparatively little attention has been paid to the longer historical study that occupied Millar for much of the remainder of his career. Though less accessible than Millar’s brilliant debut, *An Historical View of the English Government* (1787; 2nd ed. 1803) remains a work of real interest. Not only is it an important contribution to the historical and political literature of the time, but it also provides a fresh perspective on Millar’s thought and intellectual context. If, to put it simply, the *Distinction of Ranks* shows us Millar’s deep debt to Smith’s teaching of law, *An Historical View* constitutes a sustained dialogue with Hume’s *History of England* and is surely the eighteenth century’s most serious response to that great work. Unlike so many of Hume’s religious and political opponents, however, Millar shared most of the fundamentals of Hume’s historiographical approach, and he presented his own “view” of British history from a position securely within the canons of Enlightenment historical thought.

**Millar’s Historical View and the Historical Views of the Eighteenth Century**

*An Historical View* as we now have it appeared in two stages. In 1787 Millar published the first two books, which traced the history of English government down to the accession of the Stuarts. Millar intended to continue the work, but his political involvements at the time of the French Revolution distracted him from the task—or so his nephew and biographer, John Craig, suggests—and *An Historical View* was left incomplete at the time of his death in 1801. Among Millar’s papers, however, Craig found a further section that carried the narrative as far as the Revolution of 1688 (now book 3), as well as a series of dissertations or essays that were apparently meant for a
fourth book that would have continued the history down to his own day. Collecting these materials, Craig presented a new edition in 1803, in which the previously published books now made up the first half of a four-volume work.

Reviewing this posthumous publication in 1804, Francis Jeffrey painted a picture of John Millar as a typical figure of Scottish academic learning in his day. “To some of our readers, perhaps, it may afford a clearer conception of his intellectual character, to say that it corresponded pretty nearly with the abstract idea that the learned of England entertain of a Scottish philosopher; a personage, that is, with little or no deference to the authority of great names, and not very apt to be startled at conclusions that seem to run counter to received opinions or existing institutions; acute, sagacious, and systematical; irreverent towards classical literature; rather indefatigable in argument, than patient in investigation; vigilant in the observation of facts, but not so strong in their number, as skilful in their application.” The “leading principle” of Millar’s thought, Jeffrey went on to explain, lying behind all of his ideas on history, law, and government, was that social institutions arise “spontaneously from the situation of the society” rather than from the exertions of individuals or the character of nations. “Instead of gazing, therefore, with stupid amazement, on the singular and diversified appearances of human manners and institutions, Mr. Millar taught his pupils to refer them all to one simple principle, and to consider them as necessary links in the great chain which connects civilized with barbarous society.”

Jeffrey’s summation of Millar’s teaching points to the ambition of Scottish Enlightenment thinkers to fashion a view of society that would be both systematic and historical. It is not always appreciated, however, that to the same degree as the new historical orientation enriched eighteenth-century thinking about the social world, it also represented a sharp challenge to entrenched norms of historical writing—especially to the exclusive focus on narratives of public action typical of classical and humanist works. For all its continued prestige, in fact, the classical tradition no longer seemed to possess an adequate vocabulary for writing the history of the modern world. Without reference to commerce, manners, or the power of opinion, history

could seem only a superficial enterprise, and yet none of these distinctive preoccupations of the Enlightenment had entered into classical historiography. Consequently, though the great historians of the ancient world continued to be admired as literary models, it was recognized that in a modern, commercial society historical writing needed both a wider social horizon and a stronger explanatory structure.\(^2\)

This challenge was already implicit in the *Distinction of Ranks*, but it was far more acute in *An Historical View*, where Millar entered more fully onto the traditional territory of historical narrative. In this study of the evolution of English government, Millar not only confronted the historian’s customary concern with politics and public life, but he also did so with a clearly polemical intention—namely to combat the narrative provided by David Hume, his great predecessor in the endeavor to write a philosophical history of Britain. No doubt it was to signal his independence from both his classical and Humean models that Millar decided to avoid titling his work a “history” and chose instead to call it a “historical view.”

