

The
Eighteenth-
Century
Commonwealthman

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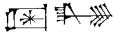
Studies in the Transmission,
Development, and Circumstance
of English Liberal Thought from the
Restoration of Charles II until the
War with the Thirteen Colonies

Caroline Robbins



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*For my brother,
whose constant affection and interest
have helped me throughout my life.*

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Foreword to the Atheneum Edition

A third reprinting, this time in paperback, affords an opportunity to amend some more textual errors, and to offer, nearly a decade after publication, a few reflections upon treatment of the subject matter of the book.

First let me offer some explanation of the restriction of the subject matter to British material. Originally some investigation of similar persons and theories in continental Europe was made, and was intended to form a part of the contents. In a study of the growth of religious liberty, the story, for example, of Salters's Hall and the debate about subscription must eventually be connected with arguments of like nature being put forward in the same century in the Low Countries and Geneva. Analyses of the best government, whether accompanied by nostalgia for republican Rome or for gothic Europe, were as frequent elsewhere as in Britain right up to the French Revolution. Writers on religious and civil liberty commonly appealed to the same authorities, though of course national pride in common law or frankish freedom dictated different proportions in illustrative material. Europeans read the Whig Canon and the Commonwealthmen who preserved it, as they also studied those scriptural, classical, and renaissance books which had influenced them. The narrow sea between islands and mainland often protected but never isolated. No one can read the Commonwealthmen without realizing how constantly they were aware of the common origins, institutions, and intellectual heritage of themselves and their neighbors. That in some way eighteenth-century Britain secured a greater measure of liberty and stability in no sense removes her development from the general stream of European history. But the difficulty of both tracing in one compassable volume the small though significant stream of republican ideas in the British Isles, and of placing these in the larger environment of European thought and event, seemed too great. Instead concentration on a few metropolitan

figures has been avoided and persons and circumstances in Ireland, Scotland, and England discussed.

The decision to deal with persons and groups or coteries, rather than with categories of ideas, was also slowly reached. The various forms of contract, the matter of natural rights, the questions of party, of corruption, of the role and character of parliament, the character of ministerial responsibility, and the separation of powers, to list no more, demand explanation and historical treatment. Eventually consideration decided a concentration on transmission, and thus on those people who studied and wrote about commonwealth ideas. There have been excellent books written about, for example, natural rights and contractual theories. Since this book appeared two first-rate studies of the separation of powers have come out: W. B. Gwyn, *The Meaning of the Separation of Powers* (Tulane, 1965), and M. J. C. Vile, *Constitutionalism and the Separation of Powers* (Oxford, 1967), the first of which relates chiefly to the period of the *Commonwealthman*, the second concentrates on the theories' development from the seventeenth century until the present in England, France, and America. These admirable volumes confirm my belief that such more extended treatment does better justice to political theory, and that in history the person must still be studied in context of events.

In planning this book, I had expected to end with the accession of George III. The use by then of the Whig Canon was obvious, and the gap which had seemed to exist between the flowering of theory during the troubles with the Stuarts and the outbreak of the disputes with the American colonists seemed at least partially filled. But, in the event, it was impossible to stop without examining, however briefly, some of those in England after 1760 who so vigorously revived and even extended republicanism, shared colonial enthusiasm for the saints and martyrs of an earlier period, and supported protests against real or supposed infringement of rights. Even so, I deliberately omitted discussion of the always fascinating Thomas Paine as one who had thrown in his lot with the Americans, and I stopped short of any description of the ideas of the Commonwealthmen in America during the momentous period of revolution and constitution making, a subject demanding not a chapter but a book. Such a volume has now been produced most felicitously by Bernard Bailyn in *The Ideological Origins of*

the American Revolution (Harvard, 1967), and all students of the period look forward to the promised continuation of this work.