**Millar’s Life and Teaching**

John Millar (1735–1801), the eldest son of a minister of the Scottish Church, was expected to follow his father’s path, but he chose instead to make law his profession.\(^3\) The crucial moment in Millar’s education came with the arrival in Glasgow of Adam Smith, who began to lecture in rhetoric and moral philosophy in 1751. Smith’s influence—first as teacher and later as colleague—decisively shaped Millar’s subsequent work, providing the effective outlines of his own approach to jurisprudence. Millar’s scholarly interests were also influenced by another pioneer of the historical approach to law, Lord Kames, who invited him to become tutor to his son. For two years


\(^3\) The best brief summary of Millar’s life and career is now to be found in the entry in the *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: Oxford University Press, 2004). I am very grateful to Knud Haakonssen and John W. Cairns for allowing me to consult their work in manuscript. The pioneer research in this field was the work of William C. Lehmann, *John Millar of Glasgow, 1735–1801: His Life and Thought and His Contributions to Sociological Analysis* (Cambridge: Cambridge University Press, 1960).
Millar resided in Kames’s household, where the “tutor of the son became the pupil and companion of the father.” In 1760 Millar was admitted to the bar, and, after a brief period of legal practice in Edinburgh, he was appointed in 1761 to the Regius Chair of Civil Law at Glasgow—a position he owed to the recommendation of both Smith and Kames and to the political patronage of Lord Bute. Glasgow was not the most propitious place from which to launch a career in law. It lacked the higher courts that made the law a central feature of Edinburgh’s professional and intellectual life, and when Millar began his teaching, the number of students in law was very small. Despite these disadvantages, however, Millar proved an extremely successful teacher and soon acquired a large complement of students, making his university as “famous as a school for Law, as Edinburgh . . . for medicine.”

Beyond his teaching, Millar took a strong and public interest in politics. His central preoccupation was one that was strongly marked in the Whig tradition, namely the fear of royal encroachment, “whether in the undisguised shape of prerogative, or the more insidious, and perhaps more dangerous, form of secret influence.” Despite some advanced views (he was, for instance, sympathetic to republicanism), Millar remained at heart a Whig, not a radical. His allegiance was to the Rockingham Whigs and later to the leadership of Charles James Fox, to whom he dedicated An Historical View. He was an advocate of American independence and a fervent opponent of the slave trade. On the outbreak of the French Revolution, like many other Whigs, Millar welcomed what looked like a movement of constitutional reform, and he strongly opposed the war of the counterrevolutionary powers against France. Two anonymously published pamphlets opposing the war have been attributed to Millar. The Letters of Crito, on the Causes, Objects, and Consequences of the Present War (1796) seems almost certainly to be his work, while the Letters of Sidney may in fact be the work of Craig.

5. Robert Heron, Observations Made in a Journey Through the Western Counties of Scotland in 1792, 2 vols. (Perth, 1793), 2:418. On Millar’s fame as a teacher of law, and on his teaching career more broadly, see the works cited in note 9 below.
though heavily influenced by Millar.7 “The real and ultimate object of the war,” he argued repeatedly and insistently in the Crito, “has been invariably the preventing of a reform in our parliamentary representation; and this, it was thought, required a counter-revolution in France, by pulling down the new constitution, and restoring the ancient despotism.”8

Millar’s political position—a historical thesis as much as an ideological one—was clearly expressed in An Historical View. The Revolution of 1688, it was widely believed, had brought balance to the constitution, offsetting royal prerogative with the now unquestionable authority of the Commons. Millar was convinced, however, that the period since the Revolution had witnessed “the most rapid and alarming advances” in the influence wielded by the Crown and its ministers—a dangerous consequence of the expansion of government, the effects of commerce, and the financial dependence of great families on ministerial favor. Millar had long believed that the best way to limit the growing influence of the court was to trust in an aristocratic coalition in defense of liberty. The failure of the Whigs to regain power, however, and Pitt’s success in manipulating the Commons had led Millar to rethink his position. Seeking other means toward the same end, he came to rest his hopes on a wider diffusion of political participation among “the middling ranks”—a body that seemed large enough to be independent of court favor and was now increasingly informed and enlightened about the principles of politics and economy. Nonetheless, Millar was no democrat, since he feared that a universal suffrage would only create a body of voters without the economic means or education to resist the manipulations of the great.

The “Lectures on Government” and An Historical View

Millar’s primary academic duty was the teaching of Roman law, a responsibility which in part he turned into an opportunity to present a course on

7. For the attribution of these pamphlets, see Knud Haakonssen, Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment (Cambridge: Cambridge University Press, 1996), 155–56.
natural jurisprudence modeled on the lectures of his mentor, Adam Smith. For Millar’s historical thought, however, the crucial course was that on public law, soon renamed as his “Lectures on Government.” Millar divided his lectures into three parts. In the first, “Of the Origin and Progress of Government in Society,” he discussed the art of government with respect both to external defense and internal order and traced “its progress from the most rude and simple state of Society to the most improved.” The broad civilizational history of this part points to many affinities with the Distinction of Ranks, but the middle section of the course offered a survey of ancient and modern societies that anticipated many of the central themes of An Historical View: for example, the thesis that feudalism is a gradual, not a sudden, development; the division of English history into three stages (feudal aristocracy, feudal monarchy, commercial government); and the concern for the mixed effects of commerce on the balance of prerogative and liberty. Because of this correspondence, the set of lectures specifically devoted to English, Scottish, and Irish matters offers something like a brief guide to the contents of An Historical View. The approach here is more conventionally historical than the conjecturalism of the opening part, but Millar is also careful to explain that he had “pitched upon these governments, not only on account


10. The course on public law was one of two presentations of Scots law and seems to have been aimed at a wider audience, not restricted to intending lawyers. See Craig, “Life and Writings,” xlii–xliii; Haakonssen and Cairns, “John Millar,” Oxford Dictionary of National Biography. As established by Cairns, the manuscript of the “Lectures on Government, 1787–88” (Glasgow University Library, MS Gen 289–91) derives fairly directly from Millar’s own notes. (See Cairns, “John Millar’s Lectures.”) I am grateful to Knud Haakonssen for allowing me the use of his transcription of the “Lectures.”

11. The “Lectures” present a broad approach to the history of civilization viewed in stadial terms. Thematically the organization is more similar to Adam Ferguson’s Essay on the History of Civil Society (1767) than to the more focused inquiries of Millar’s own work The Origin of the Distinction of Ranks. Though it is clear that this work bears a strong imprint of Smith’s ideas, one wonders whether its organization might not also reflect Millar’s need to distance himself from Ferguson’s recently published work.
of their celebrity, or their connexion with ourselves, but as they illustrate different states of society.” Finally, Millar devoted the last section of the course to what he called “the more practical part of the subject,” namely the “Present State of Government in Great Britain.” This material he evidently intended for a separate publication, some elements of which were among the papers Craig described.

The broad scope of the lectures allows us to see Millar’s English historical materials in their widest framework. Readers of *An Historical View*, for example, will be aware of the fact that Millar introduces comparative elements in his approach to Europe-wide developments like feudalism. In Millar’s hands, Scotland seems ready made for comparative perspectives, but French and other continental histories were also a frequent resource. Even so, the wider geographical horizon of the lectures gave Millar more scope to work out his sense of the unity of European experience and in that way make still more evident how broadly he approached his subject. At the same time, the lectures on English history are not only flanked by those dealing with other European nations, but also by those sections of the course (already mentioned) that took quite different approaches to its historical and political materials. This combination of approaches is especially important given the character of book 4, which is a set of historical dissertations without a unifying narrative. We will never know, of course, how Millar himself might have arranged the work if he had lived to complete it, but Craig’s decision to include these dissertations seems all the more reasonable against the background of the lectures.

**Millar’s Historical Politics and the Critique of Hume**

In a much-quoted passage from *An Historical View*, Millar called Montesquieu the Bacon and Smith the Newton of this new “branch of philosophy” (v.2, 404–5n). In relation to Hume, however, Millar was necessarily more divided, since in this quarter he felt philosophical allegiance and political criticism in equal measure. Much of *An Historical View* was intended as a rebuttal of what Millar took to be the royalist and authoritarian politics of Hume’s *History*. And, looking beyond explicit ideological debate, it seems more than likely that some of *An Historical View*’s stylistic features—especially its austere avoidance of sentimental portraiture or picturesque narrative—represent a conscious turning away from techniques identified with
Hume and Robertson. The fact remained, nonetheless, that Hume was the preeminent exemplar of the Enlightenment’s aspiration to write history in the systematic manner that writers of this period called “philosophical,” and Millar salutes him as “the great historian of England, to whom the reader is indebted for the complete union of history with philosophy” (v.2, 418).