Bailyn has already begun to examine that change in the climate of opinion, and of the character of political theory, which is so marked throughout the western world in the nineteenth century. In this revolution of thought and of approach to political problems America played a leading role. Thomas Pownall and other observers had noticed the evolution of a society very much less dominated by considerations of class and hierarchical distinctions even before the troubles with England began. During the French Revolution new slogans and different attitudes, even faintly toward property, appeared. Moral considerations and numerical criteria among the Benthamites and followers of Jefferson and readers of John Taylor began to supplant ancient definitions and political categories. None the less, anyone reading the debates in Philadelphia in 1787 or some of the radical literature of the nineteenth century will discover many an echo of the work of the Commonwealthmen. Transformation of earlier libertarian philosophies into the democratic beliefs was eventually to swamp considerations like the "balance," the virtues of mixed government, and the obligations of an elite, but it too demands a volume.

In selecting those who carried on republican ideas, it was difficult to eliminate peripheral characters, and to differentiate between the politics and tactics of opposition and the evolution of liberal ideas. The numbers involved anyhow created structural and stylistic problems never entirely solved. Yet in the long run a "case history" seemed the most useful service in tracing the relation of idea and prejudice to circumstance. I elected to deal with men who themselves consciously hoped and worked for commonwealth ideals, and with some few others who seemed aware of deficiencies in society and constitution and who suggested remedies for these. David Hume, it may be remembered, is passed over but the temptation to include good Bishop Berkeley proved too great to resist. Berkeley and Dr. Samuel Johnson were two of the few who in their time truly concerned themselves with the welfare of the poor. While the Doctor perforce was neglected, it seemed impossible to ignore the searching and revelatory questions in *The Querist*.

But about the omission of another eighteenth-century Tory who

certainly wrote in the “Old Whig” or commonwealth tradition, Henry St. John, Viscount Bolingbroke, others than myself have raised forceful objections. Bolingbroke’s attacks on the government of Walpole, examination of party, reflections upon history, and denunciation of corruption led him to utilize “Whig history” and whiggish political writing. He was widely read on both sides of the Atlantic and might thus be considered to have extended the canon and its influence. The brilliant style so noticeably lacking in the philosophical work adorns the polemical tracts and explains in part their currency. In part this may also be attributed to an astute use of what might be called regular opposition tactics. The cry of corruption, undue influence of minister, junto, or monarch, of placemen and courtier was always popular. Andrew Marvell raised it against the Earl of Danby and Charles II, Trenchard and Harley against the Whig ascendancy under William III. Bonnie Prince Charlie is reported to have made notes on what he would promise in the event of his staging another Jacobite rising, and these include denunciation of standing armies, remarks about annual parliaments, the purification of politics, and guarantees of civil and religious liberty. In Parliament as well as in *Craftsman* and other opposition journals many an old commonwealth slogan may be found, but by no means denotes in its proponent a reformer. The outs when seeking office seized on popular cries. In office that record was, or might have been, different. Bolingbroke was out of office and extremely articulate in voicing all those grievances which might establish the rotten character of the ministry in power. But, more important, there was in Bolingbroke no interest in continuing reform of the constitution. He was no new modeller of the ship of state, had no program to bound the executive or solve social ills. The importance surely of the eighteenth-century Commonwealthmen was not only that they maintained a tradition but that they developed and extended it as the conceit of a “Patriot King” certainly did not. Even Bolingbroke’s emphasis on virtue was but an echo of that renaissance note sounded by Neville and Moyle when attempting to adapt the old constitution to contemporary circumstance and avert the fate which befell republican Rome.

There will be more and better studies of the Commonwealthmen

and these will treat them differently and I hope profit by my mistakes and omissions. Now I can only add hearty thanks to all who helped me during the composition of the book, and those, as numerous, who have assisted me since with reviews, criticisms, and interesting information I should otherwise have missed.

The
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“A True *Whig* is not afraid of the name of a *Commonwealthsman*, because so many foolish People, who know not what it means, run it down.”

—Robert Molesworth, Preface to *Franco-Gallia*, 1721

“If they mean by those lovers of Commonwealth *Principles*, men passionately devoted to the Public good, and to the common Service of their Country, who believe that kings were instituted for the good of the People, and Government ordained for the sake of those that are to be governed, and therefore complain or grieve when it is used to contrary ends, every Wise and Honest man will be proud to be ranked in that number. . . . To be fond therefore of such *Commonwealth Principles*, becomes every *Englishman*.”