Ironically, Millar follows up his tribute with a point-by-point refutation in which he attacks Hume’s well-known arguments for the absolutist character of the Tudor regime. Millar’s sharp critique amounts to a general summary of their opposing positions, and in the shorter, first edition—where these arguments fell at what was then the end of the work—the impression would have been even stronger that Millar intended the entire work to serve as a refutation of Hume’s politics. In some respects, however, the significance of Millar’s counterargument becomes clearer when, with the addition of the politically charged third volume, this assessment of Tudor monarchy becomes the bridge to the turbulent period of the Stuart kings.

Hume had argued that an observer unbiased by Whig historical polemics would find little to distinguish English government under the Tudors from the absolutism of France in the same period, and he was even prepared to compare Elizabeth’s rule to the government of Muscovy or the Ottoman Turks. This was a deliberately provocative way of putting the case, but for Hume the stakes were high. He regarded the achievement of English liberty in the seventeenth century as the fortunate outcome of a blind struggle in which Parliament, not the Crown, was the principal innovator. In this context, establishing the absolutism of the Tudor regime gave him the foundation for overthrowing the Whig view that the Commons were simply defending ancient liberties against the ambitions of Stuart tyranny.

Millar is seldom specific in his citations, but on this occasion he answers Hume’s case with unusual directness, and he mounts a series of arguments to show that even at the height of Tudor power—which he locates in the last years of the reign of Henry VIII—the government of England had never rested entirely in the hands of the Crown. Juries continued to operate, and

for the most part the judicial process remained free from interference. Most important, Parliament retained its role in legislation and its exclusive right to taxation. After Henry’s death, what is more, the balance of the ancient constitution was fully reinstated, and no new parliamentary powers were required for the Commons to play its role as protector of liberty in the struggles that led to the Civil War.

To this point Millar’s reaffirmation of the continuity of English liberties runs along lines long familiar in Whig historiography, but his constitutionalism is modified by other, more systematic arguments drawn from the new form of inquiry which Hume had pioneered and to which his own work *The Origin of the Distinction of Ranks* had made such a signal contribution. In this context what was needed were historical explanations of a much more distanced and general character—potentially a problem when, as for Millar, the emphasis had to fall on English exceptionalism among European monarchies. “When we review the English constitution,” he writes, “. . . it appears to illustrate the natural progress of that policy which obtained in the western parts of Europe, with such peculiar modifications, as might be expected, in Britain, from the situation of the country, and from the character and manners of the inhabitants” (v.2, 424). The philosophical historian’s task, in other words, would be to show that England conformed to type, even if (as his political convictions led him to believe) it represented an exceptional case within the span of European polity.

Hume and Smith had provided the essential basis for a new interpretation of the shift in power in late medieval and early modern England. In their view, though a number of specific (or “accidental”) factors were at work, the most general explanation (and therefore the most powerful) was to be found in the apparently innocent fact of a growing taste for luxury among the nobility. The consequence was not simply that the nobility dissipated their

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14. “There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown. . . . But the manners of the age were a general cause, which operated during this whole period, and which continually tended to diminish the riches, and still more the influence, of the aristocracy, ancienly so formidable to the crown.” *The History of England*, 4:384.
wealth, but—more important—that their money flowed into the pockets of independent artisans and shopkeepers rather than going to the maintenance of the armed retainers who had been the basis of their military and political power. Eventually these changes would raise the status of the commons, but in the short term, the great beneficiary was the Crown. With the power of the nobility significantly diminished, and that of the Commons still in the future, “the sovereign took advantage of the present situation, and assumed an authority almost absolute.”

As a philosophical historian, Millar strongly endorsed this mode of reasoning from general causes, and he accepted much of its specific logic with respect to the underlying motives of political change in England. Of necessity, however, he stopped short of accepting Hume’s absolutist conclusions, and he searched for other broad-scale causes which might explain the persistence of English freedoms against the pattern of other feudal monarchies.