—John, Lord Somers, *Just and Modest Vindication*, 1681

“Thus friendly are the principles of the genuine *Whigs* to the office and dignity of kings and princes. But then, on the other hand, they consider all men as invested by God and nature with *certain inalienable* rights and privileges, which they can’t without a crime sacrifice themselves, and of which they can’t without the highest oppression and cruelty be deprived by others.”

—*The Old Whig*, I, no. 2, 1739

“A *Whig out of Power*, ever since the *Revolution*, hath been a Kind of *State-Enthusiast*; his head is turned with dreaming of a *Rotation of Power*, from Harrington’s *Oceana*, *Plato’s Commonwealth*, Sir Thomas More’s *Utopia* and other *visionary Schemes of Government*.”

—*The London Journal*, in *Gentleman’s Magazine*, 1734

I

Introduction

The Name of a Commonwealthman

“A True Whig is not afraid of the name of a Commonwealthsman, because so many foolish People who know not what it means, run it down.”¹ This often-quoted definition proudly claimed for the Real Whigs—as they liked to call themselves—kinship with luminaries of republican thought like Milton, Harrington, Sidney, and others. In the eighteenth century the majority of the ruling oligarchy and the greater part of their fellow countrymen emphatically denied any continuity or connection between the innovators and Levellers of the Puritan Revolution (1641–1660), and the philosophers and Whiggish statesmen of the struggle (1679–1710) to exclude James Stuart and secure the Glorious Revolution. An eccentric antiquarian might hang a copy of Charles the First’s execution writ in his closet and speak slightingly of kings and superstitions, but in general all talk of ‘41 alarmed Englishmen as much or more than the sight of Jacobite toasts “over the water.” Any proposed tampering with the fabric of the church and state produced dismal recollections and dire predictions.

The Commonwealthmen were only a fraction of politically conscious Britons in the Augustan Age, and formed a small minority among the many Whigs. No achievements in England of any consequence can be credited to them. English development shows scarcely a trace of efforts to restore or amend the mixed or Gothic government they esteemed. Their continued existence and activity, albeit of a limited kind, served to maintain a revolutionary tradition and to link the histories of English struggles against tyranny in one century with

those of American efforts for independence in another. The American constitution employs many of the devices which the Real Whigs vainly besought Englishmen to adopt and in it must be found their abiding memorial. An examination of the sources and development of the Commonwealthmen's politics over a period of several generations will not only clarify a part of Whig history; it will also increase understanding of the peculiarities and limitations of that protean century which produced Levellers, diggers, republicans, and Whigs, to say nothing of their opponents and opposites.

The neglect suffered by the seventeenth-century innovators and philosophers has been exaggerated, in part because of misunderstandings of the purpose of their work and the meaning of words and phrases employed in it; in part because of overemphasis on the extent to which they anticipated modern thought. The debates which took place among the men of Cromwell's army at Whitehall, Putney, and elsewhere were unknown before the publication of *The Clarke Papers* at the end of the nineteenth century, though of course the Agreement of the People was familiar to many. The debates have, I think, unduly influenced students of the political climate of the Interregnum. Civil war and the opportunity afforded by free speech and free press stimulated a vast variety of projects concerning government and society. These were studied by the Real Whigs to whose efforts is largely due the preservation of many of the tracts of 1640–1661. In the eighteenth century, the so-called Levellers—a missile word as accurately used then as Communist is today—found inspiration in works of a more varied character than their critics admitted.

The Commonwealthman laid less stress on the ephemera of tract and sermon than on the work of major political philosophers. Some last traces of wildly experimental projects may be discovered at the time of the conspiracies of 1683 and during Monmouth's ill-judged attempt in 1685. In 1689 Ludlow and other innovators received short shrift. Nevertheless the sacred canon revered by the Real Whigs of the next century retained enormous revolutionary potential. This canon included the works of Harrington, Nedham, and Milton who wrote when Cromwell ruled; of Sidney, Neville, and Locke who were active during the controversies of the reigns of Charles II and his brother. The writings of such divers thinkers as Cumberland and Newton were

a part of it as also were the slimmer writings of Somers, whose genius found its chief fulfillment in a settlement which nearly all Englishmen accepted. The Commonwealthmen themselves produced, soon after 1689, accounts, arguments, essays, and histories, which might be dubbed the apocryphal books of the Whig Bible as it was to be read by reformers and revolutionaries all around the Atlantic world.

The natural rights doctrines of the Real Whigs formed an amalgam of theories drawn from several periods. Experience and history revealed the possibilities and the dangers of violent upheavals. The Commonwealthmen shared some of the conservatism of their contemporaries and much of the general misunderstanding of the nature and development of the ancient constitution. They had no difficulty in reconciling the rule of the Hanoverians with the precepts of classical republicans. They hoped to preserve and enlarge the merits of the "Gothic" system under which they thought they were living. They saw in the "rota" and separation of powers advocated by men like Harrington and Moyle useful and possible reforms which would secure liberty. Between them and other Englishmen differences were always more violently articulated than their extent would seem to demand. The Commonwealthmen could be regarded as the conservators of the older order; they must also be seen as the spiritual heirs and ancestors of revolutionaries everywhere.

Three generations of Commonwealthmen will be described in this book. The first appeared not long after the Revolution of 1689 and most of its members were dead by 1727; the second grew to manhood during the mid-eighteenth century and brought up the third generation of the age of the American Revolution. The party of movement, sometimes calling themselves the "Old Whigs," or the "Real Whigs," may be detected less than four years after the acceptance of the Dutch Deliverer. Agitation for reform which went further than that offered by the Bill of Rights and the Toleration Act may be said to have begun with the appearance of Robert Molesworth's *Account of Denmark* in December 1693 and to have ended with the last of *Cato's Letters* in 1723, and the appearance of three volumes of Walter Moyle's *Works* in 1726 and 1727.

These reformers were to be found in dissenters' meetings and in certain country houses, for example in Essex and at Swords near Dub-

lin. They frequented the Grecian Tavern in Devereux Court off Essex Street in London, the resort until his death of old "Plato Neville." At the Grecian, so it was said in 1698 by the author of "A Brief Reply," a club of mistaken politicians set themselves up as champions of people's liberties and "Sidney's maxims." A part of their activity, the pamphleteer maintained, was the publication of heterodox works on religion and politics. The appearance of pieces by known habitués—Moyle, Andrew Fletcher, John Trenchard, John Toland, Matthew Tindal—as well as the publication of works by Sidney, Ludlow, Milton, Neville, and Harrington between 1697 and 1701, powerfully supports the description of concerted effort.²

Among the Real Whigs of this period Robert Molesworth was a leading figure. The third earl of Shaftesbury was a self-declared disciple of his; Toland, Molyneux, and Henry Maxwell were pensioner and friends respectively; Moyle, Trenchard, and Fletcher, acquaintances and associates. They worked for a federal system in the British Isles, an amendment of parliament, a diminution of ministerial prerogative, an increased toleration, and some modification of mercantilist regulations. Neither then nor at any time thereafter did they receive support or encouragement from Whigs in office. Perhaps only three ministers—Godolphin,³ Stanhope, and later Chatham—besides a mere handful of members of parliament, really seriously attempted or wished for the implementation of any of their policies.