For Millar, as for so many of his nineteenth-century successors, the clearest answer was to be found in the political and economic geography of the island nation. Politically, England’s “insular situation” meant that England had little to fear from foreign invasion—a circumstance that was made still more secure by the Union of the Crowns in 1603, when England and Scotland were joined under a single ruler. As a result, the English king was deprived of the numerous opportunities enjoyed by neighboring princes “for signalizing his military talents, and for securing the attachment of his subjects” (v.2, 424). Among other things, this meant that England was slower to make use of mercenary arms and relied instead on its navies—a force much less adapted “to act as the tools of a court” (v.3, 496). Economically, too, England’s island geography was decisive. From an early period, it encouraged trade and manufacture, giving “consequence to the lower order” and “by uniting their interest with that of the king, in opposing the great barons, disposed him to increase their weight and importance in the community” (v.2, 425). And later, when trade was in full flower and feudal monarchy gave way to “commercial government,” the king “found that he was unable to set bounds to those liberties, which his predecessors had endeavoured to promote, and was thence induced, though with infinite reluctance . . . to relinquish a part of his prerogative in order to retain the rest” (v.3, 498).

15. Ibid.
Conclusion

“He also made me read . . . many books which would not have interested me sufficiently to induce me to read them of myself,” wrote John Stuart Mill, “among others, Millar’s Historical View . . . a book of great merit for its time, and which he highly valued.” It is hard to imagine a book less likely to appeal to a young boy’s interest in the past than the austerely unromantic history James Mill pressed on his precocious son, but it is also clear that by the time John Stuart Mill looked back on his early education, he felt that the Historical View, whatever its merits, belonged to a very different era. James Mill was indeed a great admirer of Millar’s work, as he made clear in a long review article as well as in a number of references in the History of India. The equivocal praises of the younger Mill, however, are more indicative of the book’s fortunes in the new century. The posthumous edition of 1803 was followed by a corrected edition in 1812, which was then reprinted in 1818. Beyond this point, Millar’s work gradually lost currency, only to be revived in recent times by a generation of scholars who have explored the ideas of the Scottish Enlightenment. Too abstractly argumentative and unadorned to appeal to the historical sensibilities of the Romantic generation, too cosmopolitan for the nationalism of postrevolutionary Britain, the Historical View proved to be one of the last great examples of Enlightenment experimentation with philosophical history, and by the time a new program of systematic history was born in the mid-nineteenth century, its impulse would be directed by the ideas of Comte and Buckle, not those of Montesquieu and Hume.

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A NOTE ON THE TEXT

Given its length and its subject matter, *An Historical View* might seem a difficult work to introduce to a wider modern readership, but John Millar’s strengths as a historian reside less in the detail of his researches than in the clarity, scope, and intelligence of his ideas. For the student who is relatively unfamiliar with the details of British history, we have identified names, places, and events that might otherwise be obscure, thereby making it easier to compare Millar’s account with modern ones, wherever such comparisons might be helpful. Like most of his contemporaries, Millar is vague in his citations—so much so that John Craig, his nephew and first editor, found it necessary to apologize for his scholarly minimalism. We have attempted to remedy some of these deficiencies by identifying the more important and specific references. Our own additions to Millar’s notes are enclosed in double square brackets, since Millar has used single square brackets for his own insertions. Further, we have provided a list of works mentioned by Millar (appendix 1) as well as a brief description of his principal sources (appendix 2). Note, however, that Millar’s citations often do not indicate the edition used. From time to time, the notes refer readers to similar issues or ideas in Millar’s earlier work, *The Origin of the Distinction of Ranks*, or in the works of Lord Kames, Adam Smith, David Hume, and Adam Ferguson, his chief mentors and peers in historical study. But in keeping with the general editorial policy of this series, we have avoided the temptation of didactic footnotes, leaving it to the introduction to provide a brief general background to Millar’s work and intellectual career. In the new introduction, references to *An Historical View* are given using Liberty Fund page numbers. Typographical errors in the text have been silently corrected.
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We dedicate this book to Garry and Evelyn Smith and to the memory of Harry Tarley Phillips and Eva Juliet Salber.
ABBREVIATIONS

USED IN THE NOTES