Such success as they could claim, the Treason Act, the repeal of Occasional Conformity and Schism Acts, cannot be attributed exclusively to their efforts. Their real achievement lay in the bringing up of a second generation of Commonwealthmen who were to continue the study not only of the seventeenth-century classics but of the "arguments" and "essays" of the post-Revolution period. They themselves produced works which maintained and developed Harringtonian principles, for example, at a time when constitutional practice was increasingly divorced from the systems they admired. These men are to be found amongst divines and teachers, such men as Hutcheson, Grove, Foster, Watts, and Edmund Law. Few of the reformers and pro-Americans of the age of George III did not spend some of their formative years under teachers at Glasgow, at certain Cambridge colleges, or at such dissenting academies as Warrington. Editors and printers—

Baron, Griffiths of the *Monthly Review*, Bruce and Smith in Dublin, even Foulis of Glasgow—preserved, reproduced, and reviewed the “canonical works.” Fresh studies of Harrington may be found in Thomas Pownall’s earliest essay, *Principles of Polity* (1752), and in Archdeacon Squire’s rather conservative *English Constitution* (1745). The most radical speculation of this middle period may be found in the sermons of Robert Wallace and in his *Various Prospects* (1761), utopian in form but with a very real appreciation of contemporary circumstances.

The third and last generation are often called early radicals. Priestley, Price, the pro-Americans, the men of the Society for Constitutional Information and similar bodies endorsed most of the political theories of the Real Whigs and sought, still unsuccessfully, to influence parliamentary affairs.

It might seem simpler to call all three generations of Commonwealthmen radicals. But the word, Halévy tells us, comes late, after 1819, into common English usage.⁴ Moreover, an examination of the ideas of the Real Whigs will show that they are more closely connected philosophically and politically with the Commonwealthmen of the seventeenth century than with radicals of the nineteenth, or even with those of their number who survived into the Napoleonic period.

Ideas

The association of the eighteenth-century Commonwealthmen with the Levellers and republicans embittered controversy by suggesting that such Whigs could not be good subjects. We may admit the ancestry of their ideas without endorsing the accusations recalled in sermons commemorating the execution of Charles I on every thirtieth of January. The Whigs cherished ideas about checks on government from within and without, about individual freedoms and about the ranks of society, as we must later discuss, but their inheritance of the revolutionary tradition was tempered by the admiration for the English Constitution which they shared with nearly all their contemporaries. All Whigs until the French Revolution maintained that in theory at least tyrants could be resisted, and by so doing, justified the events of 1689. This was their chief advantage over Tories like Bolingbroke and Hume

who accepted the Revolution without a logical defense for it. But even amongst the greatest admirers of Sidney and Milton, few promoted reform through violent means. Resistance rights, in fact, were only exercised by the Jacobites or by an occasional rioter. The Civil War had taught Lilbourne and Neville as well as many generations thereafter that the introduction of “green wood” into the constitutional fabric was likely to cause more trouble than lasting reform. The Real Whig did not advocate the overthrowing of government by force after the failure of the Rye House Plot, although he continued to justify it and thus to confirm L’Estrange’s theory (echoed by Burke’s bitter attack on the Unitarians and reformers of 1792) that:

A *Whig* is a Certain *Bold* kind of a *Boysterous Animal*, that will not *Brook* so much as the *Breath* of a *King*, or a *Bishop*; And where he cannot *Undermine* them by fair *Means*, he makes it his business to *Destroy* them by *Foul*.⁵

The Commonwealthmen saw in the development of Cabinet government a threat to the balance of the constitution. They believed in a separation of powers and hoped that each of the three parts of the government would balance or check the others. They fully recognized that ministerial predominance could be as dangerous as monarchical. They, therefore, wished to separate legislative and executive branches more completely, and roundly condemned placemen and party cliques and cabals.

Republicanism of this variety found expression in suggestions about devices which would safeguard the virtues of the mixed government. Frequent allusions to Sparta’s Ephors and Aragon’s Justiciars as guardians of the constitution, as well as to Ludlow’s proposed Conservators, familiar at least to eighteenth-century readers of his often-reprinted *Memoirs*, represented one method. Even more familiar was a proposal for rotation in office as a preventive against the ascendancy of juntas of willful men. Harrington was followed by men like Walter Moyle, Francis Hutcheson, Joseph Priestley, and John Campbell, the supposed author of *Liberty and Right*, to name but a fraction of his disciples. Even Hume, in spite of his political prejudices, modeled his Ideal Commonwealth upon *Oceana*. In a rota and in the separation